



Maryland Department of Transportation
The Secretary's Office

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Darrell B. Mobley
Acting Secretary

Leif A. Dormsjo
Acting Deputy Secretary

BOARD OF PUBLIC WORKS (BPW)

ACTION AGENDA

February 20, 2013

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 513222
 CCTV Expansion
 South Locust Point Cruise Terminal
 Baltimore City
 ADPICS NO.: P513222

CONTRACT DESCRIPTION: This contract provides for the expansion of the Closed Circuit TV (CCTV) system at South Locust Point Cruise Terminal.

AWARD: i-COMM, Inc.
 Woodbridge, VA

AMOUNT: \$1,306,937

TERM: 100 Work Days from Notice to Proceed

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

i-COMM, Inc.
 Woodbridge, VA \$1,306,937

ICS Nett, Inc.
 Vienna, VA \$1,488,793

Dvorak, LLC
 Baltimore, MD \$1,557,000

G4S Technology
 Omaha, NE \$1,593,902

HP Secure, Inc.
 Baltimore, MD \$1,928,188

MBE PARTICIPATION: 3.4%

PERFORMANCE SECURITY: Performance and Payment Bond at 100% of the Contract Value.

ITEM: 1-C (Continued)

BPW – 02/20/13

REMARKS: The engineer's estimate for this contract was \$1,580,000.

This solicitation was advertised in eMaryland Marketplace. Five (5) firms received bid packages; two (2) were Maryland firms. Five (5) responsive and responsible bids were received.

The scope of work consists of furnishing materials and equipment and the performance of all labor to install towers, foundations, pipe bollards, graded aggregate base, and hot mix asphalt; furnish, install and integrate CCTV systems; perform miscellaneous earthwork; and all other related work.

The increased video coverage and sharing of video between State and Federal partners will enhance domain awareness and further minimize Homeland Security threats. This project is being funded, in part, by a federal port security grant. The estimated completion date is October 31, 2013.

The MBE goal established for this contract was 2.0%; however, the contractor is exceeding this goal by 1.4%.

FUND SOURCE: 75% Federal Funds Budgeted to MPA
25% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03D0002

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 13-0198-1011

BOARD OF PUBLIC WORKS ACTION– THE ABOVE-REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 2-C

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 512015
Berths 1-4 Repairs
Dundalk Marine Terminal
Baltimore City
ADPICS NO.: P512015

CONTRACT DESCRIPTION: This contract is for the repair of berths 1-4 at the Dundalk Marine Terminal. Work includes removing and disposing of existing structures including seawall and sheet piling; and installing new piling, repairing existing timber piles and other incidental items related to this contract.

AWARD: Marine Technologies, Inc.
Baltimore, MD

AMOUNT: \$5,371,034

TERM: 140 Work Days from Notice to Proceed

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Marine Technologies, Inc. Baltimore, MD	\$5,371,034
Corman Marine Construction, Inc. Annapolis Junction, MD	\$5,475,050
McLean Contracting Co. Glen Burnie, MD	\$5,595,355
Cianbro Corp. Pittsfield, ME	\$5,694,591

MBE PARTICIPATION: 17.61%

PERFORMANCE SECURITY: Performance and Payment Bond at 100% of the Contract Amount.

ITEM: 2-C (Continued)

BPW – 02/20/13

REMARKS: The engineer’s estimate for this contract was \$5,030,503.

This solicitation was advertised in eMaryland Marketplace. Four (4) firms received bid packages; three (3) were Maryland firms. Four (4) responsive and responsible bids were received.

The scope of work consists of the furnishing of all materials and equipment and the performance of all labor to complete the Work including, but not limited to removal and disposal of asphalt pavement, concrete crane beam and seawall, and railroad track; pulling one sheet of existing steel sheet piling; removal and salvage for reinstallation of fenders, concrete barriers, and several metal items; earthwork, geotextile, and stone slope protection; constructing bituminous asphalt pavements; providing steel sheet piling, a steel H-pile, and steel pipe piles; repairing timber pile connections; providing a cast-in-place concrete footing and a precast concrete retaining panel; installing distributed galvanic corrosion protection in new structural concrete elements; striping and marking pavements; various bolting, welding, and fabrications of material; providing tubular piles, new concrete bollard foundations, tie rod and deadman system, and cast steel mooring devices; and all related work. The estimated completion date is December 31, 2013.

The MBE goal established for this contract was 17%; however, the contractor is exceeding this goal by .61%.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	J03D0002
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	13-0064-0111

BOARD OF PUBLIC WORKS ACTION– THE ABOVE-REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 3-C

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: TA3055129SB
Architectural Fire Code/Life Safety Upgrades at the Administration’s Easton Maintenance Facility in Talbot County
ADPICS NO.: TA3055129

CONTRACT DESCRIPTION: This Contract consists of architectural fire code/life safety upgrades at the Administration’s Easton Maintenance Facility in Talbot County.

AWARD: Sorensen Construction, Inc.
Queenstown, MD

AMOUNT: \$213,238 NTE

TERM OF CONTRACT: 03/04/2013-10/30/2013

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:
Sorensen Construction, Inc. \$213,238
Queenstown, MD

Harper & Sons, Inc. \$303,730
Easton, MD

MBE PARTICIPATION: 10.18%

PERFORMANCE SECURITY: Payment & Performance Bonds for 100% of the award amount exist on this contract.

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Two-Hundred Four (204) contractors were notified for this project on eMaryland Marketplace; Sixty-Seven (67) of which were MDOT Certified MBE’s.

100% of the work will be performed by a Certified Small Business Enterprise

The MBE Goal established for this contract was 10.00%; however, the contractor is exceeding the goal by 0.18%.

ITEM: 3-C (Continued)

BPW – 02/20/13

FUND SOURCE: 100% Special Funds Budgeted to SHA
APPROPRIATION CODE: J02B0101
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 12-2765-0111

BOARD OF PUBLIC WORKS ACTION– THE ABOVE-REFERENCED ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN
WITH DISCUSSION WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Construction)

ITEM: 4-C-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-1269 A&B
 Ancillary Repairs, Maintenance & Minor
 Construction-Construction Division
 Various Locations
 ADPICS NO.: CO293564 & CO293565

ORIGINAL CONTRACT APPROVED: Item 2-C, DOT Agenda 12/03/08

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTORS: Denver-Elek, Inc. (Contract A)
 Baltimore, MD

Brawner Builders, Inc. (Contract B)
 Hunt Valley, MD

MODIFICATION: Change Order No. 3 is a modification to increase the contract values and extend the contracts for a one-year period. The purpose of this modification is to allow for continuation of existing services and respond to urgent repair or maintenance projects.

AMOUNT: \$1,000,000 each

ORIGINAL CONTRACT AMOUNT: \$9,014,670 (Contract A)
 \$9,514,260 (Contract B)

REVISED CONTRACT AMOUNT: \$11,514,670 (Contract A)
 \$12,014,260 (Contract B)

PERCENTAGE INCREASE: Contract A
 11.1% (CO#003)
 27.73% (Overall)

Contract B
 10.52% (CO#003)
 26.28% (Overall)

ITEM: 4-C-MOD (Continued)**BPW – 02/20/13**

TERM: 01/05/09 - 01/04/12 (Original)
 01/04/12 - 01/03/13 (CO #001)
 01/04/13 - 03/05/13 (CO #002)
 03/06/13 - 03/06/14 (CO #003)

DBE PARTICIPATION: 30% (DBE Compliance 7.47%) Contract A
 30% (DBE Compliance 20.89%) Contract B

REMARKS: These contract modifications will allow MTA sufficient time to complete the new procurement for services under MTA's ancillary contract process. MTA previously awarded several contracts under the new multiple award ancillary contract process. Unfortunately, the end users (Resident Engineers/Project Managers) are experiencing issues that are preventing the award of tasks. Instead of the new process allowing MTA to award multiple tasks to multiple vendors, the process is causing problems such as protests on individual tasks. Because of these issues, MTA was forced to put those ancillaries advertised and ancillaries to be advertised on hold until the Special Provisions could be re-visited and revisions made to remedy the problems. The new ancillary procurement which will replace Contract T-1269 A&B has been advertised but put on hold.

Currently the Construction Division of MTA's Office of Engineering is operating with only three active general purpose ancillaries contract T-1300, Ancillary Paving and contracts, T-1296 A and B, which MTA now seeks to modify. Approval of these modifications will allow the MTA to continue providing a wide range of construction services, on a task order basis, throughout the agency. If these contracts were to expire, MTA would have no existing contract authority for task order work involving construction repair or maintenance activities. This would severely impact the MTA's ability to respond to the constantly emerging maintenance and minor construction needs for which the contracts were initially awarded. MTA is also running out of funds and seeks to increase the amount of contract authority to ensure that work can continue.

The type of tasks typically provided under this ancillary are various emergency repairs on MTA-operated rail lines (Metro Subway and Light Rail) to remedy the impact of severe weather events, bus stop sign replacement, repair of bridges on State-owned freight rail lines, and security upgrades to facilities.

FUND SOURCE: 80% Federal Funds Budgeted to MTA
 20% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED**DISAPPROVED****DEFERRED WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

**ATTACHMENT I
CONTRACT NO. T-1269A**

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$9,014,670	1,095 CD	Item 2-C, DOT Agenda 12/03/2008	
Modification #1	\$1,500,000	365 CD	Item 3-C-MOD, DOT Agenda 12/21/2011	To add additional contract authority until new procurement
Modification #2	\$0.00	60 CD	01/04/2013	To add additional time until new procurement
Modification #3	\$1,000,000	365 CD	02/20/2013	To add additional time and contract authority until new procurement
Revised Amount	\$11,514,670			

CONTRACT NO. T-1269B

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$9,514,260	1,095 CD	Item 2-C, DOT Agenda 12/03/2008	
Modification #1	\$1,500,000	365 CD	Item 3-C-MOD, DOT Agenda 12/21/2011	To add additional contract authority until new procurement
Modification #2	\$0.00	60 CD	01/04/2013	To add additional time until new procurement
Modification #3	\$1,000,000	365 CD	02/20/2013	To add additional time and contract authority until new procurement
Revised Amount	\$12,014,260			

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 5-AE

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: BCS 2011-01 C
 Pavement Management Services, Statewide
 ADPICS NOS.: SBCS1101C

CONTRACT DESCRIPTION: This is the last of three (3) open-end task order contracts to provide pavement management services for the State Highway Administration's Office of Materials Technology/Pavement and Geotechnical Division.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** Recommendation approved by the Transportation Professional Services Selection Board on February 7, 2013.

AWARD: AMEC, Inc.
 Beltsville, MD

AMOUNT: \$3,000,000

TERM: 02/20/2013 – 02/19/2018

DBE PARTICIPATION: 25%

PROPOSALS:

	<u>Technical Proposal Rating (Max 690)</u>	<u>Technical Ranking</u>	<u>Negotiated Price</u>
Whitney, Bailey, Cox & Magnani, LLC/ Wallace, Montgomery & Associates, LLP Baltimore, MD	483	1	\$3,000,000 Contract A Item 2-AE, 12/19/12 BPW
Applied Research Associates, Inc. Elkridge, MD	475	2	\$3,000,000 Contract B Item 2-AE, 12/19/12 BPW
AMEC, Inc. Beltsville, MD	475	3	\$3,000,000 Contract C

ITEM: 5-AE (Continued)

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PROPOSALS (Cont.):

	<u>Technical Proposal Rating (Max 690)</u>	<u>Technical Ranking</u>	<u>Negotiated Price</u>
Axiom Decision Systems, Inc. Ellicott City, MD	398	4	N/A
Kercher Engineering, Inc. Bel Air, MD	324	5	N/A

REMARKS: The Consultant shall provide services to supplement the Pavement Division staff which may include, but not be limited to: provide support and enhancement of our current pavement management system and for the development of pavement models, optimization routines, retrieval routines, and special studies related to pavement and asset management.

The solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page. A total of five (5) engineering consultant firms submitted technical proposals for this project, of which all are Maryland firms.

This contract includes a provision authorizing an extension for up to one-third of the original term to spend funds remaining on the contract as provided in Revised Board Advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 12-2714-1111

RESIDENT BUSINESSES: Yes

BOARD OF PUBLIC WORKS ACTION – THE ABOVE-REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 6-M

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MC-13-012
 Rental Car Shuttle Bus Refurbishment Program at
 Baltimore/Washington International Thurgood
 Marshall Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO.: MAAMC13012

CONTRACT DESCRIPTION: This contract provides for a refurbishment program of Maryland Aviation Administration owned buses at BWI Marshall which includes but is not limited to replacement of HVAC compressors, rebuilt engines and transmissions, body work and replacement of wheels.

AWARD: Fleetpro, Inc.
 Baltimore, MD

TERM OF CONTRACT: 03/15/13 – 03/31/17
 (Four (4) years from Notice to Proceed)

AMOUNT: \$1,100,000

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0%

REMARKS: In order to maintain the maximum number of buses in service, to meet the customer service demands at the airport, the refurbishments must be completed during scheduled preventive maintenance checks and around equipment malfunctions, thus minimizing out-of-service hours. A thorough preventive maintenance program relies on proper maintenance repairs, performed by trained, experienced, and knowledgeable technicians, which ensures each vehicle has been thoroughly inspected, repaired, and maintained. Also, in an effort to minimize bus transportation time and unnecessary fuel usage to and from the proposed facility, it is imperative that the contractor be no further than twenty-five (25) miles from the airport.

In an effort to seek qualified contractors for this service, in accordance with COMAR 21.05.05.02B, the MAA advertised a Request for Information (RFI), December 14, 2012 via eMaryland Marketplace. The RFI was sent to sixty-six (66) contractors, however; only one (1) response was received from Fleetpro, Inc.

ITEM: 6-M (Continued)

BPW-02/20/13

It is MAA’s recommendation to award the bus refurbishment program to Fleetpro, Inc., in accordance with COMAR 21.05.05 Sole Source Procurement. Fleetpro has been under subcontract to the Rental Car Consortium to provide all bus servicing, inspections, maintenance, certifications, parts, and repairs to the bus fleet from the beginning of bus operations in 2003.

Fleetpro is a certified small business.

FUND SOURCE: 100% Other Funds Budgeted to MAA

APPROPRIATION CODE: J06I00003

MD TAX CLEARANCE: 12-2632-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN
WITH DISCUSSION WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 7-M

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: AX3006114
 Vegetation Management; Landscape, Turf &
 Meadow Maintenance in Carroll, Frederick &
 Howard Counties
 ADPICS NO.: AX3006114

CONTRACT DESCRIPTION: This Contract consists of vegetation management; landscape, turf & meadow maintenance in Carroll, Frederick & Howard Counties.

AWARD: Poole Landscaping, Inc.
 Frederick, MD

AMOUNT: \$1,310,758 NTE

TERM OF CONTRACT: 03/04/2013-02/29/2016

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Poole Landscaping, Inc. \$1,310,758
 Frederick, MD

Patriot Land & Wildlife Management \$1,588,759
 Services, Inc.
 Barnesville, MD

Ed's Plant World, Inc. \$1,689,998
 Brandywine, MD

Lorenz Lawn & Landscape \$2,462,903
 Baltimore, MD

Valley Crest landscape Development \$2,673,714
 Chantilly, VA

MBE PARTICIPATION: 0% (Single Element of Work)

ITEM: 7-M (Continued)

BPW – 02/20/13

PERFORMANCE SECURITY:

Payment & Performance Bonds for 100% of the award amount exist on this contract.

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Three-Hundred Thirty Seven (337) contractors were notified for this project on eMaryland Marketplace; Ninety Eight (98) of which were MDOT Certified MBE's.

100% of the work will be performed by a Certified Small Business Enterprise.

FUND SOURCE:

100% Special Funds Budgeted to SHA

APPROPRIATION CODE:

J02B0102

RESIDENT BUSINESS:

Yes

MD TAX CLEARANCE:

12-2414-0111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 8-M

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: 4262G51415SB
 Application of Herbicide Solutions along Roadways
 at Various Locations in Northern Anne Arundel
 County
 ADPICS NO.: 4262G51415

CONTRACT DESCRIPTION: This Contract consists of the application of herbicide solutions along roadways at various locations in Northern Anne Arundel County.

AWARD: Unified Solutions Services, LLC
 Columbia, MD

AMOUNT: \$98,800 NTE

TERM OF CONTRACT: 03/04/2013 – 12/31/2015

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Single Bid Received)

BIDS:
 Unified Solutions Services, LLC \$98,800
 Columbia, MD

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One-Hundred Forty Seven (147) contractors were notified for this project on eMaryland Marketplace; Sixty Eight (68) of which were MDOT Certified MBE's.

There were five (5) plan purchasers for this project. Four (4) companies did not submit bids and were contacted by the Highway Administration. Three (3) companies determined they were unable to bid on this contract for not having the fiscal means to purchase the equipment required for application of herbicides. One (1) contractor did not have a certified herbicide applicator on staff.

ITEM: 8-M (Continued)

BPW – 02/20/13

Although there was no MBE goal established for this contract as it is a single element of work, 100% of the work will be performed by a Certified Minority/Small Business Enterprise; therefore, the MBE participation is 100%.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2724-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN
WITH DISCUSSION WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 9-M

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: 5280251414
 Maintenance and Repairs of Highway Street
 Lighting at Various Locations in Anne Arundel
 County
 ADPICS NO.: 5280251414

CONTRACT DESCRIPTION: This Contract consists of the maintenance and repairs of highway street lighting at various locations in Anne Arundel County.

AWARD: Lighting Maintenance, Inc.
 Rockville, MD

AMOUNT: \$1,306,049 NTE

TERM OF CONTRACT: 03/04/2013 – 12/31/2014

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Lighting Maintenance, Inc. Linthicum, MD	1,306,049
Rommel Engineering & Construction, Inc. Linthicum, MD	\$1,659,731
Moore's Systems Maintenance, LLC Baltimore, MD	\$2,180,459

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: Payment & Performance Bonds for 100% of the award amount exist on this contract.

REMARKS: This work involves the repair/maintenance of lighting that was designed in accordance with AASHTP standards for roadway lighting. The illumination standards are established by the Illumination Engineering Society. For street lighting, SHA uses full "luminaire cutoffs." There is only a 3% spillover at 80% axis. These full cutoffs are usually less glaring to drivers, yet they distribute full

ITEM: 9-M (Continued)

BPW – 02/20/13

intensity light to the ground. Highmast lighting is designed as straight “down lighting” and is used on major highways.

The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One-Hundred Fifty Five (155) contractors were notified for this project on eMaryland Marketplace; Forty-One (41) of which were MDOT Certified MBE’s.

Although there was no MBE goal established for this contract as it is a single element of work, 100% of the work will be performed by a Certified Minority/Small Business Enterprise; therefore, the MBE participation is 100%.

FUND SOURCE:	100% Special Funds Budgeted to SHA
APPROPRIATION CODE:	J02B0102
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	12-2760-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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BPW- 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

RENEWAL OPTION: (Maintenance)

ITEM: 10-M-OPT

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 290029-M
 Rail Maintenance Services
 Various Locations
 ADPICS NO.: P090657

ORIGINAL CONTRACT APPROVED: Item 11-M, DOT Agenda 7/22/09

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: Amtrac Railroad Contractors of
 Maryland, Inc.
 Hagerstown, MD

MODIFICATION: Exercises the second two-year renewal option, to extend the contract for the period September 1, 2013 through August 31, 2015.

AMOUNT: \$722,300

ORIGINAL CONTRACT AMOUNT: \$722,300

REVISED CONTRACT AMOUNT: \$2,166,900

PERCENTAGE INCREASE: 100% (Renewal Option No. 2)
 200% (Overall)

TERM: 09/01/2009 - 08/31/2011- (Original)
 09/01/2011 - 08/31/2013 - (Renewal Option 1)
 09/01/2013 - 08/31/2015 - (Renewal Option 2)

MBE PARTICIPATION: 100% (Certified MBE Contractor)

MBE COMPLIANCE: 100% MBE Goal (See Remarks)

ITEM: 10-M-OPT (Continued)

BPW – 02/20/13

REMARKS: This contract requires routine preventive rail maintenance, repairs and emergency service, 24 hours/day, 7 days/week at MPA marine terminals. The contractor is performing exceptionally well, and MPA wishes to retain the contractor while it has the option to do so. The contractor’s workers show up on-time and work diligently while on-site; their inspections are thorough and performed in accordance with federal inspection requirements; they promptly fix problems found during inspections; they provide the tools and equipment needed to do the job; their billings are timely, correct and consistent with contract rates; they protect and maintain the State property they come in contact with in the course of their performance; they comply with MPA Security and Transportation Worker Identification Credential (TWIC) requirements; and they are qualified to work in areas of the Dundalk Marine Terminal affected by chrome ore processing residue.

Due to the limited scope of work, no MBE goal was established for this contract. However, Amtrac Railroad Contractors of Maryland, Inc. is a certified Minority Business Enterprise; therefore, the MBE participation is 100%.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	J0300002
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	12-2788-1649116

BOARD OF PUBLIC WORKS ACTION–THE ABOVE REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

ATTACHMENT I

	Amount	Term	BPW Date	Reason
Original Contract	\$722,300	09/01/09 - 08/31/11	Item 11-M, DOT Agenda 5/04/09	
Modification No. 1	\$722,300	09/01/11 – 08/31/13	Item 8-M- OPT, DOT Agenda 02/23/11	Renewal Option #1
Modification No.2	\$722,300	09/01/13 – 08/13/15	02/20/13	Renewal Option #2
Revised Amount	\$2,166,900			

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

SERVICE CONTRACT

ITEM: 11-S

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T8000-0390
 Light Rail Station Cleaning & Pressure Washing
 Various Locations
 ADPICS NO.: T80000390

CONTRACT DESCRIPTION: The contractor shall provide all necessary labor, tools, materials, equipment, and supervision required to clean and provide general maintenance at various Light Rail stations stops and parking lots for the Light Rail Division for the Maryland Transit Administration.

AWARD: The Arc Baltimore, Inc.
 Baltimore, MD

TERM: 03/07/2013-03/06/2016

AMOUNT: \$ 3,509,163

PROCUREMENT METHOD: **Community Service Provider**

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: N/A

REMARKS: On November 20, 2012, the Maryland Works Pricing and Selection Committee certified this award as fair market value for Light Rail station cleaning and pressure washing services at various locations.

To maintain clean transit service for our riders and improve ridership, the MTA must properly maintain its station stops and parking lots. This contract provides for station cleaning and trash pick-up at thirty one Light Rail Stations and 15 parking lots. Station cleaning includes sweeping sidewalks, gathering trash and pressure washing the platforms, shelters, bus loops, benches and sidewalks throughout the day. Trash pick-up includes emptying receptacles and removing loose trash from the platforms, sidewalks and parking lots.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0105

ITEM: 11-S (Continued)

BPW – 02/20/13

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2864-1110

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

RENEWAL OPTION: (Service)

ITEM: 12-S-OPT

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 270027-SA
 Fire Protection System Inspection,
 Maintenance, and Repair
 Various Locations
 ADPICS NO.: CO292184

ORIGINAL CONTRACT APPROVED: Item 27-S, DOT Agenda 5/21/2008

ORIGINAL PROCUREMENT METHOD: Negotiated Award after Unsatisfactory
 Competitive Sealed Bidding

CONTRACTOR: Advanced Fire Protection Systems, LLC
 Glen Burnie, MD

MODIFICATION: Renewal Option No. 1 (Modification No. 8) exercises the five-year option to extend the contract for the period June 1, 2013 through May 31, 2018.

AMOUNT: \$1,894,000

ORIGINAL CONTRACT AMOUNT: \$1,894,000

REVISED CONTRACT AMOUNT: \$4,277,975

PERCENTAGE INCREASE: 100% (Renewal Option No.1)
 126% (Overall)

TERM: 06/1/08 – 05/31/13 (Original)
 06/1/13 – 05/31/18 (Renewal Option No. 1)

MBE PARTICIPATION: 10% (MBE Compliance 10.5%)

REMARKS: The Contractor provides inspections, repairs and maintenance to the existing sprinklers, standpipe systems, fire extinguishers and fire hydrants at MPA marine terminals.

The original contract term was May 30, 2008 through May 31, 2013 with MPA having the unilateral right to renew for a one additional five-year term subject to the Contractor's right to a price increase during the renewal term equal to the annual change in the Consumer Price Index not to exceed 3%. The

ITEM: 12-S-OPT (Continued)

BPW – 02/20/13

Contractor has agreed to waive the allowable price increase during the renewal term. The original contract and the renewal period were set at five years in order to have the same contractor provide a full cycle of inspections required by the fire code (the last required code inspection being at five-year intervals).

Many elements of the MPA terminal sprinkler systems are over thirty years old. Components of these old systems sometimes malfunction and sprinkler lines begin to leak, necessitating repairs. Regular inspections by the contractor can also reveal the need for repairs before a system component fails. Since many original parts are now obsolete, repair or replacement of defective components with new parts can require replacement of other components due to incompatibility. While a sprinkler system is out of service MPA may have to provide a fire watch (requiring the payment of overtime to MPA or security personnel) or place restrictions on use of the area out of service. Delays in making repairs can result in fire code violations, disruptions to terminal operations, damage to property in MPA buildings, and losses to the State of Maryland and customers.

To deal with the need for rapid response in the event of a system defect or malfunction, the scope of the contract and the not-to-exceed value of \$1,894,000 include two allowances for repair work. One allowance (Extra Work for Capital Improvements) in the amount of \$500,000 covers major repairs funded by MPA’s capital budget. The second allowance (the Extra Work Allowance) in the amount of \$250,000 (\$50,000 per year) covers minor repairs funded by MPA’s operating budget. These two allowances permit MPA to make necessary repairs quickly, with minimal delay, system downtime, and disruption to terminal operations and Port customers that would occur if MPA had to bid each repair as a separate contract.

MPA requests approval to exercise Renewal Option No. 1 because the contractor’s performance has been very good, strictly in accordance with contract requirements and without deviations. The contractor has been very responsive to the needs MPA and its tenants, providing advance notification of inspections and repairs in order to prevent or minimize impact on cargo operations. During the term of this contract there have been minimal or no life safety violations found during annual U.S. Coast Guard inspections, the number of alarm system calls have been reduced, and the periods during which sprinkler systems have been out of service has been reduced. The contractor has also agreed to waive the allowable CPI increase during the full five-year renewal term; therefore, MPA will be paying for services through May 31, 2018 at prices bid in 2008.

100% of this work is being performed by a Certified Small Business Enterprise.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	J03D0001 and J03D0002
RESIDENT BUSINESS:	Yes

BOARD OF PUBLIC WORKS ACTION—THE ABOVE REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$1,894,000	06/01/08 – 05/31/13	Item 27-S, DOT Agenda 05/21/08	
Modification No. 1	\$ 33,345	09/04/08 – 05/31/13	DCAR 09/03/08	Added two locations for inspection and testing
Modification No. 2	\$ 282,112	09/09/08 – 05/31/13	Item 24-S- MOD, DOT Agenda 0/15/08	Added five locations for inspection and testing
Modification No. 3	(\$ 76,562)	03/30/09 – 05/31/13	Item 13-S- MOD, DOT Agenda 09/16/09	Credit to MPA for recalculation of Mod. No. 2
Modification No. 4	0	10/04/09 – 05/31/13	-	Substituted a new MBE subcontractor
Modification No. 5	\$ 200,000	07/8/09 – 05/31/13	Item 22-S- MOD, DOT Agenda 09/01/10	Increased Extra Work Allowance
Modification No. 6	\$ 49,840	01/24/11 – 05/31/13	DCAR 02/08/11	Added two locations for inspection and testing
Modification No. 7	\$ 1,240	10/12/12 – 05/31/13	-	Added one location for inspection and testing
Modification No. 8	\$1,894,000	06/01/13 – 05/31/18	DOT Agenda 02/20/13	Renewal Opt. No. 1
Revised Amount	\$4,277,975			

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

EQUIPMENT CONTRACT

ITEM: 13-E

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAP6303320
75 Foot Aerial Ladder Automotive Fire Apparatus at BWI
Thurgood Marshall Airport (BWI Marshall)
Anne Arundel County
ADPICS NO.: MAP6303320

CONTRACT DESCRIPTION: This contract provides for the manufacture and delivery of a Pierce Arrow 75 foot aerial ladder automotive fire apparatus from Houston Galveston Area Council (H-GAC) Buy contract.

AWARDS: Atlantic Emergency Solutions
Dover, DE

TERM: 03/01/2013-03/01/2014
(One (1) year from Notice to Proceed)

AMOUNT: \$799,881

PROCUREMENT METHOD: Intergovernmental Cooperative Purchase

REMARKS: MAA will replace one (1) 1994, Emergency-One 75 foot ladder automotive fire apparatus with one (1) 2013 Emergency-One 75 foot ladder. One of the most important capital assets of the Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall) and BWI Marshall Fire and Rescue Department (FRD) is a fleet of reliable automotive fire apparatus. Firefighters depend heavily on the performance capabilities of these vehicles when delivering emergency services to protect life, property, and the environment. In order to maximize the firefighter capabilities and minimize their risk of injuries, it is imperative that the fire apparatus be equipped with the latest safety feature and operating capabilities.

Through market research the MAA compared the base price for the Pierce Arrow 75 foot rear mounted ladder automotive fire apparatus off of the (H-GAC) Buy contract with a base price for a Pierce Velocity 75' heavy aluminum ladder fire apparatus from the Louisiana Multiple Award Schedule for fire apparatus. The base price for the a Pierce Velocity 75' heavy aluminum ladder fire apparatus off of the Louisiana Multiple Award Schedule is \$653,335.95. By comparing the base price to a similar vehicle, the price from Atlantic Emergency Solutions is considered fair and reasonable.

The Contract with Atlantic Emergency Solutions has been negotiated per COMAR 21.05.09, Intergovernmental Cooperative Purchasing. Utilizing this procurement method will allow the MAA to realize savings in time and money in obtaining the vehicle.

ITEM: 13-E (Continued)

BPW – 02/20/13

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 13-0163-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

EQUIPMENT CONTRACT

ITEM: 14-E

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAP6303334
 Aircraft Rescue Firefighting (ARFF) Vehicle at BWI
 Thurgood Marshall Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO.: MAP6303334

CONTRACT DESCRIPTION: This contract provides for the manufacture and delivery of one (1) Oshkosh ARFF vehicle from Houston Galveston Area Council (H-GAC) Buy contract.

AWARDS: Oshkosh Corporation
 Appleton, WI

TERM: 03/01/2013-03/01/2014
 (One (1) year from Notice to Proceed)

AMOUNT: \$903,743

PROCUREMENT METHOD: Intergovernmental Cooperative Purchase

REMARKS: MAA will replace one (1) 1999 ARFF vehicle manufactured by Oshkosh Corporation with one (1) 2013 ARFF vehicle. One of the most important capital assets of the Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall) and BWI Marshall Fire and Rescue Department (FRD) is a fleet of reliable automotive fire apparatus. Firefighters depend heavily on the performance capabilities of these vehicles when delivering emergency services to protect life, property and the environment. In order to maximize the firefighter capabilities and minimize their risk of injuries, it is imperative that the fire apparatus be equipped with the latest safety features and operating capabilities.

Through market research the MAA compared the cost with a public bid by the Santa Maria Public Airport District for a similar ARFF vehicle from Oshkosh Corporation totaling \$990,611.00. The bid received from Oshkosh Corporation was posted on the Santa Maria Public Airport District website on September 4, 2012. By comparing the base price to a similar vehicle, the price from Oshkosh Corporation is considered fair and reasonable.

The Contract with Oshkosh Corporation has been negotiated per COMAR 21.05.09, Intergovernmental Cooperative Purchasing. Utilizing this procurement method will allow the MAA to realize savings in time and money in obtaining the vehicle.

FUND SOURCE: 100% Special Funds Budgeted to MAA

ITEM: 14-E (Continued)

BPW – 02/20/13

APPROPRIATION CODE: J06I0003

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 13-0162-0111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

EQUIPMENT CONTRACT

ITEM: 15-E

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAP6303452
 Emergency Medical Vehicle at BWI Thurgood Marshall
 Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO.: MAP6303452

CONTRACT DESCRIPTION: This contract is to procure an emergency medical vehicle from the Houston Galveston Area Council Buy (H-GAC) contract.

AWARDS: Fesco Emergency Sales
 Elkridge, MD

TERM: 03/01/2013-03/01/2014
 (One (1) year from Notice to Proceed)

AMOUNT: \$203,906

PROCUREMENT METHOD: Intergovernmental Cooperative Purchase

REMARKS: MAA will replace one (1) 2000 Horton Emergency Medical Vehicle with one (1) 2013 Horton Emergency Medical Vehicle. One of the most important capital assets of the Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall) and BWI Marshall Fire and Rescue Department (FRD) is a fleet of reliable Emergency Medical Response Vehicles. Medics depend heavily on the performance capabilities of these vehicles when delivering emergency services to protect life. If these services are to be provided without interruption, emergency medical vehicles must be maintained in superior operating condition and should be promptly replaced when adequate performance levels can no longer be assured.

Through market research the MAA compared a public bid by the State of Ohio for a similar vehicle for Horton Emergency Vehicles. The base price for a Model 603 Type 1, Ford F-450 (4x2) is \$148,001 compared to the base price of \$136,567 on the HGAC Buy contract. Additional options make-up the total configured price of this purchase. By comparing the base price to a similar vehicle, the price from Fesco Emergency Sales is considered fair and reasonable.

The Contract with Fesco Emergency Sales has been negotiated per COMAR 21.05.09, Intergovernmental Cooperative Purchasing. Utilizing this procurement method will allow the MAA to realize savings in time and money in obtaining the vehicle.

ITEM: 15-E (Continued)

BPW – 02/20/13

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-0164-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

EQUIPMENT CONTRACT

ITEM: 16-E

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAP6303531
C-23 Mobile Command Vehicle at BWI Thurgood Marshall
Airport (BWI Marshall)
Anne Arundel County
ADPICS NO.: MAP6303531

CONTRACT DESCRIPTION: This contract provides for the manufacture and delivery of a C-23 Mobile Command Vehicle from Houston Galveston Area Council (H-GAC) Buy contract.

AWARDS: Atlantic Emergency Solutions
Dover, DE

TERM: 03/01/2013-03/01/2014
(One (1) year from Notice to Proceed)

AMOUNT: \$157,833

PROCUREMENT METHOD: Intergovernmental Cooperative Purchase

REMARKS: MAA will replace one (1) 2001 Ford Expedition with one (1) 2013 C-23 Mobile Command Vehicle. One of the most important capital assets of the Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall) and BWI Marshall Fire and Rescue Department (FRD) is a fleet of reliable automotive fire apparatus. Firefighters depend heavily on the performance capabilities of these vehicles when delivering emergency services to protect life, property and the environment. In order to maximize the firefighter capabilities and minimize their risk of injuries, it is imperative that the incident command vehicle be equipped with the latest operating capabilities to perform command functions and control communications during emergency situations.

Through market research the MAA compared a public bid by the City of Tampa for a similar C-24 Mobile Command Vehicle from Pierce Manufacturing totaling \$296,496. The City of Tampa received the bid from Pierce Manufacturing on February 3, 2012. By comparing the base price to a similar vehicle, the price from Atlantic Emergency Solutions is considered fair and reasonable.

The Contract with Atlantic Emergency Solutions has been negotiated per COMAR 21.05.09, Intergovernmental Cooperative Purchasing. Utilizing this procurement method will allow the MAA to realize savings in time and money in obtaining the vehicle.

ITEM: 16-E (Continued)

BPW – 02/20/13

FUND SOURCE: 100% Special Funds Budgeted to MAA
APPROPRIATION CODE: J06I0003
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 13-0163-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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BPW– 02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

EQUIPMENT CONTRACT

ITEM: 17-E

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAP6303616
 Tracking Tow Broom for use at Baltimore
 Washington International Thurgood Marshall
 Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO: MAP6303616

CONTRACT DESCRIPTION: This contract provides for one (1) tracking tow broom at BWI Marshall.

AWARD: M-B Companies, Inc.
 New Holstein, WI

TERM: 02/28/13 – 08/31/13

AMOUNT: \$228,315

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0%

PERFORMANCE SECURITY: None

REMARKS: MAA will replace one (1) tracking tow broom with one (1) M-B tracking tow broom unit. MAA Oshkosh H-Series snow plow trucks are connected to the M-B Company broom control panel and wiring harness, which make the snow truck and broom a “married pair”. The wiring harness and control heads are proprietary to M-B Company and Oshkosh Truck Corporation. Equipping the Oshkosh snowplow truck with a tracking tow broom allows runway plowing and/or brooming as runway conditions dictate with a single multifunction piece of equipment. On December 26, 2012 MAA’s M-B tracking tow broom unit was destroyed by an on-board fire resulting in a catastrophic loss.

During inclement weather in particular snow removal operations, proper runway preparation including all equipment is paramount to aircraft safely taking off and landing, as well as ensuring safe operations for the quick response of the BWI Airports Fire/Rescue department and Police force. Therefore, in accordance with COMAR 21.05.05 Sole Source Procurement; it is MAA’s recommendation to replace the M-B tracking tow broom from M-B Companies, Inc.

ITEM: 17-E (Continued)

BPW – 02/20/13

FUND SOURCE: 100% Special Funds Budgeted to MAA
APPROPRIATION CODE: J06I00003
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 13-0222-01111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW-02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY LEASE AMENDMENT

ITEM: 18-RP

MARYLAND TRANSIT ADMINISTRATION: Second Amendment to Lease Agreement (Perryville, Aberdeen, Edgewood, Glenn L. Martin, BWI, New Carrollton)

EXPLANATION: The Maryland Transit Administration (MTA) and the National Railroad Passenger Corporation (Amtrak) have agreed to amend the existing Lease Agreement and First Amendment to Lease Agreement for the passenger rail lines to include the Baltimore-Washington International (BWI) and New Carrollton MARC Station. The purpose of the Second Amendment will allow MTA to install, maintain, and repair MTA's planned closed circuit television system.

LESSOR: National Railroad Passenger Corporation (Amtrak)

LESSEE: Maryland Transit Administration

CONSIDERATION: N/A

SPECIAL CONDITIONS: N/A

REMARKS: MTA and Amtrak entered into a Lease Agreement dated April 4, 1991, as amended by a First Amendment and approved by the Maryland Board of Public Works on February 22, 2012, as Item 2-RP-MOD. The First Amendment granted MTA certain expanded rights at Perryville, Aberdeen, Edgewood and Glen L. Martin to support two capital projects. The Second Amendment to the Lease Agreement will provide the same rights at New Carrollton and the BWI MARC Stations to support MTA's project for closed circuit televisions to continue to support MARC services along the Penn Line.

Board of Public Works approval is requested for this Second Amendment to Lease Agreement.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW-02/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY LEASE AMENDMENT

ITEM: 19-RP

MARYLAND TRANSIT ADMINISTRATION: Second Amendment to Easement Agreement (Baltimore Penn Station)

EXPLANATION: The Maryland Transit Administration (MTA) and the National Railroad Passenger Corporation (Amtrak) have agreed to amend the existing Easement Agreement and First Amendment to Easement Agreement for the Penn Line Light Rail Station at Penn Station in Baltimore City, Maryland. This Second Amendment will allow MTA to install, maintain and repair all improvements related to MTA's passenger information system, PA/LED and closed circuit television systems.

GRANTOR: National Railroad Passenger Corporation (Amtrak)

GRANTEE: Maryland Transit Administration

CONSIDERATION: N/A

SPECIAL CONDITIONS: N/A

REMARKS: MTA and Amtrak entered into an Easement Agreement dated October 30, 1996 granting MTA an easement to support a new light rail station along the Penn Line. On March 11, 1998, MTA and Amtrak entered into a First Amendment to Easement Agreement for additional rights.

Board of Public Works approval is requested for this Second Amendment to Easement Agreement.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 02/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 20 -GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-13-017; MAA-LC-13-018;
MAA-LC-13-019

NATURE OF REQUEST: Approval of Lease of Facilities to the Federal Aviation Administration (FAA) to support Air Traffic Control Tower (ATCT) Operations located in the BWI Marshall Terminal Building. These three (3) Contracts provide for space rental and recovery from the FAA of the cost of utilities and custodial services associated with the ATCT and Administrative Support Facilities.

CONCESSIONAIRE: Federal Aviation Administration
Atlanta, Georgia

REVENUE: Total payments to the MAA over the 5-year contract term are as follows:

MAA-LC-13-017	ATCT Space Rental	\$5,962,595.80
MAA-LC-13-018	Utilities & Custodial	\$ 870,240.00
MAA-LC-13-019	Special Utilities	<u>\$ 211,934.00</u>
	Total	\$7,044,769.80

Space rental rates are based on rates in the current Tenant Directive 401.1 Standard Rates and Fees at Baltimore/Washington International Thurgood Marshall Airport for the initial lease year, increased by three percent (3%) for each subsequent year of the lease term. Utilities and custodial services are based on the Fiscal Year 2013 operating expenses for the initial lease year and also increased by three percent (3%) for each subsequent year of the lease term.

DURATION: Five (5) years commencing on April 1, 2013 and ending March 31, 2018. Each party has the right to cancel the contracts upon thirty (30) days prior written notice.

REMARKS: The MAA has a continuing relationship with FAA for the lease of facilities to support the ATCT operations at BWI Marshall. These contracts will replace Contract Nos. MAA-LC-09-011, MAA-LC-09-012 and MAA-LC-09-013, which were approved by the BPW as Item 13-GM on December 3, 2008. The current contracts expire March 31, 2013. The FAA, consistent with federal guidelines concerning ATCT activities at airports, prepares the lease contracts for ATCT facilities.

This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law under State Finance and Procurement Article, Section 11-202(3) and COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a lease and use of State property under State Finance and Procurement Article, Section 10-035.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	