



Maryland Transportation Authority

CAPITAL COMMITTEE MEETING

THURSDAY, MAY 2, 2024

2310 BROENING HIGHWAY
BALTIMORE, MARYLAND 21224

**CAPITAL COMMITTEE MONTHLY MEETING
May 2, 2024 – 9:00 AM**

This meeting will be livestreamed on the [MDTA Capital Committee Page](#)

NOTE: This is an Open Meeting being conducted via livestreaming. The public is welcomed to watch the meeting at the link listed above. *If you wish to comment on an agenda item please email your name, affiliation, and the agenda item to agibson@mdta.state.md.us no later than 3:00 p.m. on Monday, April 29, 2024. You MUST pre-register in order to comment.* Once you have pre-registered you will receive an email with all pertinent information.

AGENDA

OPEN SESSION – 9:00 a.m.

Call Meeting to Order

- | | | |
|--|------------------------------------|--------|
| 1. <u>Approval</u> - Open Session Meeting Minutes of March 7, 2024 | Chairman | 5mins |
| 2. <u>Approval</u> - 2022-02 A Construction Management and Inspection Services – 2 nd set of six contracts | Bill Randow | 10mins |
| 3. <u>Approval</u> - MDTA Strategic Plan – Review Direction and identify key focus areas | Christopher Parris & Bruce Gartner | 10mins |
| 4. <u>Approval</u> - Board Operating Policy – Proposed Amendment For Tolling Contract Modification | Kim Millender | 10mins |
| 5. <u>Update</u> - CTP Process/Additions | Jennifer Stump | 10mins |

Vote to Adjourn Meeting

TAB 1

**MARYLAND TRANSPORTATION AUTHORITY
CAPITAL COMMITTEE MEETING
THURSDAY, MARCH 7, 2024
OPEN MEETING VIA LIVESTREAMING**

OPEN SESSION

MEMBERS ATTENDING: Mario J. Gangemi – Chairman
Samuel D. Snead
William H. Cox, Jr. – via telephone
W. Lee Gaines

STAFF ATTENDING: Bruce Gartner
Mary O’Keeffe
James Harkness
Sushmita Mitra
Jeffrey Davis
Richard Jaramillo
Kimberly Millender
Percy Dangerfield
Jennifer Stump
William Randow
Ebony Moore
Natalie Henson
Timothy Sheets
Ganine Steffe
Araya Gibson

Member Gangemi called the meeting of the Maryland Transportation Authority (MDTA) Capital Committee to order at 9:02 a.m. The meeting was held via video conference and livestreamed on the MDTA Board Meeting web page.

APPROVAL – OPEN SESSION MEETING MINUTES OF FEBRUARY 1, 2024

Upon motion by Member Gaines and seconded by Member Snead, the Open Session meeting minutes of the Capital Committee’s meeting held on February 1, 2024, were unanimously approved.

APPROVAL – 2022-02 A CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES

Mr. Randow presented this request to seek a recommended approval from the Capital Committee to present **2022-02 A CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES** to the full MDTA Board for award at its next scheduled meeting.

The services to be performed under this contract are Construction Management and Inspection (CMI) Services for the Maryland Transportation Authority (MDTA). The consultant shall provide professional Construction Management Services related to supplementing and supporting the construction phase of the Maryland Transportation Authority 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 Authority's compliance officers with monitoring and enforcement of Minority Business Enterprise goals. This item seeks approval for six out of twelve contracts.

Upon motion by Member Gaines and seconded by Member Snead, the Members unanimously recommended contingent approval of Contract No. 2022-02 A Construction Management and Inspection Services to A. Morton Thomas & Associates/Wallace Montgomery Michael Baker International/Prime AE and present a recommendation for award to the Capital Committee at its next scheduled meeting.

UPDATE – MAJOR PROJECTS UPDATES

Mr. Harkness provided the MDTA Capital Committee with an overview of the Major Projects Update.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by consensus at 10:01 a.m. following a motion by Member Gaines and seconded by Member Cox.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, April 4, 2024, at 9:00 a.m., this meeting will be virtual conducted via livestream.

APPROVED AND CONCURRED IN:

Mario J. Gangemi, Chairman

TAB 2



CAPITAL COMMITTEE PROJECT SUMMARY
Contract No. MDTA 2022-02A CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES

PIN NUMBER N/A
CONTRACT NUMBER MDTA 2022-02A
CONTRACT TITLE Construction Management and Inspection Services (CMI)

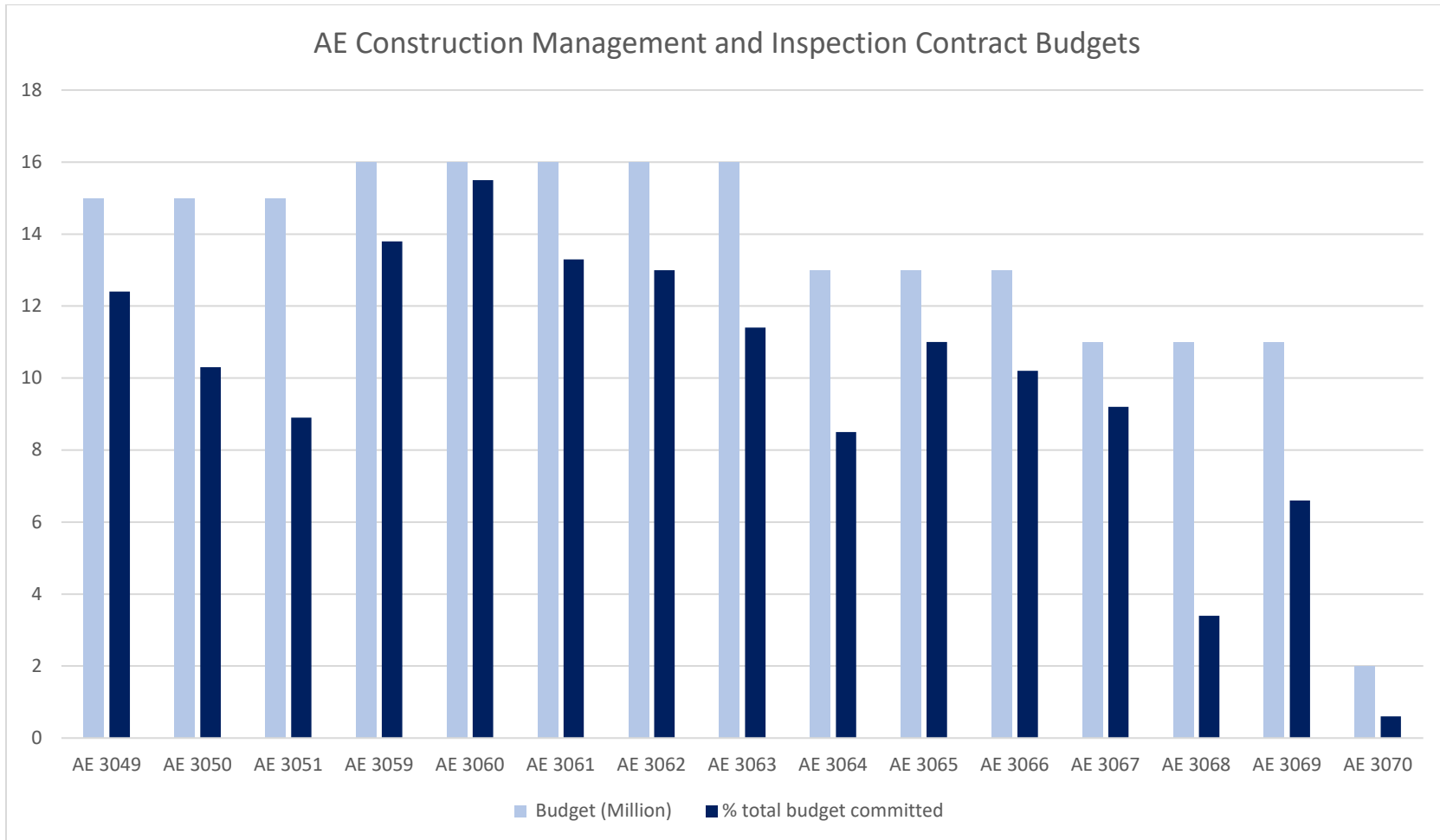
PROJECT SUMMARY The services to be performed under this contract are Construction Management and Inspection (CMI) Services for the Maryland Transportation Authority (MDTA). The consultant shall provide professional Construction Management Services related to supplementing and supporting the construction phase of the Maryland Transportation Authority 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 Authority's compliance officers with monitoring and enforcement of Minority Business Enterprise goals.

SCHEDULE		PROPOSER	CONTRACT AMOUNT
ADVERTISEMENT DATE	January 3, 2023	Greenman-Pedersen, Inc. (GPI)	AE 3117 \$16,000,000.00
ANTICIPATED NTP DATE	July 1, 2024	Rummel, Klepper & Kahl, LLP (RKK)	AE 3119 \$16,000,000.00
DURATION/TERM	FIVE (5) YEARS	WSP	AE 3120 \$14,000,000.00
		Whitman, Requardt and Associates (WRA)	AE 3121 \$14,000,000.00
		Johnson, Mirmiran & Thompson, Inc.	AE 3122 \$14,000,000.00
PROTEST	YES	AECOM Technical Services, Inc.	AE 3125 \$11,000,000.00
	NO		

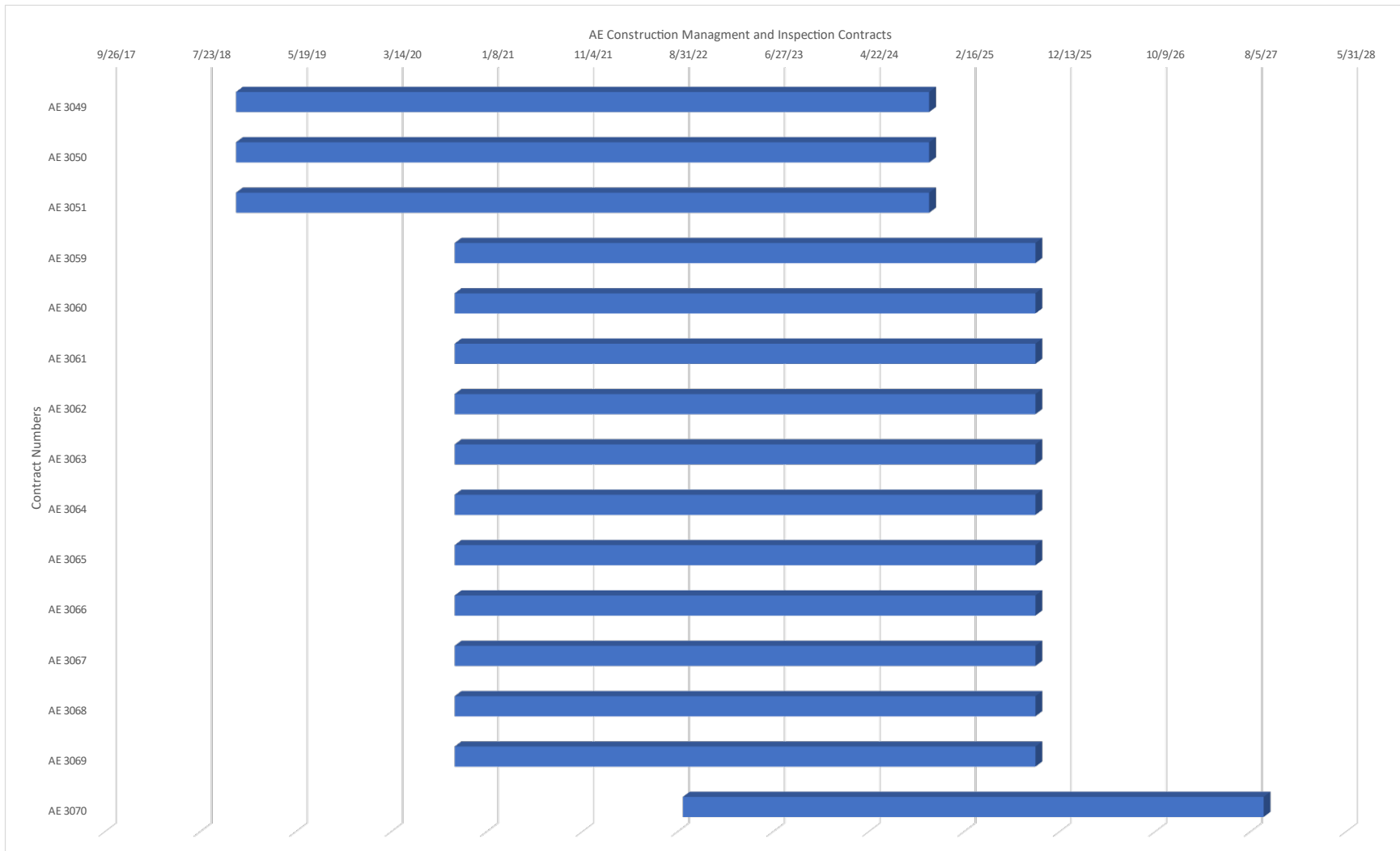
	MBE PARTICIPATION						
		(GPI)	(RKK)	(WSP)	(WRA)	(JMT)	(AECOM)
		AE-3117	AE-3119	AE-3120	AE-3121	AE-3122	AE-3125
	ADVERTISED GOAL	PROPOSED GOAL	PROPOSED GOAL	PROPOSED GOAL	PROPOSED GOAL	PROPOSED GOAL	PROPOSED GOAL
	(%)	(%)	(%)	(%)	(%)	GOAL (%)	(%)
MBE PARTICIPATION - OVERALL		26.00%	26.00%	26.00%	26.00%	26.00%	26.00%
OVERALL MBE	26.00%	26.00%	28.00%	28.00%	26.00%	26.00%	26.00%
AFRICAN AMERICAN	7.00%	7.00%	9.00%	8.00%	7.00%	8.00%	7.00%
ASIAN AMERICAN	-	7.00%	5.00%	6.00%	8.00%	8.00%	9.00%
HISPANIC AMERICAN	-	0.00%	3.00%	0.00%	0.00%	0.00%	0.00%
WOMEN OWNED	10.00%	10.00%	11.00%	11.00%	10.00%	10.00%	10.00%
OTHER		2.00%	0.00%	3.00%	1.00%	0.00%	0.00%
VSBE	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%

AE 3049 – AE3051: Nice Bridge

AE 3059 – AE3070: Current CMI Contracts



This graph depicts the awarded budgets per Active CMI Contracts as well as the current Committed amount as of January 2024.



This graph depicts the duration of the current AE Construction Management and Inspection Services Contracts.

TAB 3



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Wes Moore, Governor
Aruna Miller, Lt. Governor
Paul J. Wiedefeld, Chairman

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

Bruce Gartner, Executive Director

MEMORANDUM

TO: Capital Committee
FROM: Director of Policy, Innovation, and Performance Sarah Clifford
Manager of Policy, Innovation, and Performance Christopher Parris
SUBJECT: Approval on Strategic Plan
DATE: May 2, 2024

PURPOSE OF MEMORANDUM

To seek Capital Committee approval to move the Maryland Transportation Authority (MDTA) Strategic Plan forward to the full Board for their approval.

SUMMARY

In May 2023, the MDTA began the strategic planning process with a Strategic Advance meeting with senior leadership. During the meeting, themes were identified, a SWOT analysis was completed, and the Moore-Miller Transition Plan was reviewed.

From June 2023 through December 2023, work sessions were held with senior MDTA staff during designated Leadership Round Table meetings for the purpose of developing the content and look of a new Strategic Plan.

The strategic plan will be an internally and externally available document - one which all MDTA employees can rally around and relate back to the agency strategy. To help achieve this, we asked employees to vote on a Vision and Mission statement that they believed best represented MDTA.

MDTA's existing Strategic Plan and accompanying Roadmap were developed several years ago. The new Strategic Plan is one that envisions how the MDTA can deliver on the Governor's commitment to building an efficient and equitable transportation system that unharnesses

economic growth in our region, drives billions in new investment, protects our environment and our neighbors, and connects people with employers.

This plan is people and team focused. Throughout the strategic planning process, it was evident that MDTA's greatest strength is the people and team of MDTA. There are 4 goals, 24 objectives, and 16 key focus areas and initiatives within the Strategic Plan. The plan lays the foundation for MDTA. The plan contains the Roadmap for MDTA, which spans 3 years; 2024-2027. The Roadmap will be a living document and updated as needed. Our 'roadmap' was first introduced in 2022 and provides MDTA employees with a visual tool to showing how their jobs directly connect with MDTA's Strategic Plan and MDTA.

ATTACHMENT

- MDTA Strategic Plan



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MDTA Strategic Plan

2024

WHO WE ARE

The Maryland Transportation Authority (MDTA) was established in 1971 by the Maryland General Assembly to finance, construct, operate, preserve and improve the State's toll facilities, as well as to finance new revenue-producing transportation projects.

The MDTA is financed by toll revenue. The MDTA's toll revenues are separate and independent from MDOT's Transportation Trust Fund. At the MDTA, we're dedicated to innovative transportation solutions that improve connectivity, create opportunity, enhance safety, promote equity, and support economic development.

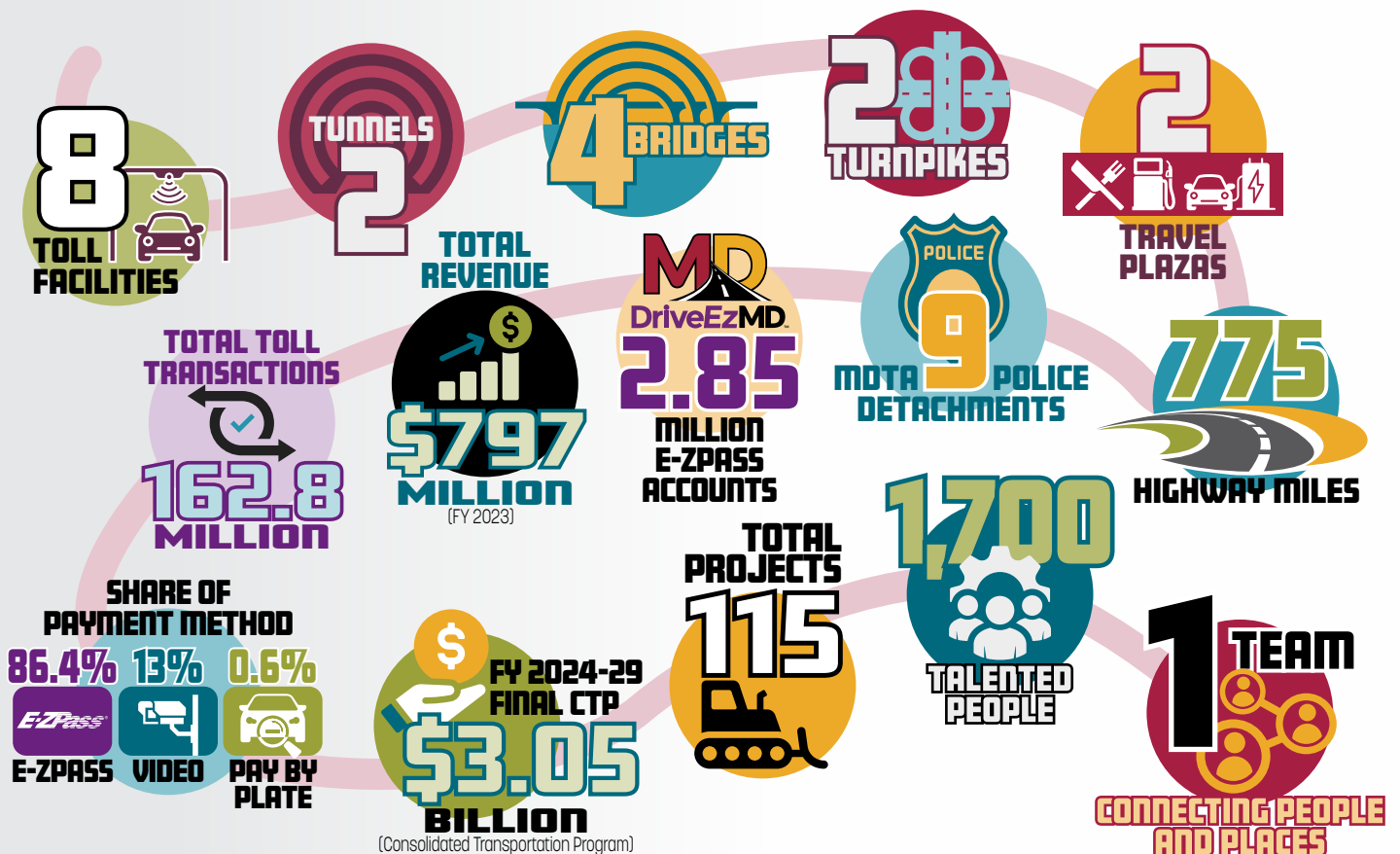
For more than 50 years, the MDTA has provided Maryland's citizens and visitors with safe, secure, reliable and convenient transportation facilities. We are committed to preserving our vital infrastructure

and to excellence in customer experience. We rely on our employees and their commitment to excellence to achieve our success.

The MDTA Police is nationally accredited and is the eighth largest law enforcement agency in the State of Maryland with more than 500 sworn and civilian professionals. MDTA Police Officers are responsible for law enforcement at MDTA bridges, tunnels, thruways, highways, the Baltimore Washington International/ Thurgood Marshall Airport and the Port of Baltimore.

MDTA's toll facilities provide vital links in Maryland's transportation network, connecting all Marylanders to life's opportunities. Covering more than 775 road miles of major highways, MDTA's electronic tolling system provides customers with mobility options and helps keep people and goods moving in Maryland.

MDTA BY THE NUMBERS



MDTA FACILITIES

CENTRAL REGION

Baltimore Harbor Tunnel (I-895)

Crosses under the Patapsco River and provides key connections for major north/south highways and many arterial routes in Baltimore City's industrial sections

Fort McHenry Tunnel (I-95)

Crossing under the Patapsco River south of Fort McHenry and connecting the Locust Point and Canton areas of Baltimore, the tunnel is a vital link in I-95, the East Coast's most important interstate route

Francis Scott Key Bridge (I-695)

Spans the Patapsco River and serves as the outermost of the three toll crossings of the Baltimore Harbor

SOUTHERN REGION

William Preston Lane Jr. Memorial (Bay) Bridge (US 50/301)

Crossing the Chesapeake Bay along US 50/301, the dual spans provide a direct connection between Maryland's Eastern Shore and the metropolitan areas of Baltimore, Maryland, and Washington, D.C.

Governor Harry W. Nice Memorial/Senator Thomas "Mac" Middleton Bridge (US 301)

Spans the Potomac River, providing a key link between Newburg, Maryland, and Dahlgren, Virginia

Intercounty Connector (ICC)/MD 200

Maryland's first all-electronic toll facility connects I-370 in Montgomery County and US 1 in Prince George's County, delivering dependable travel times with a relatively congestion-free highway

NORTHERN REGION

Thomas J. Hatem Memorial Bridge (US 40)

Spans the Susquehanna River between Havre de Grace (Harford County) and Perryville (Cecil County) and is the oldest of the MDTA's toll facilities

John F. Kennedy Memorial Highway (I-95)

Designated I-95 as part of the national highway interstate system, this 50-mile section runs from the northern Baltimore City line to the Delaware state line

I-95 Express Toll Lanes (ETL)

Provides eight miles of travel lanes on I-95 between Baltimore City and White Marsh in Baltimore County

TRAVEL PLAZAS

Maryland House Travel Plaza

I-95 at mile marker 82 between Exit 80 (MD 543) and Exit 85 (MD 22) in Harford County

Chesapeake House Travel Plaza

I-95 at mile marker 97 between Exit 93 (MD 222) and Exit 100 (MD 272) in Cecil County



TOLL FACILITIES

Thomas J. Hatem Memorial Bridge (US 40) **1**

John F. Kennedy Memorial Highway (I-95) **2**

Fort McHenry Tunnel (I-95, I-395) **3**

Baltimore Harbor Tunnel (I-895) **4**

Francis Scott Key Bridge (I-695) **5**

Intercounty Connector (ICC)/MD 200 **6**

William Preston Lane Jr. Memorial (Bay) Bridge (US 50/301) **7**

Governor Harry W. Nice Memorial/Senator Thomas "Mac" Middleton Bridge (US 301) **8**



MISSION STATEMENT

The Maryland Department of Transportation is a customer-driven leader that delivers safe, sustainable, intelligent, exceptional, and inclusive transportation solutions in order to connect our customers to life's opportunities.

MDTA MISSION

Talented people ensuring Maryland's iconic bridges, tunnels and roadways are the customer's trusted and preferred choice for safe mobility, connection, and E-Z passage today and tomorrow.

MDTA VISION

One team connecting our customers to what matters most.



VALUES

MDTA is **ONE TEAM** working together to:



Appreciate Maryland's **DIVERSITY** and bring our services to all communities.



Foster **INNOVATION** to revolutionize transportation operations.



Promote **INTEGRITY** through accountability, transparency, governance and communication.



Ensure the **SAFETY** of our employees, customers, facilities and systems.



Provide exceptional **CUSTOMER EXPERIENCE**.

The MDTA is dedicated to advancing MDOT's commitment to working in partnership with the communities it serves and promoting equity, environmental protection and sustainable communities, while connecting people to the places where they live, work and play. The facilities and services that MDOT and the MDTA provide are vital to the quality of life of all Marylanders and meeting their day-to-day mobility needs. The goals and guiding principles detailed in the [2050 Maryland Transportation Plan \(MTP\)](#) – the department-wide long-range plan – will guide the agency in making strategic transportation investments to better serve all Marylanders. Our Strategic Plan

supports the 2050 MTP and provides strategic direction for MDTA through its four goals, 24 objectives and 16 key focus areas and initiatives identified in the Roadmap. Our Strategic Plan elements align and support the MTP's guiding principles and goals. One example is our goal to modernize our transportation network, which is built upon the MTP's guiding principle of modernization and supports the goals to deliver system quality and enhance safety and security. Together, we are a collaborative team committed to building a transportation system that connects all Marylanders to life's opportunities and leaves no one behind.

GOALS AND OBJECTIVES



Prioritize people in all we do

- Attract, develop, build and retain the best team.
- Seek customer feedback and continually build our reputation with our customers.
- Create an inclusive workforce that reflects our diversity.
- Communicate plainly and transparently.
- Strengthen and cultivate our culture.
- Build contractor relationships and provide opportunities for them to collaborate with us.
- Avoid, minimize and mitigate impacts to the natural and man-made environment.
- Strengthen and build partnerships with agencies and businesses.



Expand our reputation as a national leader

- Transform how our customers engage with us.
- Implement innovative solutions for our business.
- Formalize pathways of collaboration.
- Evaluate and modernize MDTA's transportation network.
- Deliver projects on-time and on-budget.
- Support technology enhancements.



Demonstrate financially sound and fiscally responsible decision making

- Maintain excellence in financial reporting.
- Practice transparency and standardization.
- Govern with accountability.
- Implement and standardize knowledge management.
- Commit to environmental, social impact and governance practices.



Ensure the safety and security of our employees, customers and facilities

- Prepare and protect against natural and man-made disasters and climate change.
- Establish safety through preparation.
- Support Maryland's efforts on Highway safety.
- Ensure safety with vigilance and self-assessment.
- Accommodate the constantly changing needs for security.
- Evaluate opportunities for real-time information in our communication.

2024-2027 Roadmap

Strategic Plan Goals

- Prioritize people in all we do
- Expand our reputation as a national leader
- Demonstrate financially sound and fiscally responsible decision making
- Ensure the safety and security of our employees, customers and facilities

Undertake Francis Scott Key Bridge salvage and reconstruction activities

Support work zone safety initiatives

Develop a knowledge management program

Deliver two new software applications to support socio-economic compliance

Utilize KPIs to enhance customer experience

Build a diverse, equitable and inclusive team

Provide education and engagement regarding MDTA major projects

Actively review and update processes, policies and procedures

Provide job opportunities through projects that offer workforce training

Coordinate with local jurisdictions on possible bicycle/pedestrian accommodations

Bay Crossing Study Tier 2 NEPA Final Record of Decision/Selected Alternative Identified

Utilize asset management resources to support budget and contract decisions

Expand and implement employee development opportunities

Expand preventive maintenance programs

Develop and implement employee safety near-miss reporting

Avoid, minimize and mitigate impacts to the natural and man-made environment



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2310 Broening Highway, Baltimore, MD 21224
mdta.maryland.gov | baybridge.com | DriveEzMD.com

TAB 4



MEMORANDUM

TO: Capital Committee
FROM: Principal Counsel Kimberly A. Millender
SUBJECT: MDTA Board Operating Policy – Proposed Amendments
DATE: May 2, 2024

PURPOSE OF MEMORANDUM

To obtain recommended approval from the Capital Committee to forward proposed amendments to the MDTA Board Operating Policy, Resolution No. 24-02, to require MDTA Board approvals for contract modifications for MDTA’s tolling contracts to the MDTA Board for consideration at its next meeting.

SUMMARY

In follow-up to the discussion of the Board at its March meeting regarding a modification to one of MDTA’s two tolling contracts, the MDTA Board questioned if future modifications should be presented to the MDTA Board for approval and not merely presented as an update.

ANALYSIS

The amendment is highlighted in track changes showing the new language in bold, highlight. The amendment would require that future modifications to MDTA’s tolling contracts be presented to the MDTA Board for approval highlighting the critical nature of these contracts to MDTA’s operations.

REQUESTED ACTION

Recommend approval to the MDTA Board for amendments to the MDTA Board Operating Policy through the adoption of MDTA Board Resolution No. 24-02 for consideration at its next meeting.

ATTACHMENTS

- Resolution No. 24-01
- Attachment 1

**OPERATING POLICY OF THE
MARYLAND TRANSPORTATION AUTHORITY BOARD
AS AMENDED ~~NOVEMBER 19, 2020~~ MAY 30, 2024**

Foreword

Title 4 of the Transportation Article of the Annotated Code of Maryland (as amended) creates the Maryland Transportation Authority (MDTA) and provides for the MDTA Board including its membership, powers, operation and functions. These functions include the financing, construction, operation, maintenance and repair of the various transportation facilities projects now existing in the State of Maryland, as well as any others authorized to be built or acquired. The MDTA also has the authority to employ consulting engineers, attorneys, accountants, construction and financial experts, supervisors, managers and such other employees and agents as may be necessary. The MDTA is exclusively empowered to fix, charge and collect rentals, rates, fees, tolls and other charges and revenues for the use of transportation facilities projects.

In addition to the statutory obligations contained in Title 4 of the Transportation Article, other duties and obligations may be imposed upon the MDTA Board by the terms of any Trust Agreement entered into, in accordance with Title 4, for the financing of any or all of the transportation facilities projects.

Article I

The Transportation Facilities Projects

The transportation facilities projects under the jurisdiction of the MDTA include the following existing facilities, as well as any others authorized by MDTA to be constructed or acquired:

1. The Francis Scott Key Bridge, and its approaches (I-695)
(Baltimore Harbor Outer Crossing)
2. The Baltimore Harbor Tunnel and its approaches (I-895)
(Harbor Tunnel Thruway)
3. The William Preston Lane, Jr. Memorial Bridge, and its approaches
(U.S. 50/301) (Bay Bridge)
4. The John F. Kennedy Memorial Highway (I-95)
(Northeastern Expressway)
5. The Harry W. Nice Memorial/Senator Thomas “Mac” Middleton Bridge
(U.S. 301)
(Potomac River Bridge)

Attachment 1

6. The Fort McHenry Tunnel and its approaches (I-95)
7. The Intercounty Connector (MD 200)
8. The Thomas J. Hatem Memorial Bridge (U.S. 40)
(Susquehanna River Bridge)
9. The Baltimore/Washington International Airport Facilities Projects (In relation to the Series 2002, 2003 Bonds, 2012A Bonds, 2012B and C Bonds, and 2014 Bonds)
10. Three Washington Metropolitan Area Transit Authority Metrorail Parking Facilities (In relation to the Series 2004 Bonds and Series 2014 Refunding Bonds for New Carrollton, College Park, and Largo)
11. Calvert Street Parking Garage (In relation to the Series 2005 Bonds and Series 2015 Refunding Bonds)

Also included are bridges, shoulders, toll plazas, buildings, travel plazas, equipment and other property of whatsoever kind owned by or under the jurisdiction of the MDTA.

ARTICLE II

The MDTA Board

A. Membership

The MDTA Board consists of the Secretary of Transportation who serves as Chairman of the MDTA, and eight members who are appointed by the Governor with the advice and consent of the Maryland Senate. Members may not be employees of the Executive Branch of State government. Of the appointed Members, one shall have expertise in structural engineering; one in transportation planning; one in land use planning; and one in finance. Appointed Members shall reflect the racial, gender, and geographic diversity of the population of the State. All appointments are for staggered terms of four years, with any vacancy occurring before the expiration of a term to be filled by appointment as outlined above for the balance of the term. Terms may not extend beyond three consecutive terms.

B. Powers, Duties, and Obligations

The MDTA Board has all of the powers, duties, and obligations conferred on it by Title 4 of the Transportation Article of the Annotated Code of Maryland. The MDTA Board also has such duties and obligations consistent with the law, as may be imposed by the MDTA Board for the financing of any or all of the transportation facilities projects.

Attachment 1

The MDTA Board specifically reserves to itself for review and approval the following items listed below:

1. Finance/Debt/Investments:
 - a. Issuance or Refunding of Revenue Bonds, Notes, or Other Evidences of Obligations of Indebtedness
 - b. Issuance of Bond Anticipation Notes
 - c. Adoption of Rates, Fees, Tolls, Pricing Periods for Holidays, and Other Charges and Revenues
 - d. Adoption of the Preliminary and Final Operating Budget
 - e. Adoption of the Draft and Final MDTA Consolidated Transportation Program (CTP) including approval of individual projects in the CTP and allocated reserve
 - f. Adoption of the January and July Financial Forecast
 - g. Approval of the Investment Management Policy
 - h. Approval of the Debt Management Policy
 - i. Approval of the Operating Budget and CTP Budget Policies
 - j. Approval of Amendments to the Revenue Bond Policy
 - k. Adoption of Broker/Dealer List
 - l. Concurrence with the Investment Strategy for the Upcoming Quarter
2. Legislative/Regulatory:
 - a. Approval of MDTA Departmental Legislation
 - b. Approval and Adoption of Regulations to be incorporated into the Code of Maryland Regulations (COMAR)
 - c. Approval and Amendment of Board Policies

Attachment 1

3. Property:
 - a. Declarations of Excess Land with an appraised value greater than \$1,000,000
 - b. Acquisition of Real Property with a purchase price greater than \$1,000,000
 - c. Disposition of Real Property with an appraised value greater than \$1,000,000
 - d. Disposition of Personal Property with an appraised value greater than \$1,000,000
 - e. Approval of Leases of Real Property at more than 25% below fair market value
 - f. Approval of the Naming or Dedication of a MDTA Facility
4. Procurement and Contracts:
 - a. Approval and Award of a Competitive Procurement that Results in a Single Bid if the contract value is greater than \$200,000
 - b. Approval and Award of a Sole Source Procurement if the contract value is greater than \$200,000
 - c. Approval and Award of a Competitive Procurement with a value greater than \$500,000 (unless exigent circumstances exist at the discretion of the Executive Director in consultation with Board)
 - d. Approval of a Public-Private Partnership Solicitation and Agreement in accordance with COMAR
 - e. **APPROVAL, AWARD, AND ANY MODIFICATION OF THE TWO EXISTING TOLLING RELATED CONTRACTS FOR THE THIRD-GENERATION (3G) TOLLING SERVICES AND THEIR SUCCESSORS**
5. Other:
 - a. Approval of the MDTA Strategic Plan
 - b. Approval of a Settlement of Claims, Liabilities or Litigation, not otherwise delegated to the Maryland State Treasurer, in an amount greater than \$400,000

Attachment 1

- c. Approval of a Collective Bargaining Agreement
- d. Approval of the MDTA Audit Charter

All other actions not expressly listed above are delegated to the Executive Director to perform in carrying out the day-to-day functions and operations of the MDTA.

In addition to the items listed above, the Board directs the Executive Director to provide updates regarding the following items:

- 6. Finance/Debt/Investments:
 - a. Report on Bond Results - as needed
 - b. Review of Rating Agency Credit Reports - annual
 - c. Review of Performance Report on Investments- quarterly
 - d. Report on Operating Budget v. Actual Spending Report- quarterly
 - e. Report on Capital Budget v. Actual Spending- quarterly
 - f. Review of Revenue Forecast v. Actual- quarterly
 - g. Report on Revenues, Expenses, and Rate Covenant- monthly
 - h. Report on Revenue Sufficiency Review- bi-annual
 - i. Update on Traffic and Revenue Report- annual
 - j. Report from Financial Auditors - annual
- 7. Legislative/Regulatory:
 - a. Review of Legislation Impacting MDTA- monthly during session
 - b. Report on Findings from Legislative and Financial Audits - as needed
 - c. Review of Reports Submitted to the Legislature - as needed
- 8. Procurement and Contracts:

Attachment 1

- a. Report on Major Projects with a value over \$40 Million or with a Significant Public Impact- monthly
 - b. Report on Contracts for financial advisor services; traffic and revenue services; tolling operations; external audit services; or customer service center operations - as needed
 - c. Review of Minority Business Enterprise (MBE), Small Business Reserve (SBR), and Veteran Owned Small Business Enterprise (VSBE) achievement - quarterly
 - d. Report on Revenue-Generating Contracts - as needed
 - e. Report on all open contracts including vendor, term, dollar amount, amount committed, amount spent, and progress of the work - quarterly
9. Other:
- a. Report on the MDTA Strategic Plan and Goal Achievement - annual
 - b. Report on MDTA Police Initiatives, Goals, and Statistics - annual
 - c. Report on Pending or Threatened Litigation - monthly
 - d. Report on Major Roadway, Operations, or Police Incidents - as needed
 - e. Report on Facility Condition Inspections - annual
 - f. Report on IT Systems, Infrastructure, and Security - quarterly

The Board reserves the right to request an update from the Executive Director on any topic, item, or issue at any time as needed.

C. Place, Time and Notice of Meetings

Meetings of the MDTA Board shall be held at such places and times as shall be determined by the Executive Director with the concurrence of the MDTA Board. Meetings may also be called by the Chairman and shall be held upon notice at the time and place as specified in such notice. A Committee Chair may also request a meeting of the MDTA Board or their Committee with concurrence of the Chairman to be held upon notice at the time and place as specified in such notice. Where notice of any meeting is required, it shall be given to each Member by mailing the notice at least seven business days, or by telephoning or electronically mailing the notice three business days before the

time fixed for the meeting. Should the Chairman determine that an urgent need exists for a meeting, notice of the meeting may be given by telephone or electronic mail not less than twenty-four hours before the time fixed for the meeting. Any and all business may be transacted at any meeting of the Authority which is called according to this Article and at which a quorum is present. Notice to the public of such meetings shall be published in accordance with State law.

Should the Chairman be unable to preside at a scheduled meeting, a Deputy Secretary of Transportation shall conduct that meeting.

D. Conduct of the Meetings

Meetings of the MDTA Board shall be open to the public and shall be conducted in accordance with State law. The MDTA Board, at its discretion and in accordance with Section 3-305 of the General Provisions Article of the Annotated Code of Maryland, may meet in Closed Session upon motion duly made and adopted. The Executive Director shall cause minutes to be kept of all meetings, including Closed Sessions.

E. Quorum

A simple majority of the Members of the MDTA Board, excluding the Chairman, shall constitute a quorum for the transaction of any business or the exercise of any power or function of the MDTA Board. In the absence of a quorum, any meeting may be postponed and notice of the new date shall be given in accordance with the provisions of Paragraph C. of this Article. Alternatively, those Members present, though less than a quorum, may conduct the meeting to transact essential business, or exercise any necessary power or function of the MDTA Board; provided, however, that before such transaction or exercise becomes effective, the concurrence by telephone poll of such additional Members as shall constitute both a quorum and a majority of such quorum shall be obtained. For any such action, concurrence of the Chairman is required as set forth in Paragraph F. of this Article. Any action taken pursuant to such telephone poll shall be placed on the agenda of the next meeting of the MDTA Board and formally ratified or acted upon at that meeting.

F. Passage of Motions or Resolutions

A simple majority vote of those Members present at any meeting, if the number present constitutes a quorum, shall be sufficient for the passage of motions or adoption of resolutions, *provided* that the Chairman concurs in the action being taken. Concurrence of the Chairman is required for all motions and resolutions. In the absence of the Chairman, motions and resolutions may be approved by a majority of the Members present, if the number present constitutes a quorum, but such motions or resolutions will not become effective until the concurrence of the Chairman is obtained.

G. Telephone Poll

When, in extraordinary circumstances, immediate approval by the MDTA Board is required for the taking of any action, and a meeting of the MDTA Board would be impractical, the Chairman may direct the Executive Director to conduct a telephone poll of the Members to seek their approval of such action. Any action taken pursuant to such telephone poll shall be placed on the Agenda of the next meeting of the MDTA Board and formally ratified or acted upon at that meeting.

H. Counsel

The MDTA shall have such Counsel as may be designated by the Attorney General from among such attorneys as are assigned to the Department of Transportation by the Attorney General.

I. Offices

The principal offices of the MDTA shall be located at the MDTA Headquarters at the Point Breeze Complex, 2310 Broening Highway, Baltimore, Maryland.

J. Compensation

Members of the MDTA Board shall receive compensation in the amount of Five Hundred Dollars (\$500.00), on a per diem basis, for participation in Board and appointed subcommittee meetings, plus reimbursement for travel expenses to and from the meetings in accordance with State Regulations. Members may also receive the per diem basis for participation in other meetings requested by the Chairman. In the event there are multiple meetings in a single day, the Members shall only receive Five Hundred Dollars (\$500.00) for all respective meetings.

Article III

Staff and Employees

A. Staff

The staff of the MDTA is the operating element, responsible to the MDTA for the construction, maintenance, and operation of the transportation facilities projects. The staff shall be organized by the Executive Director. The appointment and removal of the Executive Director is reserved to the MDTA Board. Appointment and removal of other staff and employees is delegated to the Executive Director and to principal staff as appropriate.

B. Executive Director

The staff and employees of the MDTA shall be headed by the Executive Director, who shall be appointed by and shall serve at the pleasure of the MDTA Board. The Executive Director shall be the chief executive officer of the MDTA, shall discharge the

Attachment 1

executive function of the MDTA, and manage the day-to-day operations of the agency. All powers not otherwise specifically reserved to the MDTA Board are delegated to the Executive Director and may be further delegated in writing as the Executive Director deems appropriate.

As Executive Director to the MDTA, s/he shall make or cause to be made an agenda of matters to be considered and present the same at each MDTA Board meeting. S/he shall cause an accurate record to be made and kept of the proceedings of each meeting.

C. Offices

The offices of the staff of the MDTA shall be located in the Administration buildings at Point Breeze Complex in Baltimore, Maryland.

Article IV

Miscellaneous

A. Fiscal Year

The Fiscal year for the MDTA shall commence on July 1 of each calendar year and end on June 30 of the subsequent calendar year.

B. Service of Process and Papers

The Chairman, Counsel, and the Executive Director are authorized to receive service of legal process and all papers of a similar nature or import.

C. Succession

In the absence or inability of the Executive Director to serve, a senior manager designated by the Executive Director or by the Chairman shall serve as Executive Director.

D. Seal

The MDTA has adopted an official seal, in the form attached, which shall be used to authenticate and attest MDTA documents and records. The Executive Director shall be the custodian of the MDTA's seal and shall authenticate and attest such documents and records as the MDTA or Chairman shall direct.

E. Attestations

For the purpose of attesting to MDTA bonds, financial documents, and other records or documents, the Executive Director or Chief Financial Officer may attest to the

signature of the Chairman; and the Chief Financial Officer may attest to the signature of the Executive Director.

F. Amendments

This Operating Policy may be altered, amended, or repealed by resolution of the MDTA Board, provided that a copy of the proposal to so alter, amend, or repeal shall have been mailed, electronically mailed, or otherwise delivered to each Member at least seven business days prior to the date of the meeting at which the proposal is to be considered. The Members of the MDTA Board may, however, by unanimous consent, waive such requirements and agree to consider and act upon such proposal at any duly called meeting of the MDTA Board.

ADOPTED: February 11, 1985.

AMENDED: December 9, 1985; June 18, 1987; January 16, 1989; August 13, 1990; May 19, 1992; February 19, 2002¹; May 18, 2004; December 21, 2006; September 25, 2008; January 27, 2011; January 25, 2018; September 26, 2019; October 29, 2020; November 19, 2024; **MAY 30, 2024.**

¹ Technical revisions were made as of this date from the May 19, 1992 Policy, pursuant to previously approved MDTA decisions.

**MARYLAND TRANSPORTATION AUTHORITY
RESOLUTION 24-02**

**A RESOLUTION APPROVING AND ADOPTING
AMENDMENTS TO THE OPERATING POLICY OF THE
MARYLAND TRANSPORTATION AUTHORITY**

WHEREAS, the Maryland Transportation Authority, an agency of the State of Maryland (the “MDTA”) is authorized and empowered under Section 4-101 through 4-406 of the Transportation Article of the Annotated Code of Maryland (the “Act”) to finance, construct, operate, maintain, and repair “transportation facilities projects” (as defined by the Act), to issue revenue bonds for the purpose of financing the cost of transportation facilities projects, and to perform any actions necessary or convenient to carry out the powers granted in the Act; and

WHEREAS, on February 11, 1985, the MDTA Board approved and adopted an Operating Policy that set forth the procedures for the Board to perform its duties and obligations under the Act and the Operating Policy expressly provided that it could be altered, amended, or repealed by resolution of the MDTA Board; and

WHEREAS, the MDTA Board ratified amendments to its Operating Policy in 1987, 1989, 1992, 2002, 2004, 2006, 2008, 2011, 2018, 2019, and 2020; and

WHEREAS, the MDTA Board now desires to further amend its Operating Policy in order to re-define certain specified duties reserved to the Board; and

WHEREAS, these amendments have been incorporated hereto as Attachment I, which is entitled “Operating Policy of the Maryland Transportation Authority, as amended November 19, 2020.”

NOW, THEREFORE, BE IT RESOLVED BY THE MARYLAND TRANSPORTATION AUTHORITY THAT:

SECTION ONE. The MDTA Board hereby adopts and approves the Operating Policy attached hereto as Attachment I.

SECTION TWO. The MDTA Board authorizes the Executive Director and all other proper officers and employees of the MDTA to take such actions or cause to be taken such actions as shall be necessary, proper, and convenient for carrying out the purposes of this Resolution.

SECTION THREE. This Resolution shall be operative, effective, and valid upon its passage by the MDTA Board.

BE IT FURTHER RESOLVED, that this Resolution supersedes MDTA
Resolution No. 20-09 dated November 19, 2020.

Dated as of: May 30, 2024

WITNESS:

MARYLAND TRANSPORTATION AUTHORITY

Bruce Gartner
Executive Director

Paul J. Wiedefeld
Chairman

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Kimberly A. Millender
Principal Counsel

TAB 5



Maryland
Transportation
Authority

Wes Moore, Governor
Aruna Miller, Lt. Governor
Paul J. Wiedefeld, Chairman

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

Bruce Gartner, Executive Director

MEMORANDUM

TO: MDTA Capital Committee
FROM: Assistant Capital Program Manager Jennifer Stump
SUBJECT: Consolidated Transportation Program (CTP) Process/Additions
DATE: May 2, 2024

PURPOSE OF MEMORANDUM

The purpose of the memorandum is to provide the MDTA Capital Committee with an overview of the MDTA Consolidated Transportation Program (CTP) Process and an update on the additions to the capital program. This information will be presented to the MDTA Board on May 30, 2024.

SUMMARY

Every year the Maryland Transportation Authority (MDTA) releases the CTP, presenting MDTA's ongoing and new capital projects for a six-year period (the current year, the upcoming budget year, and the four succeeding planning years) for all MDTA facilities.

After approval by the MDTA Board in June of each year, the Draft CTP is presented to local elected officials and citizens in September through November throughout Maryland for review and comment. It is then revised and submitted, after MDTA Board approval in November, as the Final CTP as part of the Governor's budget to the Maryland General Assembly in January. This process is required by statute and applies to MDTA as well as the Maryland Department of Transportation (MDOT) business units.

The CTP is separated into three parts, (1) Construction Program - Major projects, (2) Development and Evaluation (D&E) Program - Major projects, and (3) System Preservation - Minor Projects. Major capital projects are listed individually; minor projects are grouped and shown by category of work (e.g., environmental, highway preservation, safety improvements).

The Construction Program – Major Projects and System Preservation – Minor Projects programs include ongoing projects and those projects scheduled to begin construction within the six-year period.

The D&E Program contains those major projects which are being prepared for possible future addition to the Construction Program. Projects are moved from the D&E Program to the Construction Program as funds and resources become available, based on the merits of the projects.

PROJECT SELECTION

MDTA's capital projects originate from a variety of sources.

- Long Range Capital Needs (LRCN) – includes planned rehabilitation or replacement projects based on life cycle. The expected useful life of a component does not provide an exact rehabilitation or replacement date but gives an idea of when the MDTA should begin planning and budgeting to address it.
- Inspection findings - used in tandem with life cycle estimates to confirm rehabilitation or replacement is necessary as scheduled or to expedite a project when it is needed ahead of schedule.
- Regulatory compliance - includes projects for EPA-mandated storm water management.
- Increased capacity needs - based on traffic forecast recommendations.
- Local Priority Letters/Legislative Requests - established each year as counties and Baltimore City are asked to submit a list of priorities for the state transportation system. Generally, these priority letters include the concurrence signatures of the legislative delegation representing that county.

Once identified, projects are prioritized based on customer needs for safety and security, or increased capacity through improvements, or system preservation.

Funding availability to budget for identified projects is based on the MDTA's six-year financial forecast, which considers estimates of traffic and revenue (prepared annually), the operating budget and capital budget, debt service payments, the potential need for future bond sales and toll increases, and compliance with financial standards (Trust Agreement covenant, debt service coverage, unrestricted cash balance).

The FY 2025-2030 Draft CTP, to be presented for approval in June, includes eleven new projects. The eleven projects are detailed in Attachment A.

ATTACHMENT

Attachment A - New Projects Added to the FY 2025-2030 MDTA Capital Program

New Projects Added to the FY 2025-2030 MDTA Capital Program

Maintenance and Repair of Curtis Creek Draw Bridge

I-695 Francis Scott Key Bridge (Pin 2643)

\$100,000

The I-695/Curtis Creek Draw Bridge requires monthly, quarterly, and yearly maintenance of the electrical, mechanical, and structural systems. While repairs and maintenance are funded through the operating budget, this capital project allocation is designated for the purchase of major repair components that can be capitalized.

Rehabilitation of Curtis Creek Draw Bridge Bascule Piers

I-695 Francis Scott Key Bridge (Pin 2652)

\$1,905,913 (Engineering only)

Rehabilitate the bascule span pier foundations and related equipment on the Curtis Creek Draw Bridge. The submerged portions of the bascule span piers have deteriorated to the point that rehabilitation is required.

Update Phone System to NEC SV9500 - Phase 2

Multi-Area (Pin 2650)

\$600,000

Update phone system by replacing outdated equipment no longer supported by the manufacturer. Capitalization is limited to equipment costs; this project specifically funds the replacement of the equipment.

Replace I-895 Bridge over Lombard Avenue

I-895 Baltimore Harbor Tunnel (Pin 2651)

\$200,000 (Engineering only)

Constructed in 1957, the I-895 bridge over Lombard Avenue is slated for complete replacement to ensure ongoing operability and service to the public.

Resurface Northbound and Southbound I-95 from the Tydings Bridge to the MD 24 Interchange

I-95 John F. Kennedy Memorial Highway (Pin's 2645 and 2646)

\$1,000,000 (Engineering only)

Resurface northbound and southbound lanes of I-95, extending from the Tydings Bridge over the Susquehanna River to the northern boundary of the I-95 ETL Northern Extension project, just north of the MD 24 interchange. This project includes shoulders but excludes ramps.

Miscellaneous Structural Repairs Inside Fort McHenry Tunnel

I-95 Fort McHenry Tunnel (Pin 2592)

\$600,000 (Engineering only)

Following a recent study that identified necessary repairs, this project will undertake structural rehabilitation within the Fort McHenry Tunnel.

On-Call Miscellaneous Paving Repairs

Multi-Area (Pin 2653)

\$12,093,000 (Engineering & Construction)

This contract provides for repairs and rehabilitation of bituminous concrete and Portland cement concrete pavement and the removal and replacement of pavement marking along MDTA roadway.

Bay Bridge Queue Detection System - Phase 2

US 50/301 William Preston Lane Jr. Memorial (Bay) Bridge (Pin 2603)

\$180,000 (Engineering Only)

The Queue Detection System will monitor and manage queues during lane closures at the William Preston Lane Jr. Memorial (Bay) Bridge. It will ensure queues are within the new 2-mile tolerance. This project is the second phase needed to complete the system.

Pier Protection System at the Bay Bridges

US 50/301 William Preston Lane Jr. Memorial (Bay) Bridge (Pin 2656)

\$600,000 (Engineering Only)

Vessel Protection System installation for the EB and WB Bay Bridge spans.

FMT Maintenance Building Renovation

I-95 Fort McHenry Tunnel (Pin 2566)

\$275,000 (Engineering only)

This project is to address issues with lower level floor plan layout, upper level locker room and breakroom deficiency and building windows leakage.

FSK Building 305 Roof/HVAC/Windows Replacement

I-695 Francis Scott Key Bridge (Pin 2567)

\$500,000 (Engineering only)

This project is to replace roofing system, windows, and HVAC system at Building 305 at FSK campus. The roofing and HVAC system have reached their life expectancy and windows are to be replaced to address water infiltration issues.