



Maryland Transportation Authority

BOARD MEETING

THURSDAY, JANUARY 27, 2022

MARYLAND TRANSPORTATION AUTHORITY
VIRTUAL LIVESTREAM MEETING



MARYLAND TRANSPORTATION AUTHORITY BOARD MEETING

JANUARY 27, 2022 9:00 AM

This meeting will be livestreamed on the [MDTA Board Meeting Page](#)

NOTES:

- This is a Virtual Open Meeting being conducted via livestreaming.
- The public is welcomed to watch the meeting at the link above.
- *If you wish to comment on an agenda item please email your name, affiliation, and the agenda item to nhenson@mdta.state.md.us no later than 12:00 noon on Tuesday, January 25. You **MUST** pre-register in order to comment.* Once you have pre-registered you will receive an email with all pertinent information.

REVISED AGENDA

Revised 01/25/2022

OPEN SESSION – 9:00 AM

Call Meeting to Order

- | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---------|
| 1. <u>Approval – Open Session and Closed Session Meeting Minutes of December 16, 2021</u> | Chairman | 5 min. |
| 2. <u>Approval – Open Session and Closed Session Meeting Minutes of January 7, 2022</u> | Chairman | 5 min. |
| 3. <u>Resolutions – Years of Service Recognition – Recognition for Three Retired Employees</u> | William Pines | 10 min. |
| 4. <u>Approval – Contract Awards</u> <ul style="list-style-type: none">• J01B2600004 – Electronic Security System Software• KH-3042-0000 – I-95 at Belvidere Road Interchange Offsite Wetland Mitigation – Sole Source• MT-3136-0000 – WPL and BHT Hardware Maintenance Contract• MDTA 2020-03A – Electronic Toll Collection Service | Donna DiCerbo | 15 min. |
| 5. <u>Update – Update on Traffic and Revenue – Monthly Update on Traffic and Revenue</u> | Deb Sharpless | 10 min. |
| 6. <u>Update – Third Generation Electronic Toll Collection (3G ETC) System – Current Operations Update</u> | Joseph Quattrone | 15 min. |
| 7. <u>Update – Legislative Session – Verbal</u> | Bradley Ryon | 5 min. |
| 8. <u>Update – Executive Director’s Report – Verbal</u> | William Pines | 10 min. |

Vote to go into Closed Session

- | | | |
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| 9. To Discuss Collective Bargaining Negotiations and Receive Legal Advice | Percy Dangerfield
Kim Millender, Esq. | 10 min. |
| 10. To Discuss a Personnel Matter | Percy Dangerfield
Tonya Dorsey
Christina Thompson | 10 min. |

MDTA BOARD MEETING
JANUARY 27, 2022 9:00 AM

REVISED AGENDA

Revised 01/25/2022

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| 11. To Discuss Public Security | Col. Kevin Anderson | 15 min. |
| 12. To Discuss Pending Litigation – Update on Status of Pending Litigation Matters | Kim Millender, Esq. | 15 min. |

Vote to go into Open Session

Ratify Actions Taken in Closed Session

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|--------|
| 13. <u>Approval</u> – <u>Collective Bargaining Agreement with Fraternal Order of Police (FOP) Lodge #34</u> – Contingent Approval on the FOP Ratification of the Memorandum of Understanding Between the MDTA and FOP Lodge #34 | Percy Dangerfield
Tonya Dorsey
Christina Thompson | 5 min. |
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Vote to Adjourn Meeting

TAB 1

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

THURSDAY, DECEMBER 16, 2021
9:00 A.M.

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

OPEN SESSION

Greg Slater, Chairman
Sean Powell, Acting Chairman

MEMBERS ATTENDING:

Dontae Carroll – via Telephone
William H. Cox, Jr.
William C. Ensor, III
W. Lee Gaines, Jr.
Mario J. Gangemi
Cynthia D. Penny-Ardinger, Esq.
Jeffrey S. Rosen
John F. von Paris – via Telephone

STAFF ATTENDING:

Percy Dangerfield
Donna DiCerbo
Allen Garman
David Goldsborough
Normetha Goodrum
Chantelle Green
James Harkness
Natalie Henson
Walter Laun
Towanda Livingston
Kimberly Millender, Esq.
Sushmita Mitra
Ebony Moore
Mary O’Keeffe
Will Pines
James F. Ports, Jr.
Deb Sharpless
John Wedemeyer

OTHER ATTENDEES:

Champe Burnley, Dahlgren Railroad Heritage Trail Board
Dan Donahue, No Affiliation
Diana Donahue, Oxon Hill Bicycle and Trail Club
Greg Hinchliffe, No Affiliation
Walter Roscello, Oxon Hill Bicycle and Trail Club
Sean Walker, CLA – via Telephone

At 9:02 a.m. Chairman Greg Slater called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at MDTA located at 2310 Broening Highway, Baltimore MD 21224 and was livestreamed on the MDTA Board Meeting web page. Chairman Slater announced that Member Dontae Carroll and Member John F. von Paris would be joining the meeting via telephone.

Prior to beginning the agenda, Chairman Slater requested a motion from the Board to adjust the agenda. A motion was made to remove Agenda Item # 9 (Approval – Collective Bargaining Agreement with Fraternal Order of Police Lodge #34) and Agenda Item # 16 (Closed Session – Personnel Matter) from the agenda as they were contingent upon a signed agreement between MDTA and FOP #34. At the time of the meeting, they were still in negotiations and no contracts were signed. Upon motion by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., the Members unanimously approved to adjust the days agenda.

APPROVAL – OPEN SESSION AND CLOSED SESSION MEETING MINUTES OF NOVEMBER 18, 2021

Upon motion by Member Mario J. Gangemi and seconded by Member William C. Ensor, III, the open session and closed session meeting minutes of the MDTA Board meeting held on November 18, 2021 were unanimously approved.

APPROVAL – CONTRACT AWARDS

- **KH-3024-0000 – I-95 at Belvidere Road Interchange**

Member Mario J. Gangemi recused himself from this item and left the room prior to the presentation.

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. KH-3024-0000 – I-95 at Belvidere Road Interchange with Concrete General in the bid amount of \$65,437,722.28.

Prior to presenting the item, Ms. DiCerbo advised the Board that the Board Project Summary document was incorrect in that the firms listed on the Summary were not joint ventures but rather bid by prime contractors. Award was recommended to Concrete General. Other bidders were Corman, Allan Myers, and Wagman, respectively.

Ms. DiCerbo then stated that the I-95 at Belvidere Road Interchange Project consists of both design and construction of a new partial-cloverleaf interchange, including a new Belvidere Road bridge structure, retaining structures, widening of Belvidere Road to accommodate turning lanes, directional ramps, and associated improvements. The project was procured using a two-step, best value Design-Build (D-B) delivery method which will award a single combined contract to perform both the final design and construction services.

Upon motion by Member William H. Cox, Jr. and seconded by Member W. Lee Gaines, Jr., the Members unanimously gave contingent approval to execute Contract No. KH-3024-000 – I-95 at Belvidere Road Interchange Project.

After approval of the item, Member Gangemi returned to the room for the remainder of the meeting.

- **MR-3024-0000 – On-Call Signs, Sign Lights, and Sign Structures**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MR-3021-0000 – On-Call Signs, Sign Lights, and Sign Structures with Collinson, Inc. in the bid amount of \$5,797,747.00.

Ms. DiCerbo explained that this contract provides for the installation, modification, and/or removal of highway signs, and ancillary infrastructure and equipment such as sign support structures, traffic barriers, sign lighting, and related electrical components. The work on this contract will be performed under on-call task assignments directed by the Maryland Transportation Authority (MDTA) Engineer.

The work under this contract may be performed at any of MDTA facilities, including the Baltimore Harbor Tunnel, Fort McHenry Tunnel, Francis Scott Key Bridge, Governor Harry W. Nice/Senator Thomas “Mac” Middleton Memorial Bridge, Inter County Connector, John F. Kennedy Memorial Highway, Thomas J. Hatem Memorial Bridge, US40/MD222, and the William Preston Lane Jr. Memorial Bridge; and related approach roadways located in Anne Arundel County, Baltimore City, Baltimore County, Cecil County, Charles County, Harford County, Howard County, Montgomery, Prince Georges and Queen Anne’s County.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member Jeffrey S. Rosen, the Members unanimously gave contingent approval to execute Contract No. MR-3024-0000 – On-Call Signs, Sign Lights, and Sign Structures.

UPDATE – INDEPENDENT AUDITORS’ REPORT ON THE FISCAL YEAR 2021 FINANCIAL STATEMENTS

Ms. Deb Sharpless introduced Mr. Sean Walker, CliftonLarsonAllen, LLP, to the MDTA Board. Mr. Walker then presented an overview the Independent Auditor’s Report for the Fiscal Year 2021 Financial Statements including key financial highlights, required auditor communications, and future considerations.

UPDATE – TIFIA LOAN

Mr. Allen Garman updated the MDTA Board on the \$200 million TIFIA loan application process to potentially finance approximately one-third of the Nice/Middleton Bridge project.

The MDTA submitted a Letter of Interest to the Build America Bureau in August 2019, received invitation into the Credit Review phase in December 2019, received invitation to Submit Application in July 2021, and Credit Review Team's recommended approval in August 2021.

In August 2021, the USDOT Credit Council voted to defer approval of MDTA's loan in favor of more details on "pedestrian safety questions". Remaining elements required to finalize the loan include the Credit Council's approval, OMB apportionment funding, USDOT Secretary approval, and the loan closing. Rate lock at prevailing treasury rates will occur at loan closing, with the loan proceeds scheduled to be drawn on January 1, 2023.

Upon completion of Mr. Garman's presentation, Secretary Slater opened the floor for public comment. Mr. Champe Burnley, Mr. Walter Roscello, Ms. Diana Donahue, Mr. Greg Hinchliffe, and Mr. Dan Donahue all gave public comment regarding what they believe to be lack of bicycle/pedestrian safety measures on the new Nice/Middleton Bridge. They requested that the MDTA Board consider additional safety measures or ways to add a dedicated bicycle/pedestrian lane to the bridge currently being built.

APPROVAL – BOARD RESOLUTION NO. 21-06

Mr. Allen Garman requested MDTA Board approval of the MDTA Board Resolution 21-06 that authorizes a TIFIA loan to finance a portion of the Nice/Middleton Bridge replacement project.

Mr. Garman explained that Board Resolution 21-06 amends Board Resolution 21-05 to extend the deadline to December 31, 2022 from December 31, 2021.

Upon motion by Member Mario J. Gangemi and seconded by Member Cynthia D. Penny-Ardinger, Board Resolution 21-06 was unanimously approved.

UPDATE – TRAFFIC AND REVENUE FORECAST

Ms. Deb Sharpless updated the MDTA Board on Fiscal Year (FY) 2022 Traffic and Revenue (T&R) performance through October 31, 2021.

Ms. Sharpless explained that for the period of July 1, 2021 through October 31, 2021, MDTA's actual toll revenue received was \$257.1 million, \$14.0 million below its official forecast. When adjusting for timing differences (*i.e.*, transactions where there is a reasonable expectation of collection in FY 2022 although previously forecasted to be processed in October 2021), MDTA is \$4.4 million above its forecast. Based on the forecast, *E-ZPass* revenue accounts for 91% of MDTA's total revenue.

MDTA analyzed the cause of any differences between the forecast and actual performance. Some of the causes include: certain FY 2021 transactions that were excluded from the forecast; *E-ZPass* average daily revenue was lower than forecasted; lower average daily revenue due to lower overall traffic volumes; a higher video toll payment rate and average transaction amount than forecasted; and lower than forecasted Pay-By-Plate revenue.

***** Chairman Greg Slater excused himself from the meeting. Acting Chairman Sean Powell continued conducting the meeting in his absence. *****

APPROVAL – DECLARATION OF EXCESS LAND

Mr. John Wedemeyer requested approval from the Maryland Transportation Authority Board for the conveyance of property located within the Point Breeze Industrial Park with an address of 2330 Broening Highway Lot 10a, Block 916, Baltimore, MD 21224 (MC# 21-7044).

Mr. Wedemeyer explained that the MDTA currently owns and maintains the Point Breeze Rail Spur. The property to be conveyed consist of 3.97 acres \pm or 172,933 square feet.

MDOT MPA expressed interest in the property and MDTA intends on conveying the property to MPA for a nominal fee of \$1.00. MDTA's internal clearance process was completed on October 8, 2021. It has been determined that MDTA no longer has a need for the subject property.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member William H. Cox, Jr., conveyance of MC# 21-7044 was unanimously approved.

APPROVAL – DECLARATION OF EXCESS LAND

Mr. John Wedemeyer requested approval from the Maryland Transportation Authority Board for the conveyance of property located within the Point Breeze Industrial Park with an address of 2310 Broening Highway Lot 7, Block 6916, Baltimore, MD 21224 (MC# 21-7043).

Mr. Wedemeyer explained that the MDTA currently owns and maintains the Point Breeze Guard Shack and Pedestrian Tunnel. The property to be conveyed consist of 0.398 acres \pm or 17,327 square feet.

MDOT MPA expressed interest in the property and MDTA intends on conveying the property to MPA for a nominal fee of \$1.00. MDTA's internal clearance process was completed on October 8, 2021. It has been determined that MDTA no longer has a need for the subject property.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member Mario J. Gangemi, conveyance of MC# 21-7043 was unanimously approved.

***** Chairman Greg Slater returned and conducted the remainder of the meeting. *****

UPDATE – LEGISLATIVE REPORTS SUBMITTED TO THE LEGISLATURE

- **Allaying Fiscal Stress Concerns**

Ms. Chantelle Green provided the Maryland Transportation Authority (MDTA) Board with a summary of the Joint Chairmen’s Report (JCR) issued by the MDTA on Allaying Fiscal Stress Concerns.

Ms. Green explained the MDTA remains a highly stable and financially strong toll agency maintained by three key financial pillars: (1) financial standards and MDTA Board-adopted policies; (2) strategic and financial planning; and (3) experienced leadership, staff, and Board. Despite legislative concerns about the MDTA’s financial position, the MDTA continues to demonstrate its adherence to prudent financial management policies and has weathered the financial impacts of the COVID-19 pandemic while maintaining a robust capital program. In 2021, amid the COVID-19 pandemic and transitioning to a new toll collection system, the MDTA’s double-A credit ratings with a stable outlook were affirmed by Fitch Ratings and Moody’s Investors Service.

When the Governor Harry W. Nice Memorial/Senator Thomas “Mac” Middleton (Nice/Middleton) Bridge Replacement and the I-95 Express Toll Lanes (ETL) Northbound Extension projects were approved by the MDTA Board in June 2018, the MDTA was projected to maintain its financial standards through FY 2028 without any toll increases. Today, despite the impacts of the global COVID-19 pandemic and transitioning to a new toll collection system, the MDTA is projected to maintain its financial standards through FY 2030, two years beyond the original forecast, while maintaining the Nice/Middleton Bridge Replacement Project on schedule and budget.

UPDATE – THIRD GENERATION ELECTRONIC TOLL COLLECTION (3G ETC) SYSTEM

Mr. Will Pines updated the MDTA Board on the Third Generation Electronic Toll Collection (3G ETC) post-transition operations.

Mr. Pines explained that the TransCore and Kapsch’s systems went live on April 29, 2021. Post-transition and software development activities and risk management continue. Implementation of the plan to address the backlog of unprocessed transactions is ongoing.

UPDATE – MAJOR PROJECTS UPDATE

Mr. Jim Harkness updated the MDTA Board on the status of Major Projects in the Capital Program. Mr. Harkness explained that as of December 8, 2021, there are nine Major Projects in the Capital Program. Six of the projects are under Construction, two in Procurement and one in Design. This update includes projects funded for construction in the current CTP and includes five projects valued in excess of \$100 million. There are two projects from the \$1.1 billion I-95 ETL Northbound Expansion program.

UPDATE – DIVISION OF INFORMATION TECHNOLOGY (DOIT) MAJOR PROJECTS UPDATE

Mr. David Goldsborough updated the MDTA Board on the Division of Information Technology (DoIT) major projects. He explained that as of December 16, 2021, the Division of Information Technology maintains an active portfolio of 19 projects. The portfolio has remained constant since the last update to the MDTA Board. Post go-live support of the Third Generation Tolling System (3G) continues and will remain in place until official transition to operations and maintenance occurs. DoIT is still experiencing some recruitment challenges because of the requirement for an on-site work presence. Staff is continuing the use of additional telework days over and above the traditional one day per week to attract potential employees. DoIT has begun penetration testing with Cyber Defense Technologies for the internal portion of the MDTA network. To this point, we have implemented a few recommendations around how permissions are handled and will have a final report from the vendor in the early January timeframe.

Mr. Goldsborough explained that some of the significant initiatives that DoIT continues to work on include the following:

- Cybersecurity - looking to potentially assist the Maryland Department of Health with their recovery
- Police body cameras - looking to start rollout in the August/September 2022 time frame
- Post go-live support of 3G
- Enterprise budget system - training has begun on use of the new system
- Conversion of the purchasing card system to the new platform
- Migration of contract data from Dynamics to Maximo

UPDATE – CIVIL RIGHTS AND FAIR PRACTICES (CRFP) SOCIOECONOMIC PROGRAMS STATUS

Ms. Towanda Livingston updated the MDTA Board on the MDTA socioeconomic program goals as it relates to Disadvantaged Business Enterprise (DBE) Program for the Nice-Middleton Bridge Project.

Ms. Livingston explained that for the Fiscal Year 2022 Quarter One (Q1) update the focus is on the DBE Programmatic efforts, which covers the performance period of July 1, 2021 to September 30, 2021. This performance period will be referenced as Q1 FY 2022.

The Office of Civil Rights Fair Practice (CRFP) is responsible for monitoring the Nice-Middleton Bridge Project's federally funded contracts to ensure compliance with nondiscrimination and affirmative action requirements. The responsibilities include oversight of the DBE Program, the Contractor's Equal Employment Opportunity (EEO)/Workforce Affirmative Action plans, On-the-Job Training (OJT) programs, and Contractor Labor Compliance. CRFP also provides management, supervision, and direction to the third-party civil rights compliance monitors assigned to the Project by the General Engineering Consultant for the Nice-Middleton Bridge Project.

The five (5) contracts that are included in Nice-Middleton Bridge Project were identified for federal financial assistance via a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan. DBE firms' utilization is monitored monthly and reported to the Federal Highway Administration (FHWA) semi-annually. DBE firms' utilization is calculated by dividing the total dollars paid to DBE subcontractors by the total dollars expended for this Project.

The Bridge Replacement Contract Number NB-0543-0000 and the Campus Improvements Contract Number NB-3003-000 have workforce goals and a Maryland Department of Human Resources Hiring Agreement. The Hiring Agreement is a mechanism for providing current and former Family Investment Program (FIP) recipients with employment opportunities on State procurement contracts. The assigned account representative for the Bridge Replacement and Campus Improvements construction contract is the Tri-County Council of Southern Maryland (TCCSM) - Job Source. The account representative is the referral source to the contractors and processes job notices; refers screened and qualified current and former FIP participants for available jobs; and assists in developing job-training and support services.

As of September 30th, there were 53 active DBE subcontractors working on the Nice-Middleton Bridge Project, of which 37 are based in the State of Maryland and there was a total of 140 New Hires working on the Project, of which 59 are Maryland residents.

After Ms. Livingston completed her presentation there was a short video clip of an interview with Mr. Parrish Thompson. Mr. Thompson is an example of how the OJT program can train and prepare individuals for the workforce. Mr. Thompson was working on the project as a laborer when he was recommended into the Oiler OJT program based on his strong work ethic and passion for construction. After successfully completing the Oiler OJT program, he is now participating in a Mechanic OJT program.

UPDATE – EXECUTIVE DIRECTOR

Mr. Jim Ports started his update by reminding the Board that per the MDTA Board approved tolling plan for the I-95 Express Toll Lanes, the Executive Director approves a holiday schedule for the upcoming calendar year which resets the toll schedule on certain holidays to a Saturday or Sunday toll schedule based on traffic patterns for the holiday. Mr. Ports approved the schedule on November 30. A copy of the approved ETL Holiday Toll Pricing Schedule for Calendar Year 2022 is attached to the minutes for reference.

Mr. Ports also updated the Board on the MDTA Police Toys for Tots Campaign and finished his update with some of MDTA's Notable 2021 Accomplishments including:

- The MDTA had a strong Strategic Plan which includes 5 goals but there was a missing piece. That missing piece was 'How' is MDTA accomplishing its goals, 'How' are employees supporting the goals, and 'How' does it all tie together. This year, MDTA developed a Roadmap, which includes actions that highlight the focus for MDTA over the next 18 months
- As part of the MDTA at 50 commemoration – the Office of Policy, Innovation and Performance spearheaded a project to bring a virtual interactive representation of an actual MDTA tollbooth on the MDTA website.
- MDTA's Division of Procurement participated in 4 MBE and Small Business Getting Your Foot in the Door outreaches; participated in the virtual Annual Business Opportunities & Entrepreneurial Training Summit hosted by MDOT, the Maryland Department of General Services, and the University System Maryland; and awarded 17 contracts. I am proud to also highlight that Jamal Turner won the 2020 Maryland Public Purchasing Association's Buyer of the Year Award.
- The Office of Human Resources and Workforce Development re-launched the Career Development Program with new direct bill partners and incorporated e-learning trainings into the New Employee Orientation process.
- The Division of Information Technology supported (and continues to support) the remote workforce while also maintaining an onsite presence for the IT HelpDesk. The Division is also standing up the new MDTA budget tool and starting training for the workforce.

- The Division of Civil Rights and Fair Practices reported that for Fiscal Year (FY) 2021, Minority Business Enterprise (MBE) Program contract participation was 19.67% or approximately \$105.7 million of the \$538 Million total of contracts awarded -- which is a \$68.4 million increase over the \$37.3 million that was awarded to MBE firms in Fiscal Year 2020. For the Small Business Reserve (SBR) Program, MDTA's performance for FY 2021 was 4.00% (\$20.8 million) of the total contract payments of \$522 million -- which is an approximate \$800 thousand increase over the designated payments in Fiscal Year 2020.
- The MDTA's Asset Control and Damage Recovery team -- which is part of the Office of Environment, Safety, and Risk Management successfully completed 9 storeroom audits, closed 340 insurance claims, and secured over a \$1 million through insurance recovery.
- The Office of Environment, Safety, and Risk Management developed and delivered Environment & Safety Committee training; facilitated discussions between MDOT, BGE, and MDTA Operations to kick off electric charging station installation at the Bay Bridge facility.
- The Environmental Team worked with a new vendor to ensure environmental compliance is met regarding storage, transportation, and recycling of transponders.
- The Division of Finance was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada. The MDTA received this award for its comprehensive annual financial report for the Fiscal Year 2020.
- Year to date the MDTA Police have made 1042 Impaired Driving arrests. This is the most in seven (7) years. On December 10th, 25 personnel completed the 8th Leadership in Police Organizations (LPO) Session, a 3-week intensive leadership training course developed by the International Chiefs of Police Association (IACP). The Police will soon be launching a MDTA Police Facebook page.
- In April, we launched DriveEzMD offering payment options, like Pay-by-Plate and the 15% early payment discount. To accompany the launch of DriveEzMD, we utilized a new form of digital advertising in tandem with our more traditional avenues. This new advertising method, featuring videos and graphics delivered on Amazon platforms, resulted in over 8,500 new *E-ZPass* signups over the course of four campaigns.
- Thanks to the hard work of the Division of Operations and Office of Engineering and Construction, a number of projects have achieved significant milestones. The 895 Bridge project was completed under budget and ahead of schedule, replacing MDTA's only structurally deficient bridge; the JFK Facility was opened to highway speed AET; we opened the I-95 Auxiliary Lane between MD152 and MD24 and the Park & Ride at 924/24, as part of I-95 ETL Northbound extension.

- At the Nice/Middleton Bridge, installation of steel pipe piles for the fender ring has been completed and 800 concrete piles were installed. We anticipate pile driving to be completed by Christmas; the setting of structural steel girders has begun – this equates to approximately 1.5 million pounds of steel; we have completed concrete placements for foundations and sub-structures on the Maryland spans and for three channel spans; concrete placement for the decks has begun.

VOTE TO GO INTO CLOSED SESSION

At 11:33 a.m., upon motion by Member W. Lee Gaines, Jr. and seconded by Member William C. Ensor, III, the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board will meet in Closed Session under the General Provisions Article, Sections 3-305(b)(7) & (8) to receive legal advice and discuss a potential litigation regarding a contract claim for Contract No. MA-549.

In attendance for Closed Session was Chairman Greg Slater, Acting Chairman Sean Powell, Members Carroll (via telephone), Cox, Ensor, Gaines, Gangemi, Penny-Ardinger, Rosen, and von Paris (via telephone); and Natalie Henson, Kim Millender, Will Pines, and Jim Ports.

VOTE TO ADJOURN CLOSED SESSION

At 12:01 p.m., a motion was made by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, which was unanimously approved, to adjourn the Closed Session and return to Open Session.

RATIFICATION TAKEN IN CLOSED SESSION

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member William H. Ensor, III, the Members ratified their approval to authorize staff to negotiate a tentative settlement of the contract claim for MA-549 in a not to exceed amount of \$6.2 million including resolution of all remaining terms and conditions and issues for contract close out.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., the Members unanimously voted to adjourn the meeting at 12:02 p.m.

The next MDTA Board Meeting will be held on Thursday, January 27, 2021 at 9:00 a.m. virtually via video conference and livestream.

APPROVED AND CONCURRED IN:

James F. Ports, Jr., Chairman



Maryland Transportation Authority

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Gregory Slater, Chairman

Board Members:

Dontae Carroll	Mario J. Gangemi, P.E.
William H. Cox, Jr.	Cynthia D. Penny-Ardinger
William C. Ensor, III	Jeffrey S. Rosen
W. Lee Gaines, Jr.	John F. von Paris

James F. Ports, Jr., Executive Director

MDTA BOARD SUMMARY SHEET

SUBJECT: I-95 Express Toll Lanes
Calendar Year 2022 Holiday Schedule

DATE: November 30, 2021

PREPARED BY: Melissa Williams, Director
Division of Planning and Program Development

PURPOSE

To update the MDTA Board on the approved calendar year 2022 holiday schedule for the I-95 Express Toll Lanes.

SUMMARY

As part of the MDTA Board approved tolling plan for the I-95 Express Toll Lanes, the MDTA Board established that the MDTA Executive Director would approve a holiday schedule which resets the toll schedule on certain holidays to a Saturday or Sunday toll schedule based on traffic patterns for the holiday. This approval occurs each December for the upcoming calendar year and is shared with the MDTA Board at their December meeting.

ANALYSIS

See the attached Approved I-95 Express Toll Lanes Calendar Year 2022 Holiday Schedule.

ATTACHMENTS

Approved I-95 Express Toll Lanes Calendar Year 2022 Holiday Schedule

ETL Holiday Toll Pricing Schedule CY 2022		
Date	Weekday	Pricing Period Schedule
December 31	Friday	Saturday
January 17	Monday	Sunday
February 21	Monday	Sunday
May 30	Monday	Saturday
June 20	Monday	Weekday
July 4	Monday	Sunday
September 5	Monday	Sunday
October 10	Monday	Weekday
November 11	Friday	Weekday
November 24	Thursday	Saturday
November 25	Friday	Sunday
December 26	Monday	Saturday

Approved:

Executive Director

Date:

11/30/21

TAB 2

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

FRIDAY, JANUARY 7, 2022
9:00 A.M.

VIRTUAL AND LIVESTREAMED OPEN MEETING

OPEN SESSION

Greg Slater, Chairman

MEMBERS ATTENDING:

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

STAFF ATTENDING:

Natalie Henson
Kimberly Millender, Esq.
Ebony Moore
Mary O'Keeffe
Will Pines
James F. Ports, Jr.
Timothy Sheets

OTHER ATTENDEES:

Samantha Biddle, MDOT TSO

At 9:02 a.m. Chairman Greg Slater called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held virtually via video conference and was livestreamed on the MDTA Board Meeting web page.

APPROVAL – BOARD COMMITTEE ASSIGNMENTS

Executive Director Jim Ports requested Maryland Transportation Authority (MDTA) Board approval of the new proposed committee assignments. The only proposed change to the committee assignments is to designate Member Mario Gangemi as the new Chair of Capital Committee.

Upon motion by Member William C. Ensor, III and seconded by Member Dontae Carroll, the new proposed committee assignments were unanimously approved.

VOTE TO GO INTO CLOSED SESSION

At 9:08 a.m., upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board will meet in Closed Session under the General Provisions Article, Section 3-305(b)(1) to discuss the qualifications of one or more persons to be appointed and serve as the MDTA Executive Director.

In attendance for Closed Session was Chairman Greg Slater, Members Carroll, Cox, Ensor, Gaines, Gangemi, Penny-Ardinger, Rosen, and von Paris; and Natalie Henson, Kim Millender, Ebony Moore, and Jim Ports.

VOTE TO ADJOURN CLOSED SESSION

At 9:29 a.m., a motion was made by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., which was unanimously approved, to adjourn the Closed Session and return to Open Session.

RATIFICATION TAKEN IN CLOSED SESSION

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the Members ratified their approval of Mr. William Pines as MDTA's Acting Executive Director.

Mr. Pines thanked the Board for their approval.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the Members unanimously voted to adjourn the meeting at 9:33 a.m.

OPEN SESSION
JANUARY 7, 2022
PAGE 2 OF 3

The next MDTA Board Meeting will be held on Thursday, January 27, 2022 at 9:00 a.m. virtually via video conference and livestream.

APPROVED AND CONCURRED IN:

James F. Ports, Jr., Chairman

TAB 3

RESOLUTION

Recognizing the Services of Senior Officer James Hedgecoth Jr.

MDTA Police

WHEREAS, Senior Officer James Hedgecoth Jr. began his career with the Maryland Transportation Authority Police as an MDTA Police Officer I on May 10, 2000, and

WHEREAS, Due to his knowledge and determination, he was promoted to MDTA Police Officer II on May 10, 2001, and to MDTA Police Senior Officer on March 7, 2012, now

WHEREAS, In November 2004, he was commended by then-MDTA Executive Secretary Trent M. Kittleman, with a letter of appreciation for his contributions during repair work and daytime lane closures at the William Preston Lane Jr. Memorial (Bay) Bridge, and

WHEREAS, He is an invaluable member of the team, and his coworkers expressed the fact that his dedication, expertise, and teamwork will be missed, now

THEREFORE BE IT RESOLVED, On the occasion of Senior Officer Hedgecoth's retirement from his distinguished career of exemplary service, the Chairman and Members of the Maryland Transportation Authority Board hereby express to Senior Officer Hedgecoth Jr. their most sincere appreciation for his excellence and commitment, and

BE IT FURTHER RESOLVED, That this Resolution be entered into the minutes of the MDTA Board meeting of January 27, 2022, and a copy, appropriately framed, be presented to Senior Officer Hedgecoth Jr. as an expression of the MDTA Board's appreciation and esteem.

RESOLUTION

Recognizing the Services of **Kathy Savage**

MDTA Toll Collection Shift Supervisor

WHEREAS, Kathy Savage began her career with the Maryland Transportation Authority as an MDTA Toll Collector I on November 17, 1993, and

WHEREAS, Ms. Savage continued to progress in the Toll Collector field and became an MDTA Toll Collector II on November 23, 1994, and to MDTA Toll Collector III on August 26, 1998, and

WHEREAS, With leadership and knowledge, Ms. Savage was promoted to MDTA Toll Collection Shift Supervisor on May 11, 2005, a title held until retirement, and

WHEREAS, In October 1994, she was commended by then-MDTA Director of Administration William Tarr, with a letter of appreciation for her contributions during the fourth annual Employee Fun Day/Truck Rodeo at Gunpowder State Park, and

WHEREAS, She is an invaluable member of the team, and her coworkers expressed the fact that her dedication, expertise, and teamwork will be missed, now

THEREFORE BE IT RESOLVED, On the occasion of Kathy Savage's retirement from her distinguished career of exemplary service, the Chairman and Members of the Maryland Transportation Authority Board hereby express to Ms. Savage their most sincere appreciation for her excellence and commitment, and

BE IT FURTHER RESOLVED, That this Resolution be entered into the minutes of the MDTA Board meeting of January 27, 2022, and a copy, appropriately framed, be presented to Ms. Savage as an expression of the MDTA Board's appreciation and esteem.

RESOLUTION

Recognizing the Services of
Darol E. Smith

Director of *E-ZPass* Operations

WHEREAS, Darol E. Smith began his career with the Maryland Transportation Authority as an MDTA Administrator VII on November 13, 2013, and

WHEREAS, Darol has a bachelor's degree in organizational management with a minor in executive management, and spent much of his career in the public sector including six years as a Sergeant in the United States Air Force, and ten years in the United States Postal Service, and

WHEREAS, Mr. Smith branched out into a 17-year private-sector career, holding titles of Regional Transportation Manager, Production Manager, Branch Director Operations, and Corporate Director of Manufacturing Logistics, and

WHEREAS, Darol continued to build his knowledge and leadership skills, and was promoted to Director of E-ZPass Operations on August 16, 2017, and

WHEREAS, Darol has been married for thirty-eight years with two sons. Darol's career has taken him around the country with jobs in Texas, Mississippi, Florida, Ohio, Georgia, Connecticut, and Maryland. He is an invaluable member of the team, and his coworkers expressed the fact that his dedication, personality, and calm demeanor will be missed, now

THEREFORE BE IT RESOLVED, On the occasion of Darol E. Smith's distinguished career of exemplary service, the Chairman and Members of the Maryland Transportation Authority hereby express to Mr. Smith their most sincere appreciation for his excellence and commitment, and

BE IT FURTHER RESOLVED, That this Resolution be entered into the minutes of the MDTA Board meeting of January 27, 2022, and a copy, appropriately framed, be presented to Mr. Smith as an expression of the MDTA Board's appreciation and esteem.

TAB 4



Maryland Transportation Authority

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

Board Members:

Dontae Carroll	Mario J. Gangemi, P.E.
William H. Cox, Jr.	Cynthia D. Penny-Ardinger
William C. Ensor, III	Jeffrey S. Rosen
W. Lee Gaines, Jr.	John F. von Paris

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
FROM: Ms. Donna DiCerbo, CPPO, CPPB, Director of Procurement
SUBJECT: J01B12600004 – Electronic Security System Software Maintenance and Service Plan
DATE: January 27, 2022

PURPOSE

To seek Maryland Transportation Authority (MDTA) Board approval to execute Sole Source Contract No. J01B12600004 - Electronic Security System Software Maintenance and Service Plan.

SUMMARY

The MDTA is issuing this Sole Source contract in order to procure a full-service plan that includes software and hardware maintenance, support, and professional services for the Electronic Security System (ESS) currently installed at various bridges, tunnels, and buildings located throughout the MDTA. This consists of maintenance of the central software and field hardware modules, and associated field hardware for perimeter detection systems, radar devices, thermal night vision cameras, color and black and white cameras for a term of 5 years.

RECOMMENDATION

To provide approval to execute Sole Source Contract No. J01B12600004 - Electronic Security System Software Maintenance and Service Plan.

ATTACHMENT

- Project Summary



Maryland
Transportation
Authority

AUTHORITY BOARD PROJECT SUMMARY

J01B12600004 Electronic Security System Software Maintenance and Service Plan

PIN NUMBER N/A
CONTRACT NUMBER J01B12600004
CONTRACT TITLE Electronic Security System Maintenance and Service Plan (Contigent)

PROJECT SUMMARY The Maryland Transportation Authority is issuing this Sole Source contract in order to procure a full-service plan includes software and hardware maintenance, support and professional services for the Electronic Security System (ESS) currently installed at various bridges, tunnels and buildings located throughout the MDTA. This consists of maintenance of the central software and field hardware modules, and associated field hardware for perimeter detection systems, radar devices, thermal night vision cameras, color and black and white cameras for a term of 5 years.

SCHEDULE

ADVERTISEMENT DATE 8/19/2021
ANTICIPATED NOTICE TO PROCEED DATE 3/30/2022
DURATION (CALENDAR DAYS) 1825

ENGINEER'S ESTIMATE (EE)

(\$)

\$3,415,900.00

MBE PARTICIPATION

Advertised Goal

Proposed Goal

ASCVid Holding, LLC

OVERALL MBE

9.00%

9%

VSBE

1.00%

1%

BID RESULTS

BID AMOUNT (\$)

**% VARIANCE
TO EE**

BID PROTEST YES ☐ NO ☒

ASCVid Holdings, LLC

\$3,506,927.85

2.7%



Maryland Transportation Authority

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

Board Members:

Dontae Carroll	Mario J. Gangemi, P.E.
William H. Cox, Jr.	Cynthia D. Penny-Ardinger
William C. Ensor, III	Jeffrey S. Rosen
W. Lee Gaines, Jr.	John F. von Paris

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
FROM: Ms. Donna DiCerbo, CPPO, CPPB, Director of Procurement
SUBJECT: KH-3042-0000 – I-95 at Belvidere Road Interchange – Offsite Mitigation Contract
DATE: January 27, 2022

PURPOSE

To seek contingent approval from the Maryland Transportation Authority (MDTA) Board to execute Sole Source Contract No. KH-3042-0000 - I-95 at Belvidere Road Interchange - Offsite Mitigation Contract.

SUMMARY

The purpose of this Sole Source contract is to provide the wetland mitigation credits to achieve the required offsite mitigation necessary to compensate for unavoidable wetland impacts associated with the I-95 at Belvidere Road Interchange project. The required wetland mitigation cannot be entirely achieved on-site. This contract is intended to fulfill the mitigation requirements through the purchase of credits in exchange for the design, establishment, and long-term maintenance and monitoring of a wetland mitigation site by a third-party environmental developer.

RECOMMENDATION

To provide contingent approval to execute Sole Source Contract No. KH-3042-0000 - I-95 at Belvidere Road Interchange - Offsite Mitigation Contract.

ATTACHMENT

- Project Summary



Maryland
Transportation
Authority

AUTHORITY BOARD PROJECT SUMMARY

KH-3042-0000 I-95 at Belvidere Road Interchange - Offsite Mitigation Contract

PIN NUMBER 2477
CONTRACT NUMBER KH-3042-0000
CONTRACT TITLE I-95 at Belvidere Road Interchange Offsite Mitigation

PROJECT SUMMARY The purpose of this Sole Source contract is to provide the wetland mitigation credits to achieve the required offsite mitigation necessary to compensate for unavoidable wetland impacts associated with the I-95 at Belvidere Road Interchange project. The required wetland mitigation cannot be entirely achieved on-site. This contract is intended to fulfill the mitigation requirements through the purchase of credits in exchange for the design, establishment, and long-term maintenance and monitoring of a wetland mitigation site by a third-party environmental developer.

SCHEDULE

ADVERTISEMENT DATE N/A
ANTICIPATED NOTICE TO PROCEED DATE Feb-22
DURATION (CALENDAR DAYS) 10 Years (Post-NTP)

MBE PARTICIPATION

OVERALL MBE

AFRICAN AMERICAN

ASIAN AMERICAN

HISPANIC AMERICAN

WOMEN

NATIVE AMERICAN

VSBE

(\$)

**Advertised
GOAL (%)**

**Proposed
GOAL (%)**

0.00%

0.00%

-

-

-

-

-

-

-

-

-

-

0.00%

0.00%

ENGINEER'S ESTIMATE (EE) \$1,620,000.00

BID RESULTS

BID AMOUNT (\$)

% VARIANCE TO EE

BID PROTEST YES ☐ NO ☒

Greenvest, LLC

\$1,617,733.68

0.14%



**Maryland
Transportation
Authority**

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

Board Members:

Dontae Carroll	Mario J. Gangemi, P.E.
William H. Cox, Jr.	Cynthia D. Penny-Ardinger
William C. Ensor, III	Jeffrey S. Rosen
W. Lee Gaines, Jr.	John F. von Paris

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
FROM: Ms. Donna DiCerbo, CPPO, CPPB, Director of Procurement
SUBJECT: MT-3136-0000 – Bay Bridge Facility (WPL) and Baltimore Harbor Tunnel Facility (BHT) Field Hardware Maintenance Contract
DATE: January 27, 2022

PURPOSE

To seek contingent approval from the Maryland Transportation Authority (MDTA) Board to execute Contract No. MT-3136-0000 – Bay Bridge Facility (WPL) and Baltimore Harbor Tunnel (BHT) Field Hardware Maintenance Contract.

SUMMARY

The MDTA is issuing this Contract in order to procure a full-service on-call emergency and non-emergency repair services and miscellaneous maintenance and repair services contract for MDTA's Intelligent Transportation System (ITS) field hardware at WPL and BHT. This Contract includes all labor, materials, parts, hardware, supplies, tools, equipment, transport, expenses, and all unspecified incidental items for a full maintenance service contract for MDTA's ITS field hardware.

RECOMMENDATION

To provide contingent approval to execute Contract No. MT-3136-0000 - WPL and BHT Field Hardware Maintenance Contract.

ATTACHMENT

- Project Summary



Maryland
Transportation
Authority

AUTHORITY BOARD PROJECT SUMMARY

MT-3136-0000 WPL & BHT Field Hardware Maintenance Contract

PIN NUMBER

N/A

CONTRACT NUMBER

MT-3136-0000

CONTRACT TITLE

WPL & BHT Field Hardware Maintenance Contract

PROJECT SUMMARY

The Maryland Transportation Authority is issuing this Contract in order to procure a full-service on-call emergency and non emergency repair services and miscellaneous maintenance and repair services contract for MDTA's Intelligent Transportation System (ITS) field hardware at the Bay Bridge facility and the Baltimore Harbor Tunnel (BHT) facility. This Contract includes all labor, materials, parts, hardware, supplies, tools, equipment, transport, expenses and all unspecified incidental items for a full maintenance service contract for MDTA's ITS field hardware.

SCHEDULE

ADVERTISEMENT DATE

N/A

ANTICIPATED NOTICE TO PROCEED DATE

2/22/2022

DURATION (CALENDAR DAYS)

1825

(\$)

MBE PARTICIPATION

Advertised Goal

Proposed Goal

Communications Electronics, Inc

OVERALL MBE

0.00%

0%

No Sub Goals

0.00%

0

VSBE

0%

BID RESULTS

BID AMOUNT (\$)

**% VARIANCE
TO EE**

BID PROTEST YES ☐

NO ☒

Communication Electronics Inc.

\$4,567,665.00

N/A

Digital Traffic Systems, Inc.

\$4,662,785.12

N/A

Dvorak, LLC

\$5,687,017.00

N/A



Maryland Transportation Authority

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

Board Members:

Dontae Carroll	Mario J. Gangemi, P.E.
William H. Cox, Jr.	Cynthia D. Penny-Ardinger
William C. Ensor, III	Jeffrey S. Rosen
W. Lee Gaines, Jr.	John F. von Paris

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
FROM: Ms. Donna DiCerbo, CPPO, CPPB, Director of Procurement
SUBJECT: MDTA 2020-03 – Electronic Toll Collection Services
DATE: January 27, 2022

PURPOSE

To seek Maryland Transportation Authority (MDTA) Board approval to execute Contract No. MDTA 2020-03 - Electronic Toll Collection Services.

SUMMARY

This project involves the contract award to a consultant engineering firm to provide professional design services for Electronic Toll Collection Systems and Services as directed by the MDTA. The scope includes but is not limited to project management of toll systems contracts for tolling systems and opportunities throughout Maryland. The services will be related to existing facilities as well as any future or potential future tolling facilities. The work shall include but not be limited to project management support, inspection, business analysis, financial analysis, traffic and revenue study, and analysis, policy analysis, design, preliminary design, planning, benchmarking, cost estimation, construction management, public meeting support services, RFP development, specifications development, schedule development and analysis, industry research, and any related activities and services related to toll systems and tolling. The services provided shall be applied to tolling related work and may also include parking applications, the use of tolling technology for other transportation related services, automated vehicles, DSRC, Vehicle to Vehicle and Vehicle to infrastructure communications and applications, and any other related technology that may involve toll collection, traffic information, or transportation safety.

RECOMMENDATION

To provide approval to execute Contract No. MDTA 2020-03 - Electronic Toll Collection Services.

ATTACHMENT

- Project Summary



AUTHORITY BOARD PROJECT SUMMARY
Contract No. MDTA 2020-03 Electronic Toll Collection Services

PIN NUMBER N/A
MDTA PROJECT NUMBER MDTA 2020-03
CONTRACT TITLE Electronic Toll Collection Consulting Services

PROJECT SUMMARY This project involves the contract award to a consultant engineering firm to provide professional design services for Electronic Toll Collection Systems and Services as directed by the MDTA. The scope includes but is not limited to project management of toll systems contracts for tolling systems and opportunities throughout Maryland. The services will be related to existing facilities as well as any future or potential future tolling facilities. The work shall include but not be limited to project management support, inspection, business analysis, financial analysis, traffic and revenue study and analysis, policy analysis, design, preliminary design, planning, benchmarking, cost estimation, construction management, public meeting support services, RFP development, specifications development, schedule development and analysis, industry research, and any related activities and services related to toll systems and tolling. The services provided shall be applied to tolling related work and may also include parking applications, the use of tolling technology for other transportation related services, automated vehicles, DSRC, Vehicle to Vehicle and Vehicle to infrastructure communications and applications, and any other related technology that may involve toll collection, traffic information, or transportation safety.

SCHEDULE	ADVERTISEMENT DATE	December 16, 2020	PROPOSER	MDTA CONTRACT NO.	CONTRACT AMOUNT
	ANTICIPATED NTP DATE	2/16/2022 (Date of BPW Meeting)	Rummel, Klepper & Kahl, LLP	AE 3096-0000	\$11,500,000.00
	DURATION/TERM	Six (6) YEARS			

PROTEST	YES	NO
	✓	

FUNDING SOURCE 100% TOLL REVENUE

	ADVERTISED GOAL (%)	AE-3096 PROPOSED GOAL (%)
MBE PARTICIPATION - OVERALL		
OVERALL MBE	29.00%	29.00%
AFRICAN AMERICAN	7.00%	9.00%
ASIAN AMERICAN	-	
HISPANIC AMERICAN	-	
WOMEN OWNED	10.00%	20.00%
VSBE	1.00%	1.00%

TAB 5



Maryland Transportation Authority

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

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

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
PREPARED BY: Ms. Deb Sharpless, Chief Financial Officer (CFO)
Mr. Walt Laun, Acting Revenue Supervisor
PRESENTED BY: Deb Sharpless, CFO
SUBJECT: Traffic & Revenue Update
DATE: January 27, 2022

PURPOSE OF MEMORANDUM

The purpose of this agenda item is to update the Maryland Transportation Authority (MDTA) Board on Fiscal Year (FY) 2022 Traffic & Revenue (T&R) performance through December 31, 2021.

SUMMARY

For the period of July 1, 2021 through December 31, 2021, MDTA's actual toll revenue received totaled \$386.8 million, \$22.9 million below its official forecast. When adjusting for timing differences in the receipt of toll revenue, MDTA is \$19.3 million above its forecast.

FY 2022 Forecasted and Actual Revenue Comparison

July 1, 2021 – December 31, 2021

	<i>E-ZPass</i> [®]			Video, Administrative ¹ & Pay-By-Plate	Total
	Current Year	Prior Year	Total		
Forecast Revenue	\$ 279,267,566	\$ 74,829,434	\$ 354,097,000	\$ 55,597,000	\$ 763,791,000
<i>less</i> Actual Revenue	259,788,761	67,890,944	327,679,705	59,115,119	714,474,529
Unadjusted Difference	(19,478,805)	(6,938,490)	(26,417,295)	3,518,119	(49,316,471)
<i>plus</i> Timing Differences	11,219,006	16,990,771	28,209,777	14,005,007	70,424,561
Adjusted Difference	\$ (8,259,799)	\$ 10,052,281	\$ 1,792,482	\$ 17,523,126	\$ 19,315,608

¹ Includes items such as Hatem Bridge discount plan (\$20.00 annual plan), oversize permit fees, transponder sales, civil penalties, unused trips, commercial post-usage discount & monthly account fees (non-Maryland addresses).

Timing differences are transactions that we continue to have a reasonable expectation of collection within the FY 2022. These transactions, totaling \$42.2 million, were forecasted to be processed and collected by December 31, 2021. Should the estimated revenue timing differences not materialize in FY 2022, the MDTA will still exceed its financial standards.

In the analysis below, we analyzed the cause of any differences between the forecast and actual performance. From this analysis, we know for the first half of the fiscal year, prior year *E-ZPass* revenue (backlog) is estimated to exceed the forecast by \$10.1 million. Nearly all of the over-performance is the result of the omission of certain FY 2021 transactions from the forecast. Conversely, current year *E-ZPass* revenue is estimated to underperform the forecast by \$8.3 million. The underperformance is the result of the current year *E-ZPass* daily average revenue continuing to be below the forecast by nearly \$45,000 per day

². Since the performance of current year transactions/revenue influences future forecasts and the underperformance has not self-corrected, we updated our analysis to examine current and prior year *E-ZPass* revenue separately. Based on the forecast, *E-ZPass* revenue accounts for 91% of MDTA's total revenue.

The video toll collection rate and average transaction amount, and administrative toll revenue are estimated to be higher than the forecast by a combined \$17.4 million. Whereas Pay-By-Plate revenue is estimated to be \$3.4 million below forecast.

ANALYSIS

MDTA's official T&R forecast, issued by CDMSmith, dated November 4, 2021, projects T&R on a cash basis to mirror MDTA's trust agreement revenue recognition requirement³. When analyzing toll revenue performance, actual revenue collected (cash basis) was compared to the official forecast. Actual revenue collected was then adjusted for the revenue associated with transactions that were expected to be processed and collected as of December 31, 2021 and in which staff continues to expect the revenue will be collected before FY 2022 year-end. Next, an understanding of the variances was determined to assess whether the variances are related to timing or deviations from the forecast assumptions that will impact future forecasts.

² \$44,700 (July-October 2021); \$44,900 (July-December 2021)

³ MDTA's financial statements recognize revenue on an accrual basis in accordance with generally accepted accounting principles.

Comparison of Official Forecast to Actual Toll Revenue Performance
July 1, 2021 to December 31, 2021

Toll Revenue Forecast:	\$409,694,000
Actual Revenue:	
<i>E-ZPass</i>	327,679,705
Pay-By-Plate	667,765
Video Toll	46,695,869
Administrative Toll	11,751,485
Total Actual Revenue	386,794,824
Unadjusted Actual Revenue less Forecasted Revenue	(22,899,176)
Timing Difference Estimates:	
<u>E-ZPass FY2022 (Current) Transaction Timing Differences</u>	
Dates Not Processed Prior to December 31, 2021	
▪ ICC: Home & IAG, E-tolls & I-tolls (3 Days)	420,194
▪ All Facilities: IAG, E-tolls (VDOT 1 day, CFX 14 partial days, MASSDOT 1 partial day)	143,362
Total Dates Not Processed Prior to December 31, 2021	563,556
All Facilities: IAG File Transfer Lag (6 days, 3 partial days)	6,571,651
All Facilities: Home Lag (5 days, 1 partial day)	3,971,882
All Facilities: Image Files Region of Interest Corrections	111,917
Total <i>E-ZPass</i> FY2022 Transaction Timing Differences	11,219,006
<u>E-ZPass FY 2021 (Backlog) Transaction Timing Differences:</u>	
Dates Not Processed Prior to December 31, 2021	
▪ ICC: IAG, E-tolls (15 days)	243,649
▪ ICC: Home, E-tolls (7 days)	337,335
▪ All Facilities: Home, I-tolls (1 day)	80,498
▪ All Facilities: IAG, I-tolls (22 days, 92 partial days)	1,447,418
▪ All Facilities: IAG, E-tolls (9 days, 7 partial days)	3,200,676
Total Dates Not Processed Prior to December 31, 2021	5,309,576
Posted Fewer Days than Forecasted, as of December 31, 2021, net	
▪ ICC: Home, E-tolls (18 days behind)	1,293,271
▪ ICC: IAG, E-tolls (24 days behind)	379,025
▪ All Facilities: Home, I-tolls (ICC 18 days behind, Legacy 55 days behind)	2,643,677
▪ All Facilities: IAG, I-tolls (115 days behind)	6,445,755
Total Posted Fewer Days than Forecasted, net	10,761,728
All Facilities: Image Files Region of Interest Corrections	919,467
Total <i>E-ZPass</i> FY 2021 Transactions Timing Differences	16,990,771
<u>Video Toll Timing Differences:</u>	
Mailed 4.4M less Transactions than Forecasted (Jul-Nov 2021)	14,005,007
Total Video Tolls Timing Differences	14,005,007
Total Timing Difference Estimates	42,214,784
Adjusted Actual Revenue less Forecasted Revenue	\$19,315,608

Analysis of Actual Toll Revenue Performance & Financial Forecast Differences

Adjusted Difference (Forecast less Adjusted Actual Revenue)	\$19,315,608
Forecast Assumption Difference Estimates:	
Transactions Not Included in the Forecast (1)	
▪ FY 2021 transactions - posted	3,368,532
▪ FY 2021 transaction– not processed as of 12/31/21	4,907,993
▪ FY 2021 Image Region of Interest Corrections	919,467
▪ FY 2021 or prior Video Toll Central Collection Unit & Court Collections	256,124
Total Transaction Not Included in the Forecast	9,452,115
FY2022 Daily <i>E-ZPass</i> Actual Average Revenue Lower than Forecasted (2)	(8,259,799)
FY 2021 Daily <i>E-ZPass</i> Actual Average Revenue Higher than Forecasted (1)	856,289
Video Toll Actual Average Toll Rate Higher than Forecasted (3)	6,187,025
Video Toll Collection Rate Higher than Forecasted (2)	3,759,225
Pay-By-Plate Payments Lower than Forecasted (3)	(3,367,191)
Administrative Toll Revenue Higher than Forecasted (3)	7,448,485
Total Forecast Assumption Differences	16,076,150
Unreconciled/Analyzed Difference	\$ (3,239,458)

(1) Unlikely to impact future T&R forecast

(2) Some impact to future T&R forecast; further analysis required

(3) Further analysis required to determine if future T&R forecast will be impacted

Analysis of FY22 Actual Average Revenue Lower than Forecasted

FY2022 <i>E-ZPass</i> Revenue Lower Below Forecast	\$ 8,259,799
Breakdown by Revenue Category	
<u>Legacy Facilities</u>	
2-Axle Vehicles	(9,681,000)
Commerical Vehicles	4,738,000
Legacy Facilities Total	(4,943,000)
<u>Intercounty Connector (ICC)</u>	
All Axle Vehicles	(2,565,000)
<u>Express Toll Lanes</u>	
All Axle Vehicles	(750,000)
Unreconciled/Analyzed Difference	\$ 1,799

For the six-month period of July to December 2021, the FY2022 daily *E-ZPass* revenue was lower than the forecast by \$8.3 million³. 2-axle vehicle⁴ revenue is below forecast by nearly \$13 million, whereas commercial revenue is exceeding the forecast by \$5 million.

³ ~\$44.9 daily revenue * 184 days

⁴ ICC out-of-state (away) and commercial transactions not significant.

Next steps will include:

- Further analysis to project year-end revenue achievement compared to the forecast, including impacts from increased COVID-19 positive rates;
- Further analysis of FY2022 *E-ZPass*; and
- Continued monitoring of the backlog processing to balance revenue performance and customer impacts.

Attachments

- Attachment A: FY 2022 Forecast vs. Actual Revenue – By Facility
- Attachment B: FY 2022 Forecast vs. Actual Revenue – By Payment Method

Attachment A
FY 2022 Forecast vs. Actual Revenue – By Facility
Current Year + Backlog

Legacy Facilities									
Video, Pay-By- Plate & Admin Toll	E-ZPass		July	August	September	October	November	December	Jul-Dec
		Forecast	\$ 72,938,000	\$ 47,967,000	\$ 45,000,000	\$ 46,263,000	\$ 44,823,000	\$ 46,162,000	▲ \$ 303,153,000
		Actual	72,663,031	45,750,497	36,455,410	45,876,015	42,783,257	37,914,827	\$ 281,443,038
	Difference	(274,969)	(2,216,503)	(8,544,590)	(386,985)	(2,039,743)	(8,247,173)	(21,709,962)	
	Plate & Admin Toll	Forecast	(656,746)	1,574,599	8,685,429	11,925,731	13,548,618	16,680,216	\$ 51,757,847
		Actual	3,818,872	3,658,360	9,509,751	9,661,671	12,695,460	14,360,914	\$ 53,705,028
		Difference	4,475,618	2,083,762	824,323	(2,264,060)	(853,158)	(2,319,303)	1,947,181
	Total	Forecast	72,281,254	49,541,599	53,685,429	58,188,731	58,371,618	62,842,216	\$ 354,910,847
		Actual	76,481,903	49,408,857	45,965,162	55,537,686	55,478,717	52,275,741	\$ 335,148,066
		Difference	\$ 4,200,649	\$ (132,741)	\$ (7,720,267)	\$ (2,651,045)	\$ (2,892,900)	\$ (10,566,476)	\$ (19,762,781)
Intercounty Connector									
Video, Pay-By- Plate & Admin Toll	E-ZPass		July	August	September	October	November	December	Jul-Dec
		Forecast	\$ 8,446,000	\$ 7,023,000	\$ 6,858,000	\$ 7,214,000	\$ 6,837,000	\$ 6,652,000	▲ \$ 43,030,000
		Actual	8,437,820	6,116,460	6,440,834	6,309,779	6,203,961	5,727,699	\$ 39,236,554
	Difference	(8,180)	(906,540)	(417,166)	(904,221)	(633,039)	(924,301)	(3,793,446)	
	Plate & Admin Toll	Forecast	(140,254)	69,401	649,571	868,269	1,121,382	1,270,784	\$ 3,839,153
		Actual	440,084	153,236	607,061	970,222	1,407,721	1,831,766	\$ 5,410,092
		Difference	580,338	83,835	(42,510)	101,953	286,339	560,983	1,570,938
	Total	Forecast	8,305,746	7,092,401	7,507,571	8,082,269	7,958,382	7,922,784	\$ 46,869,153
		Actual	8,877,904	6,269,696	7,047,896	7,280,001	7,611,683	7,559,466	\$ 44,646,646
		Difference	\$ 572,158	\$ (822,705)	\$ (459,676)	\$ (802,268)	\$ (346,699)	\$ (363,318)	\$ (2,222,508)
I-95 Express Toll Lanes									
E-Zpass, Video, Pay-By- Plate & Admin Toll		July	August	September	October	November	December	Jul-Dec	
	Forecast	\$ 1,804,000	\$ 1,265,000	\$ 1,103,000	\$ 1,317,000	\$ 1,207,000	\$ 1,218,000	▲ \$ 7,914,000	
	Actual	▲ 1,797,323	1,125,344	911,081	1,122,837	1,071,180	972,348	\$ 7,000,113	
Difference	\$ (6,677)	\$ (139,656)	\$ (191,919)	\$ (194,163)	\$ (135,820)	\$ (245,652)	\$ (913,887)		
All Facilities									
		July	August	September	October	November	December	Jul-Dec	
	Forecast	\$ 82,391,000	\$ 57,899,000	\$ 62,296,000	\$ 67,588,000	\$ 67,537,000	\$ 71,983,000	\$ 409,694,000	
	Actual	87,157,130	56,803,898	53,924,138	63,940,524	64,161,580	60,807,554	\$ 386,794,824	
	Difference	\$ 4,766,130	\$ (1,095,102)	\$ (8,371,862)	\$ (3,647,476)	\$ (3,375,420)	\$ (11,175,446)	\$ (22,899,176)	

Attachment B
FY 2022 Forecast vs. Actual Revenue – By Payment Method
Current Year + Backlog

E-ZPass								
		July	August	September	October	November	December	Jul-Dec
Forecast	Legacy	\$ 72,938,000	\$ 47,967,000	\$ 45,000,000	\$ 46,263,000	\$ 44,823,000	\$ 46,162,000	\$ 303,153,000
	ICC	8,446,000	7,023,000	6,858,000	7,214,000	6,837,000	6,652,000	\$ 43,030,000
	ETL	1,804,000	1,265,000	1,103,000	1,317,000	1,207,000	1,218,000	\$ 7,914,000
	Total	83,188,000	56,255,000	52,961,000	54,794,000	52,867,000	54,032,000	354,097,000
Actual	Legacy	72,663,031	45,750,497	36,455,410	45,876,015	42,783,257	37,914,827	\$ 281,443,038
	ICC	8,437,820	6,116,460	6,440,834	6,309,779	6,203,961	5,727,699	\$ 39,236,554
	ETL	1,797,323	1,125,344	911,081	1,122,837	1,071,180	972,348	\$ 7,000,113
	Total	82,898,174	52,992,301	43,807,326	53,308,631	50,058,399	44,614,874	327,679,705
	Difference	\$ (289,826)	\$ (3,262,699)	\$ (9,153,674)	\$ (1,485,369)	\$ (2,808,601)	\$ (9,417,126)	\$ (26,417,295)

Video, Pay-By-Plate & Administrative Toll								
		July	August	September	October	November	December	Jul-Dec
Forecast	Legacy	\$ (656,746)	\$ 1,574,599	\$ 8,685,429	\$ 11,925,731	\$ 13,548,618	\$ 16,680,216	\$ 51,757,847
	ICC	(140,254)	69,401	649,571	868,269	1,121,382	1,270,784	\$ 3,839,153
	Total	(797,000)	1,644,000	9,335,000	12,794,000	14,670,000	17,951,000	55,597,000
Actual	Legacy	3,818,872	3,658,360	9,509,751	9,661,671	12,695,460	14,360,914	\$ 53,705,028
	ICC	440,084	153,236	607,061	970,222	1,407,721	1,831,766	\$ 5,410,092
	Total	4,258,956	3,811,597	10,116,813	10,631,892	14,103,181	16,192,680	59,115,119
	Difference	\$ 5,055,956	\$ 2,167,597	\$ 781,813	\$ (2,162,108)	\$ (566,819)	\$ (1,758,320)	\$ 3,518,119

All Revenue								
		July	August	September	October	November	December	Jul-Dec
Forecast		\$ 82,391,000	\$ 57,899,000	\$ 62,296,000	\$ 67,588,000	\$ 67,537,000	\$ 71,983,000	\$ 409,694,000
Actual		87,157,130	56,803,898	53,924,138	63,940,524	64,161,580	60,807,554	\$ 386,794,824
Difference		\$ 4,766,130	\$ (1,095,102)	\$ (8,371,862)	\$ (3,647,476)	\$ (3,375,420)	\$ (11,175,446)	\$ (22,899,176)

TAB 6



**Maryland
Transportation
Authority**

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

Board Members:

Dontae Carroll	Mario J. Gangemi, P.E.
William H. Cox, Jr.	Cynthia D. Penny-Ardinger
William C. Ensor, III	Jeffrey S. Rosen
W. Lee Gaines, Jr.	John F. von Paris

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
PRESENTED BY: Mr. Joseph Quattrone, PMP, CSM, ETC Program Manager
SUBJECT: Third Generation Electronic Toll Collection (3G ETC) System Current Operations Update
DATE: January 27, 2022

PURPOSE

To brief the Maryland Transportation Authority (MDTA) Board on the 3G ETC ongoing operations.

SUMMARY

TransCore and Kapsch's systems went live on April 29, 2021. Post-transition and software development activities and risk management continue. Implementation of the plan to address the backlog of unprocessed transactions is ongoing.

ATTACHMENT

- 3G ETC System Update Presentation

Electronic Tolling

Current Operations Update

MDTA Board Meeting

January 27, 2022

Schedule Update

- As previously noted, Contractor provided an updated SAT schedule
 - Schedule based on a fully agile release approach with new tickets addressed every 2 weeks
 - Contractor is on schedule with 11 releases in production to date
- Negotiating with Contractor to establish clear SAT deadlines and ensuring Post-SAT is limited to punch list items
 - Modifications were reviewed by vendors and comments provided back to MDTA
 - Will update MDTA Board, State DOIT and BPW modifications updates,
 - The schedule portion of the modifications is anticipated to be a non-compensable time extension,
 - Revising liquidated damages provisions for the CSC contract to provide accountability to the schedule,
 - Will also include updates for COVID backlog and AET revisions

Key Focus Areas

Software Reports & Documentation

- Continue finalizing outstanding reports and documentation

QA/QC & Lane Maintenance Improvements

- Coordinating and addressing ongoing AET conversions for FMT and HWN
 - HWN is next with a planned go live in the early Spring
 - FMT lane closures announced for ongoing construction activity
- Accountability for timeliness of resolution for identified issues
- Enforcement of contractual requirements
- Consistent pro-active approach to the maintenance tasks

System Acceptance & Key Performance Indicators (KPI)

- Finalize System Acceptance Testing and Plans
 - Reviewing and approving reports for system monitoring

Contract Administration & Operational Functions

- Coordinating responsibilities & communication across IT, Operations and Finance
- Standing up contract administration tools & processes

Post Go-Live Risk Tracking

Call Center

- High call volumes persist but average wait times show some improvement in January (MTD)

	December	January (MTD)
Avg. Total Staff	100	157
Avg Call Wait Time (Min.)	101	71
Call Volume to Agents	167,997	75,334

- Website improvement releases continue to help ease volumes
- Actively managing customer outreach to reduce call volumes and avoid communications that may drive call volumes

Post Go-Live Risk Tracking

Transaction & Backlog Processing

- Transactions released manually based on a pre-defined schedule
 - Tight coordination with MDTA and vendors to maintain processing
 - Actively metering NOTDs at 35,000 envelopes per day with an average of just over 3 transactions per envelope
- Escalations as of 1/18/2021
 - Approximately 37.8 million video transactions posted to customer accounts
 - Several notices sent to alert customers to proactively pay electronically to receive early payment discounts
 - Proactive mailer to customers with more than 25 transactions complete
 - Sent 2nd batch of 25+ to customers
 - 16.2 million NOTD transactions have been mailed, since resuming
 - Image certifications and citations fully resumed

Backlog Status

- Update reported this month with the financial forecast

QA/QC

- Actively onboarding KPI reporting and tracking to ensure meeting Contract
- Striving for continuous improvement to address any anomalies found, even if meeting the KPI

TAB 7

VERBAL

TAB 8

VERBAL

TAB 9

CLOSED SESSION

TAB 10

CLOSED SESSION

TAB 11

CLOSED SESSION

TAB 12

CLOSED SESSION

TAB 13



Maryland Transportation Authority

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
James F. Ports, Jr., Chairman

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

William Pines, PE, Acting Executive Director

MEMORANDUM

TO: MDTA Board
PRESENTED BY: Mr. Percy E. Dangerfield, Chief Administrative Officer
PREPARED BY: Ms. Christina Thompson, Deputy Director, Finance
SUBJECT: Collective Bargaining Agreement with FOP Lodge #34
DATE: January 27, 2022

PURPOSE OF MEMORANDUM

The purpose of this item is to seek approval from the Maryland Transportation Authority (MDTA) Board to provide additional benefits to certain members of the MDTA Police as a result of the agreement reached between the MDTA and the Fraternal Order of Police (FOP) Lodge #34.

SUMMARY

On December 31, 2021, the State and the FOP reached a tentative agreement through collective bargaining. The final agreed upon package is a three (3) year agreement, effective July 1, 2022 through June 30, 2025.

The following details the agreed upon proposals with significant economic impact:

- A 7% cost-of-living adjustment (COLA) in fiscal year 2023;
- A one-step increase for all bargaining unit members effective January 1, 2023;
- A 5% cost-of-living adjustment in fiscal year 2024;
- A one-step increase for all bargaining unit members effective January 1, 2024;
- A 5% cost-of-living adjustment in fiscal year 2025; and
- A one-step increase for all bargaining unit members effective January 1, 2025

In addition, the bargaining unit will receive additional cars to be distributed to officers at the rank of sergeant and up to 50 officers that are members of the Civil Disturbance Team. This Agreement may be reopened by either party (the FOP or MDTA) for the purpose of negotiating changes to the assigned patrol vehicle program in Article XXV on July 1, 2024. To reopen this Article of the bargaining agreement, the party wishing to reopen the agreement shall notify the other party in writing no later than October 1 of the prior calendar year.

RECOMMENDATION

It is recommended that the Board approve the agreement reached between MDTA and the FOP Lodge #34 contingent upon signature of the Governor and ratification by the FOP.