



# Maryland Transportation Authority

BOARD MEETING

THURSDAY, OCTOBER 28, 2021

MARYLAND TRANSPORTATION AUTHORITY  
2310 BROENING HWY  
BALTIMORE, MD 21224



**MARYLAND TRANSPORTATION AUTHORITY  
BOARD MEETING  
2310 BROENING HIGHWAY  
BALTIMORE, MD 21224**

**OCTOBER 28, 2021 9:00 AM**

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

**NOTES:**

- This is an In-Person Board Meeting being conducted at the Maryland Transportation Authority Headquarters located at 2310 Broening Highway, Baltimore MD 21224.
- This In-Person Open Meeting will be livestreamed. You are 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](mailto:nhenson@mdta.state.md.us) no later than 5:00 p.m. on Tuesday, October 26, 2021. **You MUST pre-register and attend the meeting in-person in order to comment.*** Once you have pre-registered you will receive an email with all pertinent information.

**AGENDA**

**OPEN SESSION – 9:00 AM**

Call Meeting to Order

- |  |                                 |         |
|--|---------------------------------|---------|
| 1. <b><u>Approval</u></b> – <u>Open Meeting Minutes of September 30, 2021</u>  | Chairman                        | 5 min.  |
| 2. <b><u>Resolutions</u></b> – <u>Years of Service Recognition</u> – Recognition for Three Retired Employees   | Jim Ports                       | 10 min. |
| 3. <b><u>Approval</u></b> – <u>Contract Awards</u> <ul style="list-style-type: none"><li>• MDTA 2019-02A – Comprehensive Building and Facility Engineering and Architectural Design, Construction, and Miscellaneous Consulting Services</li></ul>     | Donna DiCerbo                   | 5 min.  |
| 4. <b><u>Approval</u></b> – <u>Consolidated Transportation Program (CTP) Process and Additions</u>   | Jeanne Marriott                 | 10 min. |
| 5. <b><u>Update</u></b> – <u>Fiscal Year 2021 Independent Auditor’s Service Organization Control 1 Report</u>  | Deb Sharpless                   | 10 min. |
| 6. <b><u>Update</u></b> – <u>Legislative Reports Submitted to the Legislature</u> <ul style="list-style-type: none"><li>• Maryland Transportation Authority Trucks Traversing Francis Scott Key (Key) Bridge Without Crossing the Key Bridge</li></ul> | Chantelle Green                 | 10 min. |
| 7. <b><u>Update</u></b> – <u>Annual Update on Structures Inspection Program</u>  | Tekeste Amare<br>Lillian Sidrak | 10 min. |
| 8. <b><u>Update</u></b> – <u>Third Generation Electronic Toll Collection (3G ETC) System</u> – Current Operations Update   | Will Pines                      | 15 min. |
| 9. <b><u>Update</u></b> – <u>Executive Director’s Report</u> – Verbal  | Jim Ports                       | 10 min. |

**MDTA BOARD MEETING  
OCTOBER 28, 2021 9:00 AM**

**AGENDA  
PAGE 2**

**Vote to go into Closed Session**

- |   |                     |         |
|---|---------------------|---------|
| 10. To Discuss Public Security  | Col. Kevin Anderson | 15 min. |
| 11. To Discuss Pending Litigation – Update on Status of<br>Pending Litigation Matters | Kim Millender, Esq. | 15 min. |

**Vote to go into Open Session**

**Vote to Adjourn Meeting**

# **TAB 1**

MARYLAND TRANSPORTATION AUTHORITY  
BOARD MEETING

THURSDAY, SEPTEMBER 30, 2021  
9:00 A.M.

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

OPEN SESSION

Gregory Slater, Chairman

MEMBERS ATTENDING:

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

STAFF ATTENDING:

Jeffrey Brown  
Sarah Clifford  
Carl Chamberlin  
Donna DiCerbo  
David Goldsborough  
Chantelle Green  
David Greene  
Jim Harkness  
Natalie Henson  
Towanda Livingston  
Jeanne Marriott  
Kimberly Millender, Esq.  
Ebony Moore  
Mary O'Keeffe  
Will Pines  
James F. Ports, Jr.  
Deb Sharpless  
Jennifer Stump  
Paul Trentalance  
Melissa Williams  
Brian Wolfe

OTHER ATTENDEES:

Samantha Biddle, MDOT TSO, Executive Office

At 9:08 a.m. Chairman Gregory 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.

**APPROVAL – OPEN SESSION MEETING MINUTES OF AUGUST 26, 2021**

Upon motion by Member William H. Cox, Jr. and seconded by Member John F. von Paris, the open session meeting minutes of the MDTA Board meeting held on August 26, 2021 were unanimously approved.

**RESOLUTIONS – YEARS OF SERVICE RECOGNITION**

Mr. Jim Ports read the Years of Service Recognition for retired employees Ms. Brenda L. Bullinger, Corporal Tangela Carter, and Mr. Lawrence A. Okpulator.

On the occasion of their retirement from their distinguished careers of service, the Chairman and Members of the Maryland Transportation Authority hereby express to them their most sincere appreciation for their excellence and commitment.

**APPROVAL – CONTRACT AWARDS**

- **FT-3017-0000 – Rehabilitation of Various Bridges on I-95 and I-395**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. FT-3017-0000 – Rehabilitation of Various Bridges on I-95 and I-395 with M.D. Miller Co., Inc. T/A The Marksmen Co. in the bid amount of \$12,699,212.21

The work to be performed under this contract is located along I-95 and I-395 in Baltimore City. The scope of work includes repairs to multiple bridges along the Fort McHenry Tunnel Facility from Joh Avenue to I-895 as part of the System Preservation Program.

Upon motion by Member Mario J. Gangemi and seconded by Member Dontae Carroll, the Members unanimously gave contingent approval to execute Contract No. FT-3017-0000 – Rehabilitation of Various Bridge on I-95 and I-395.

- **J01B260001 – VMware Maintenance and Support**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. J01B260001 – VMware Maintenance and Support with Source IT Technologies, LLC in the bid amount of \$741,221.60.

This contract is for the provision of VMware Maintenance and Support for the MDTA Office of Information Technology. This VMware software maintenance agreement enables technical support of and future upgrades to the virtualization hypervisors that run multiple virtual machines (servers, desktops, etc.) on a single physical host, as well as various ancillary products. The software suite is also used to run and manage all MDTA production, development, and test systems in each of our Data Centers (ICC and JFK) as well as allows for management of workloads between the ICC and JFK Data Centers in the event of a disaster. Further, the suite is used to run and manage our virtual desktop infrastructure (VDI), which is used by teleworkers, developers, testers, and trainers.

Upon motion by Member Jeffrey S. Rosen and seconded by Member Mario J. Gangemi, the Members unanimously gave approval to execute Contract No. J01B260001 – VMware Maintenance and Support.

- **KH-3019-0000 – I-95 Express Toll Lanes (ETL) Northbound Extension MD 152 Interchange Reconstruction**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. KH-3019-0000 – I-95 Express Toll Lanes (ETL) Northbound Extension MD 152 Interchange Reconstruction with Wagman-Allan Myers JV in the bid amount of \$196,197,777.77.

The work to be performed under this contract is located along I-95 from approximately 4,000 feet south of the MD 152 to 1,800 feet north of Winters Run Bridge in Harford County. The project includes a full interchange reconstruction including the replacement of the MD 152 bridge to ultimately accommodate two express toll lanes (ETLs) and four general purpose lanes (GPLs) in each direction.

Member Mario J. Gangemi recused himself from voting on this agenda item.

Upon motion by Member William H. Cox, Jr. and seconded by Member Cynthia D. Penny-Ardinger, the Members unanimously gave contingent approval to execute Contract No. KH-3019-0000 – I-95 Express Toll Lanes (ETL) Northbound Extension MD 152 Interchange Reconstruction.

- **MDTA 2020-01A – Structures Inspection Program and Miscellaneous Engineering Services**

Member John von Paris and Chief Operating Officer Will Pines recused themselves from this agenda item and left the room.

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MDTA 2020-01A – Structures Inspection Program and Miscellaneous Engineering Services with the following:

Company	Contract No.	Amount
Rummel, Klepper & Kahl/Modjeski & Masters	AE 3071	\$12,000,000.00
Hardesty & Hanover/Whitman, Requardt	AE 3072	\$12,000,000.00
AECOM Technical Services/Wallace, Montgomery	AE 3073	\$12,000,000.00
Whiney, Bailey, Cox & Magnani/Prime AE/ Transystems	AE 3074	\$12,000,000.00
Stantec Consulting Services/WSP USA Inc	AE 3075	\$12,000,000.00

This project entails the award of five (5) contracts to consultant engineering firms to perform routine condition inspection, reporting, design, non-destructive testing including load and laboratory testing and instrumentation, asset management and health monitoring, and project management services, under the jurisdiction of MDTA. Such services are necessary to ensure that all of MDTA's assets are safe and in good working order and condition. Facility wide assets under this contract, include but are not limited to, signature bridges, workhorse bridges, tunnels, tunnel ventilation buildings including the mechanical/electrical/HVAC and plumbing systems. The inspections scope also includes buildings, roadways, drainage structures, roadway lighting, ancillary structures, truck weigh scale systems, toll system gantries, noise walls and retaining walls, and traffic safety features including Dynamic Message Signage, cameras and poles, and other related apparatuses.

Upon motion by Member Jeffrey S. Rosen and seconded by Member Dontae Carroll, the Members unanimously gave contingent approval to execute Contract No. MDTA 2020-01A – Structures Inspection Program and Miscellaneous Engineering Services.

Member John F. von Paris and Chief Operating Officer Will Pines returned to the Board Room.

#### **APPROVAL – PHASE 1 SOUTH: AMERICAN LEGION BRIDGE I-270 TO I-370 TOLL SETTING PROCESS**

Mr. Carl Chamberlin provided an update to the MDTA Board on the Proposed Recommended Toll Rate Ranges and requested MDTA Board approval to move forward with the second public comment period.

During this update, Mr. Chamberlin explained that based on public comment and feedback received on the MDTA staff tolling proposal presented on May 20, 2021, MDTA staff has recommended lowering the minimum toll rate range to match the off-peak minimum toll rate range for the Intercounty Connector (ICC)/MD 200. He stated that this was the only change and all other elements of the proposal remain the same.

After giving this brief update, Mr. Chamberlin then asked the MDTA Board for approval to move forward with the second public comment period. He further explained that the approval being requested at this meeting is strictly for moving forward with the second public comment period only. That the approval of the Proposed Recommended Toll Rate Ranges would take place at a future MDTA Board Meeting.



Upon motion by Member William H. Cox, Jr. and seconded by Member William C. Ensor, III, the Members unanimously gave approval to move forward with the second public comment period on the Recommended Toll Rate Ranges.

#### **UPDATE – FISCAL YEAR (FY) 2021 OPERATING BUDGET COMPARISON**

Mr. Jeffrey Brown updated the MDTA Board on the status of the full year spending against the Fiscal Year (FY) 2021 Operating Budget

Mr. Brown explained that as of June 30, 2021, 95% of the budget was spent compared to a target of 100%. Except for Object 03 (Communications – 105% spend), Object 11 (Additional Equipment – 158% spend), and Object 13 (Fixed Charges - 108% spend), all other Objects were at or below the targeted spending level. The primary driver for the reduced spend are the effects of COVID-19 (e.g., hiring freeze, increased teleworking, AET, reduced activity, etc.). Also, actual expenses were less than the Amended Budget #1, which included cost containment actions that reduced the preliminary budget by \$19 million.

#### **UPDATE – 3<sup>RD</sup> QUARTER CAPITAL BUDGET COMPARISON**

Ms. Jeanne Marriott introduced her new Assistant Capital Program Manager, Ms. Jennifer Stump, to the MDTA Chairman and Board. Ms. Marriott then updated the MDTA Board on the status of actual Fiscal Year (FY) 2021 spending against the FY 2021 capital budget in the FY 2021-2026 Draft Consolidated Transportation Program (CTP).

She explained that as of June 30, 2021, 79.6% of the FY 2021 budget was spent as compared to the targeted spending level of 100%. The total budget for FY 2021 is \$543.3 million. The actual spending through the fourth quarter was \$432.5 million.

#### **UPDATE – TRAFFIC AND REVENUE**

Ms. Deb Sharpless updated the MDTA Board on the quarterly and year-to-date traffic and toll revenue trends compared to the previous year and the forecast.

Ms. Sharpless explained that each quarter, an independent review of the MDTA's traffic and revenue is prepared by CDM Smith, Inc. (MDTA's traffic and revenue consultant). The review looks at traffic and toll revenue trends and compares actual system-wide experience with traffic and toll revenue forecasts.

She further explained that systemwide, for the year ended June 30, 2021, transactions totaled 87.5 million. This represents a 37.7 percent, or 52.8 million, decline compared to June 30, 2020. Transactions refer to paid transactions and not actual traffic. Actual traffic volumes are in-line with anticipated volumes. For the year ended June 30, 2021, collected revenue totaled \$415.8 million. This represents a decline of 29.2 percent or \$171.3 million compared to the same period last year.

Ms. Sharpless also explained that during Fiscal Year (FY) 2021, forecasted transactions and collected revenue were 25.6 percent or 30.0 million below forecast, and 18.0 percent or \$90.8 million below forecast, respectively. The delay in processing FY 2021 transactions is a major reason for the overall decrease in revenue compared to the previous year and has directly impacted the achievement of the forecast for FY 2021. Many transactions from FY 2021 were processed in FY 2022. Had these transactions been processed in FY 2021, revenues would have been in line with the forecast. It is anticipated that the backlog of transactions will be processed in FY 2022.

#### **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 and traffic & revenue.

Mr. Pines explained that the TransCore and Kapsch systems went live on April 29, 2021. Post-transition and software development activities and risk management continue and 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 September 16, 2021, there are ten major projects in the Capital Program: Six of the projects are under construction, three are in procurement, and one is under design. He further explained that this summary only includes projects with funding for construction in the Consolidated Transportation Program and includes six projects valued in excess of \$100 million. There are two projects from the \$1.1 billion I-95 ETL Northbound Expansion program. Mr. Harkness also reported on the Eastbound Bay Bridge Deck Replacement project. Chairman Greg Slater noted that the team is utilizing innovative approaches with offsite work and using panels that drop in to minimize the public impacts from the Eastbound Bay Bridge Deck Replacement project during construction.

#### **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 September 30, 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. In compliance with the return-to-work requirement, DoIT has shifted back to an on-site work status leveraging telework where applicable. 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 experiencing some recruitment challenges because of the requirement for an on-site work presence. We are considering allowing some flexibility with telework within our highly specialized skilled positions that are contractors.

He further explained that some of the significant initiatives that DoIT continues to work on include the following:

- Cybersecurity - we will be going through a penetration test in the upcoming months
- Police body cameras
- Post go-live support of 3G
- Enterprise budget 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 MDTA's Fiscal Year (FY) 2021 performance as it relates to the legislatively mandated socioeconomic programs' aspirational goals.

Ms. Livingston explained that the Division of Civil Rights and Fair Practices (CRFP) is responsible for the development, oversight, and administration of the MDTA's State and Federal socioeconomic programs. These programs include the following: Disadvantaged Business Enterprise (DBE) Program; Minority Business Enterprise (MBE) Program; Small Business Reserve (SBR) Program; and Veteran-Owned Small Business Enterprise (VSBE) Program. She then gave a brief overview of each program and an update on the performance of each program for FY 2021.

#### **UPDATE – AUDIT COMMITTEE**

Member William H. Cox, Jr. presented an update on the Audit Committee meeting that took place on September 16, 2021. The Audit Committee Members were given an update on the Fiscal Year 2022 Audit Plan which is currently on track to complete eleven audits with one currently completed and one in process. Two internal audits, "Promotional Activities" and "Supervisory Control and Data Acquisition Systems (SCADA)", were presented and the Committee was satisfied with the results of these audits.

#### **UPDATE – EXECUTIVE DIRECTOR**

Mr. Jim Ports gave an updated on: The Bay Bridge Run/Walk that is happening on October 31 and the Susquehanna Running Festival that took place on September 25; the Annual Maryland Consolidated Transportation Program (CTP) that is currently underway; the MDOT SHA branding of the P3 Project as "Op Lanes Maryland"; the promotion of two MDTA Police Officers one to the rank of Corporal and one to the rank of Sergeant; the re-examination of the MDTA Strategic Plan; and a "Coming Soon" announcement that plans are currently underway with MVA to open a new *E-ZPass* Customer Service Center at the Essex MVA.

Prior to adjourning the meeting, Member John F. von Paris commented on the recent Office of Legislative Audits (OLA) Report that was published for the MDTA that referenced issues with tolling and overcharging of tolls to customers. Executive Director Jim Ports responded to the findings and gave details and examples of how MDTA has implemented checks and balances that proactively find overcharges and correct them as soon as they are found,

**VOTE TO ADJOURN MEETING**

There being no further business, upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the Members unanimously voted to adjourn the meeting at 11:57 a.m.

The next MDTA Board Meeting will be held on Thursday, October 28, 2021 at 9:00 a.m. at MDTA located at 2310 Broening Highway, Baltimore Maryland.

APPROVED AND CONCURRED IN:

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Sean Powell, Acting Chairman

## **TAB 2**

**Danita M. Black**  
Administrative Assistant II

**WHEREAS**, Danita M. Black began her career with the Maryland Transportation Authority as a Typist Clerk II on November 26, 1984, and

**WHEREAS**, Ms. Black continued to progress in the administrative field and was promoted to a Typist Clerk III on September 24, 1986, a Typist Clerk IV on May 27, 1987, and an Office Secretary I General on June 6, 1988, and

**WHEREAS**, Through hard work and growing knowledge, Ms. Black was promoted to Office Secretary II on January 1, 2002, and became an Administrative Assistant II on July 18, 2018, a position held until retirement, 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 Danita Black's retirement from her distinguished career of exemplary service, the Chairman and Members of the Maryland Transportation Authority Board hereby express to Ms. Black 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 October 28, 2021, and a copy, appropriately framed, be presented to Ms. Black as an expression of the MDTA Board's appreciation and esteem.

**Barbara A. Jones**  
MDTA Administrative Officer III

**WHEREAS**, Barbara A. Jones began her state of Maryland career with the Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) as an Office of the Attorney General Administrative Assistant III on April 23, 1997, and

**WHEREAS**, Ms. Jones continued her career at the MDOT MVA, progressing through various administrative positions, and was promoted to DOT Administrative Assistant III on October 24, 2002, and

**WHEREAS**, On June 23, 2007, Ms. Jones joined the Maryland Transportation Authority as an MDTA Administrative Assistant, Executive, and was promoted to MDTA Administrative Officer III on October 26, 2016, a position held until retirement, and

**WHEREAS**, She was an invaluable member of the Division of Communications and the Office of the Attorney General, and her coworkers expressed the fact that her smile, humor, courage in the face of adversity, willingness to assist, unfailing patience, dedication, unparalleled expertise and teamwork will be missed, now

**THEREFORE BE IT RESOLVED**, On the occasion of Barbara Jones' retirement from her distinguished career of exemplary service, the Chairman and Members of the Maryland Transportation Authority Board hereby express to Ms. Jones 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 October 28, 2021, and a copy, appropriately framed, be presented to Ms. Jones as an expression of the MDTA Board's appreciation and esteem.

**Gwen A. Lewis**  
HR Analyst III

**WHEREAS**, Gwen A. Lewis began her state of Maryland career with the Department of Budget and Management (DBM) as a Personnel Officer III Project Manager on June 6, 1999, and

**WHEREAS**, Ms. Lewis continued to progress in the human resources field within Maryland State government and was promoted to DBM Personnel Analyst on February 1, 2001; served as Deputy Chief Class & Comp of the Maryland Department of Health starting March 1, 2006; and became the Maryland Public Safety and Correctional Services' Supervisor HR Officer Class & Comp on December 1, 2008, and

**WHEREAS**, Ms. Lewis returned to DBM on June 1, 2009, and served with Montgomery County government starting April 1, 2016, and

**WHEREAS**, On December 7, 2017, Ms. Lewis joined the Maryland Transportation Authority as a Personnel Officer I Class & Comp Analyst, and was promoted to Personnel Officer III on April 11, 2018, and to HR Analyst III on January 27, 2021, a position held until retirement, 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 Gwen A. Lewis' retirement from her distinguished career of exemplary service, the Chairman and Members of the Maryland Transportation Authority Board hereby express to Ms. Lewis 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 October 28, 2021, and a copy, appropriately framed, be presented to Ms. Lewis as an expression of the MDTA Board's appreciation and esteem.



# **TAB 3**



# 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

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## MEMORANDUM

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**TO:** MDTA Board  
**FROM:** Ms. Donna DiCerbo, CPPO, CPPB, Director of Procurement  
**SUBJECT:** MDTA 2019-02A – Comprehensive Building and Facility Engineering and Architectural Design, Construction, and Miscellaneous Consulting Services – Contract Numbers AE 3081-0000, AE 3082-0000, AE 3083-0000, and AE 3084-0000  
**DATE:** October 28, 2021

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### **PURPOSE**

To seek contingent approval to execute Contract No. MDTA 2019-02A - Comprehensive Building and Facility Engineering and Architectural Design, Construction and Miscellaneous Consulting Services – Contract Numbers AE 3081-0000, AE 3082-0000, AE 3083-0000, and AE 3084-0000.

### **SUMMARY**

The services to be performed under this contract are Comprehensive Building and Facility Engineering and Architectural Design, Construction and Miscellaneous Consulting Services for the Maryland Transportation Authority (MDTA). The consultant shall provide the resources and experts needed to provide architectural and engineering design and analysis services, including but not limited to design and analysis for buildings, facilities, and campuses; development of complete contract bid documents; facility condition inspections; asset management; ADA assessments and compliance; 3D-Design Building Informational Modeling; and miscellaneous consulting services including space planning, facility master plan studies, emergency inspections, building envelope evaluations, and specialized building systems analysis and design.

### **RECOMMENDATION**

To provide contingent approval to execute Contract No. MDTA 2019-02A – Comprehensive Building and Facility Engineering and Architectural Design, Construction and Miscellaneous Consulting Services – Contract Numbers AE 3081-0000, AE 3082-0000, AE 3083-0000, and AE 3084-0000.

### **ATTACHMENT**

- Project Summary



**AUTHORITY BOARD PROJECT SUMMARY**  
**Contract No. MDTA 2019-02A Comprehensive Building and Facility**

**Engineering and Architectural Design, Construction and Miscellaneous Consulting Services; Contract Numbers AE 3081-0000, AE 3082-0000, 3083-0000, AND 3084-0000**

**PIN NUMBER** N/A  
**MDTA PROJECT NUMBER** MDTA 2019-02A  
**CONTRACT TITLE** Comprehensive Building and Facility Engineering and Architectural Design, Construction and Miscellaneous Consulting Services

**PROJECT SUMMARY** The services to be performed under this contract are Comprehensive Building and Facility Engineering and Architectural Design, Construction and Miscellaneous Consulting Services for the Maryland Transportation Authority (MDTA). The consultant shall provide the resources and experts needed to provide architectural and engineering design and analysis services, including but not limited to design and analysis for buildings, facilities, and campuses; development of complete contract bid documents; facility condition inspections; asset management; ADA assessments and compliance; 3D-Design Building Informational Modeling; and miscellaneous consulting services including space planning, facility master plan studies, emergency inspections, building envelope evaluations, and specialized building systems analysis and design.

<b>SCHEDULE</b>		<b>PROPOSER</b>	<b>MDTA CONTRACT NO.</b>	<b>CONTRACT AMOUNT</b>
<b>ADVERTISEMENT DATE</b>	December 16, 2019	Johnson, Mirmiran & Thompson, Inc.	AE 3081	\$4,000,000.00
<b>ANTICIPATED NTP DATE</b>	December 15, 2021	AECOM Design Services, Inc.	AE 3082	\$4,000,000.00
<b>DURATION/TERM</b>	Five (5) Years	Whitman, Requardt and Associates, LLP	AE 3083	\$4,000,000.00
		Rummel, Klepper & Kahl, LLP	AE 3084	\$4,000,000.00
<b>PROTEST</b>	<b>YES</b>	<b>NO</b>		

✓

	<b>MBE PARTICIPATION</b>				
	<b>ADVERTISED GOAL</b>	<b>AE-3081</b>	<b>AE-3082</b>	<b>AE-3083</b>	<b>AE-3084</b>
	<b>(%)</b>	<b>PROPOSED GOAL</b>	<b>PROPOSED GOAL</b>	<b>PROPOSED GOAL</b>	<b>PROPOSED GOAL</b>
	<b>(%)</b>	<b>(%)</b>	<b>(%)</b>	<b>(%)</b>	<b>(%)</b>
<b>MBE PARTICIPATION - OVERALL</b>					
<b>OVERALL MBE</b>	31.00%	31.00%	31.00%	31.00%	40.00%
<b>AFRICAN AMERICAN</b>	6.00%	12.50%	7.00%	6.00%	6.00%
<b>ASIAN AMERICAN</b>	-	-	-	-	-
<b>HISPANIC AMERICAN</b>	2.00%	2.00%	3.00%	5.00%	2.00%
<b>WOMEN OWNED</b>	9.00%	9.00%	10.00%	9.00%	22.00%
<b>VSBE</b>	1.00%	1.00%	1.00%	1.00%	1.00%

# **TAB 4**



# 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

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## MEMORANDUM

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**TO:** MDTA Board  
**FROM:** Jeanne Marriott, Capital Program Manager  
**SUBJECT:** Consolidated Transportation Program (CTP) Process/Additions  
**DATE:** October 28, 2021

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### **PURPOSE OF MEMORANDUM**

The purpose of the memorandum is to provide the MDTA Board with a review of the MDTA Consolidated Transportation Program (CTP) Process and to request approval for additions to the capital program. This information was presented to the MDTA Capital Committee on October 7, 2021.

### **SUMMARY**

Each year the Maryland Department of Transportation (MDOT) issues the Consolidated Transportation Program (CTP) report which is Maryland's six-year capital budget for transportation projects. The MDTA portion of the CTP presents its ongoing and new capital projects for a six-year period for its facilities.

The CTP is updated twice a year and brought to the Board Members for approval in June as the Draft CTP and in November as the Final CTP. After approval by the Board Members in June, the Draft CTP is presented as part of the MDOT CTP Tour to State and local elected officials and citizens throughout the State of Maryland for review and comment.

On or before April 1st, Maryland counties and Baltimore City provide priority letters to inform MDOT, including the MDTA, which transportation projects are most important to their local communities. The letters are endorsed by County Commissioners, Council members, and/or the County Executive as appropriate.

During the CTP Tour from September 15 to November 15, the Secretary of Transportation visits each of the counties and Baltimore City to present the Draft CTP. These meetings provide the local legislators and the public an opportunity to communicate their priorities and concerns in person. Representatives from each of the MDOT business units are also available to answer questions at the CTP Tour meetings.

At the time of the Board meeting, eighteen of the CTP Tour meetings will have been completed. The remaining six meetings will be held in November.

The Draft CTP is revised and submitted for MDTA Board approval in November as the Final CTP. The Final CTP is part of the Governor's budget presented to the Maryland General Assembly in January. This process is required by statute and applies to MDTA as well as the other MDOT business units.

### **NEW PROJECTS**

New projects originate from five sources.

- Long-Range Capital Needs
- Inspection Findings
- Regulatory Compliance
- Increased Capacity Needs
- Local Priority Letters/Legislative Requests - Local priorities are established through the afore-mentioned priority letters received each year from the counties and Baltimore City and the input received at the CTP Tour meetings.

The Fiscal Year (FY) 2022-2027 Final CTP, to be presented for approval in November, includes twelve new projects. The twelve projects are detailed in Attachment A.

### **ATTACHMENT**

- Attachment A – New Projects Added to the FY 2022-2027 MDTA Capital Program

## **New Projects Added to the FY 2022-2027 MDTA Capital Program**

### **On-Call Electrical/ITS**

Multi-Area (Pin 0228)

\$200,000 (Engineering only)

The purpose of this contract is to provide on-call availability to repair MDTA's Intelligent Transportation Systems (ITS) and electrical assets as needed. This contract is task based and the scope will vary based on the repairs needed to bring the assets back to full functionality.

### **On-Call Structural Repairs**

Multi-Area (Pins 2573 & 2574)

Two contracts at \$15 million each (Engineering and Construction included)

These contracts will provide structural steel and concrete repairs to various structures at all MDTA facilities on an on-call basis. The repairs included within this project will be initiated based upon the defects reported in the annual inspection reports.

### **On-Call Civil Repairs**

Multi-Area (Pin 2559)

\$150,000 (Engineering only)

The project will provide on-call services for miscellaneous non-structural concrete pavement and barrier repairs as well as roadside drainage feature and slope repairs. This contract can be used at any of the MDTA facilities.

### **Wash Bay, Salt Barn and Fueling Facilities at Perryville**

John F. Kennedy Memorial Highway (Pin 2570)

\$500,000 (Engineering only)

This project is to design and construct a new facility with wash bay, salt barn, and fueling station at the Perryville facility site. This new facility is needed to meet increasing maintenance needs along the I-95 Kennedy Highway corridor.

### **Maryland State Police Building Remodeling**

John F. Kennedy Memorial Highway (Pin 2569)

\$500,000 (Engineering only)

This project is to replace heating, ventilation, and air conditioning (HVAC) units and the metal roofing system at the Maryland State Police building at the Kennedy Highway facility. Both the HVAC and roof system are at the end of their life expectancy and need to be replaced to address water infiltration and HVAC malfunction issues.

### **Campus Fuel Oil Conversion**

Fort McHenry Tunnel (Pin 2571)

\$200,000 (Engineering only)

This project is to remove the existing heating oil fuel tanks and convert to an above ground tank or alternate fuel source. This project is part of the authority-wide life cycle removal and replacement of underground fuel tanks. The replacement is either to replace with an above ground tank or convert to a different fuel source (e.g., natural gas).

**FMT East Vent Building Facade and Roof Replacement**

Fort McHenry Tunnel (Pin 2565)

\$400,000 (Engineering only)

The purpose of this contract is to replace the facade and roof at the FMT East Vent Building. Both the facade and roof system at the East Vent Building have reached or are close to reaching their life expectancies and will be replaced to address water infiltration and building safety issues.

**FMT South Traffic Relief Improvements**

Fort McHenry Tunnel (Pin 0218)

\$700,000 (Planning only)

Traffic on I-95 south of the Fort McHenry Tunnel experiences severe congestion and several safety hot spots. A congestion and safety improvement study will be conducted to evaluate the alternative solutions, including exit reconfiguration at I-95 southbound (SB) Exit 50 Caton Avenue, ramp metering, corridor wide Advanced Traffic Management Systems (part-time shoulder usage, queue warning, variable speed limits), and dynamic junction control at the I-95 SB/I-395 SB merge. The selected alternatives will be implemented.

**Maintenance/Auto Building HVAC and Roof Replacement**

Baltimore Harbor Tunnel (Pin 2560)

\$400,000 (Engineering only)

This project is to replace the existing HVAC and roof system at the Baltimore Harbor Tunnel Maintenance/Auto Building. Both the HVAC and roof system at the Maintenance/Auto building have reached or are close to the end of their life expectancy and need to be replaced to address water infiltration and HVAC malfunction issues.

**Resurfacing North and South of Baltimore Harbor Tunnel**

Baltimore Harbor Tunnel (Pin 0240)

\$475,000 (Engineering only)

This project is to perform the required life cycle pavement resurfacing and rehabilitation along I-895 to ensure that the pavement remains in acceptable condition.

**Replace ICC Deckover Lighting**

Intercounty Connector (Pin 2563)

\$260,000 (Engineering only)

This project is to perform a life cycle replacement of the deckover lighting at the ICC facility. Current fixtures are outdated and at the end of their life expectancy. The replacement 300-watt lamps and drivers in the deckover are no longer available for purchase.



# **TAB 5**



**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

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**MEMORANDUM**

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**TO:** MDTA Board  
**FROM:** Ms. Deborah Sharpless, Chief Financial Officer  
**SUBJECT:** Fiscal Year (FY) 2021 Independent Auditor's Service Organization  
Control (SOC) 1 Report  
**DATE:** October 28, 2021

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**PURPOSE OF MEMORANDUM**

To present the results of the Service Organization Control (SOC) Audit conducted by the Maryland Transportation Authority's independent auditor, SB & Company, LLC.

**SUMMARY**

To provide an overview of the results of the FY 2021 SOC Report for the Maryland *E-ZPass*® System. The attached presentation includes a summary of the SOC 1 Audit results.

**ATTACHMENT**

- PowerPoint Presentation – SOC 1 Communications with Governance



SB & COMPANY, LLC



SOC 1 Communications with Governance

October 12, 2021



ACTIVATE RESULTS



# Table of Contents

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**Introductions**

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**Overview**

**3**

**Summary of Results**

**4**

**Questions & Answers**

**5**

**Contact Information**



# SOC 1 Results – Overview

- Audit period from July 1, 2020 through April 19, 2021
- Review of 13 Control Objectives described/asserted by Conduent
- No qualifications within the report; however, we did identify areas where the design and/or operating effectiveness of the control activities can be enhanced
- Procedures related to certain complementary user controls
- SOC 1 has been expanded to require the report disclosed if design and operating effectiveness of the controls associated with services performed by the subservice organization were included in the scope of the review



# SOC 1 Results – Overview

## Findings summary:

- Physical access- personnel with data center access was not terminated timely.
- Logical access- personnel had access to areas without business rationale; access for terminated employees not removed timely; entitlement reviews not performed
- Violation processing- There was no evidence that the weekly reconciliations were reviewed. No differences were identified in the comparison of the reconciliation reports.
- Toll transaction processing- There was no evidence that the weekly reconciliations were reviewed. Differences were between \$10 and \$22.
- Reciprocity-Weekly reconciliations had unreconciled amounts; we were informed that it is due to timing differences. Three monthly reconciliations had unreconciled amounts ranging from \$48 to \$66.
- Refunds/Credit adjustments- for one out of forty refunds examined, the refund amount was not specified in the notes.
- New private and business applications quality control (QC)- for one out of fifteen business applications reviewed, evidence was not provided to indicate that QC procedures were performed.
- Inventory management- Evidence of weekly inventory counts were not provided.
- Manual account replenishments- The difference calculated per system reports was not reflected on the reconciliation. These differences ranged from \$740 to \$1919.



# SOC 1 Results – Overview

- Findings summary- areas that could not be tested:
  - Physical access- Sign in log was removed and no longer available for testing
  - Customer change correspondence- all physical correspondence was turned over to MDTA during the audit period as was not available for review



# SOC 1 – Summary of Results

Control Objective & Type	Result of Test(s)
<b>Physical Access</b>	
Physical Access/Environmental Controls	Exceptions identified.
<b>IT Controls</b>	
Application and System Software Changes	No issues identified.
Logical Access	Exceptions identified.
Data and Program Backup	No issues identified.
Job Scheduling	No issues identified.
<b>Accounting &amp; Processing</b>	
Video Toll Processing	No issues identified.
Toll Transaction Processing	Exceptions identified.
Cash Receipt Processing	No issues identified
Refund/Adjustment Processing	Exceptions identified.
Customer Account Creation Processing	Exception identified.
<b>Operations</b>	
Customer Account Maintenance Processing	Exceptions identified.
Transponder Inventory Management	Exceptions identified.
Account Replenishment	Exceptions identified.





# SOC 1 – Summary of Results

Control Objective & Type	Status of Prior Audit Concerns
<b>Physical Access</b>	
Physical Access/Environmental Controls – Physical Access	Implemented
Physical Access/Environmental Controls-UPS	Implemented
<b>IT Controls</b>	
Logical Access-Vector Access for New Employees	Implemented
Logical Access- Vector Access for Terminated Employees	Implemented
Logical Access- Domain Administrator	Not Implemented
Logical Access- Vector Administration	Implemented
Logical Access – Vector Entitlement Review	Implemented
<b>Accounting &amp; Processing</b>	
Reciprocity Reconciliations	Not Implemented
Refund Adjustment Processing	Implemented
Credit Adjustment Processing	Not Implemented
Customer Account Creation	Implemented
Quality Control of Violation Payments	Implemented



# Questions & Answers





# Engagement Team Contact Information



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K n o w l e d g e   •   Q u a l i t y   •   C l i e n t   S e r v i c e

# **TAB 6**



# 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

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## MEMORANDUM

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**TO:** MDTA Board  
**FROM:** Chantelle Green, Director of Finance  
**SUBJECT:** Legislative Report on Trucks Traversing Francis Scott Key (FSK) Bridge Facility without Crossing the FSK Bridge  
**DATE:** October 28, 2021

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### **PURPOSE OF MEMORANDUM**

To provide the Maryland Transportation Authority (MDTA) Board with a summary of the Joint Chairmen's Report (JCR) issued by the MDTA regarding Trucks Traversing the Francis Scott Key (FSK) Bridge Facility without Crossing the FSK Bridge.

### **SUMMARY**

The Maryland General Assembly created the MDTA as a revenue-generating agency charged with those powers and duties relating to the supervision, financing, construction, operation, maintenance, and repair of transportation facilities projects on behalf of the Department of Transportation. The FSK Bridge is a statutorily defined transportation facility project, and the MDTA retains the sole legal authority to fix, revise, charge, and collect tolls and other charges and revenues for the FSK Bridge.

The FSK Bridge facility is 10.9 miles in length, with the bridge itself being 1.9 miles in length. The facility crosses three bodies of water (1) Bear Creek, (2) Patapsco River, and (3) Curtis Creek. Tolls have been collected at the midpoint since the facility opened to traffic in 1977, which has included vehicles traveling east and west across the FSK Bridge and east across the Bear Creek bridge.

Today, there is an existing toll rate discount for trucks (3 or more axles) when crossing Bear Creek and using Broening Highway without crossing the FSK Bridge. The discounted truck toll rate is \$2.00 per axle, which is a discount of 25% to 60% from the toll rate for crossing the

FSK<sup>1</sup>. In January 2016, the MDTA reduced the toll rate when crossing Bear Creek and using Broening Highway. MDTA worked jointly with Maryland Motor Truck Association when reducing the toll. Annually, Maryland *E-ZPass* trucks saved \$196,000 in tolls because of the reduced \$2.00 per axle toll rate for the Bear Creek/Broening Highway only movements. Trucks with five or more axles with a Maryland *E-ZPass*<sup>®</sup> account are also eligible to receive additional savings through the post usage and supplemental rebate programs.

The FSK Bridge is considered a toll roadway facility. There are 121 toll roadway facilities in the United States outside of Maryland. Toll roadway facilities are categorized as an open or closed system. Closed systems do not allow for any free movements, resulting in a toll charged to customers whenever traveling on any portion of a toll facility regardless of the distance or major infrastructure traversed. The toll rate charged to customers generally scale based on the distance traveled. Nearly two-thirds of toll roadway facilities are closed systems and the remainder are open systems. The amount of free movement on toll roadway facilities is limited by toll agencies when feasible because free movements are seen as a credit negative by the rating agencies.

The FSK facility is considered an open system with very limited free movement. Open tolling systems allow for certain free movements and generally range from very little free movements to some free movements. An open system with very little free movements is a generally long-distance toll roadway that only has one or two free movements between minor, relatively less traveled interchanges and represents 12% of total toll systems. Roughly one-quarter of toll roadway facilities are open systems that have some free movements (more than limited).

The MDTA has managed the credit rating agencies' credit negative perspective of open systems by not expanding the portion of free movement toll facilities. Tolling the Bear Creek/Broening Highway only movement is an example of consistently tolling sections of the roadway that have been tolled from initial construction. The placement of the new toll gantries at the FSK facility were installed to allow a consistent tolling practice and to meet bondholder expectations with the transition to All-Electronic Tolling.

Education remains the sole option to address truck drivers' complaints for paying a toll when they do not cross the FSK Bridge. The MDTA is responsible for the entire 10.9-mile FSK Bridge facility, not solely the FSK Bridge itself. The FSK Bridge facility consists of significantly more than the FSK Bridge proper. The facility also includes 22 other bridges, 7 small structures, 167 ancillary structures, 38.5 lane miles of highway, and 1.5 lane miles of Broening Highway, all of which must be maintained exclusively by toll dollars.

The MDTA's Trust Agreement with its bondholders requires that the MDTA collect a toll for the use of the bridges, approaches, entrance plazas, interchanges, and toll stations, which are, by definition, part of the Transportation Facilities Project. If the MDTA does not collect tolls, it is depriving bondholders of a property interest in those revenues that were previously collected. Over the past five years, approximately \$2.1 million has been spent on maintenance, repair, and inspection of the Bear Creek section. Within the next few years, major projects totaling between

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<sup>1</sup> The \$2.00 per axle discount is also offered at the Baltimore Harbor Tunnel (BHT) Childs Street, in which vehicles travel on BHT without going through the tunnel.

\$80 million to \$90 million are required to maintain the Bear Creek section of the roadway and bridges in a state of good repair.

**ATTACHMENT**

- A Report to the Maryland General Assembly, Senate Budget and Taxation Committee, and House Appropriation Committee regarding Trucks Traversing Francis Scott Key (Key) Bridge Without Crossing the Key Bridge (2021 JCR, p.75) October 1, 2021.



**Trucks Traversing Francis Scott Key (Key) Bridge  
Without Crossing the Key Bridge  
(2021 JCR, pg. 75)**

**A Report to the Maryland General Assembly  
Senate Budget and Taxation Committee  
And  
House Appropriations Committee**

**October 1, 2021**

Maryland Department of Transportation  
Maryland Port Administration  
Maryland Transportation Authority

The Maryland Transportation Authority (MDTA) and the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) submit the following report in response to budget bill language contained in the 2021 Joint Chairmen's Report (JCR). The language states:

*Provided that \$100,000 of this appropriation made for the purpose of port administration may not be expended until the Maryland Port Administration and the Maryland Transportation Authority jointly submit a report to the budget committees providing:*

- (1) a projection of tolls paid by truck drivers who do not cross the Key Bridge;*
- (2) a discussion of how other toll authorities deal with similar issues; and*
- (3) options for addressing the complaint of truck drivers that they are paying a bridge toll despite not crossing the bridge.*

*The report shall be submitted by October 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.*

### **Background – Tolling Authority**

In 1971, the General Assembly established the MDTA to finance, construct, operate, and improve the State's toll facilities. The Francis Scott Key Bridge (Key Bridge) is a statutorily defined transportation facility project, and the MDTA retains the sole legal authority to fix, revise, charge, and collect tolls and other charges and revenues for the State's tolling facilities. The MPA was established to increase the flow of waterborne commerce through the ports in Maryland. The MPA does not have jurisdiction over any bridges in Maryland, nor is it empowered to fix, charge, or revise tolls or other revenue associated with bridges in Maryland.

### **Key Bridge Facility**

The Key Bridge facility is 10.9 miles in length, with the Key Bridge itself being 1.9 miles, and spans from I-695 (Baltimore Beltway) Exit 2 (mile marker 1.4) in Glen Burnie in Anne Arundel County to I-695 Exit 42 (mile marker 43.7) 42 in Edgemere in Baltimore County. The facility also includes one mile of Broening Highway from the Exit 44 ramp to Maryland Avenue/Avon Beach Road intersection in Dundalk in Baltimore County. The facility extends over the following three bodies of water: Bear Creek, Patapsco River, and Curtis Creek. Tolls have been collected at the midpoint since the facility opened to traffic in 1977 for vehicles traveling both east and west across the Key Bridge, as well as those traveling across the Bear Creek bridge. The image below depicts the span of the Key Bridge facility.



### **Projection of tolls paid by truck drivers who do not cross the Key Bridge**

In January 2016, the MDTA, in collaboration with the Maryland Motor Truck Association, implemented a toll rate discount for trucks with three or more axles when crossing Bear Creek and using Broening Highway without crossing the Key Bridge. The discounted truck toll rate is \$2.00 per axle, which is a discount of 25 percent to 60 percent from the toll rate for crossing the Key Bridge<sup>1</sup>.

Axle	Traverse Key Bridge	Traverse Bear Creek	Savings \$	Savings %
3	\$8.00	\$6.00	\$2.00	25%
4	\$12.00	\$8.00	\$4.00	33%
5	\$24.00	\$10.00	\$14.00	58%
6 or more	\$30.00	\$12.00	\$18.00	60%

Total truck traffic of three axles or more amounts to roughly \$660,000 annually in tolls when traversing Bear Creek and Broening Highway without crossing the Key Bridge. Annually, Maryland *E-ZPass*<sup>®</sup> trucks saved \$196,000 in tolls due to the reduced \$2.00 per axle toll rate for the Bear Creek/Broening Highway only movements. The table below depicts that Non-Maryland *E-ZPass* accountholders paid 85 percent more in tolls for the same number of trips when traversing Bear Creek/Broening Highway compared to Maryland *E-ZPass* accountholders, demonstrating a direct benefit to many local trucks that frequent the Port of Baltimore and Tradepoint Atlantic.

Payment Method	Annual trips	Annual Tolls
<i>E-ZPass</i> (Maryland Account)	14,800	\$ 150,000
<i>E-ZPass</i> (Non-Maryland)	14,800	277,000
Video Toll	8,300	233,000
Total	37,900	\$ 660,000

Trucks with five or more axles with a Maryland *E-ZPass* account are eligible to receive additional savings through the post-usage and supplemental rebate programs. The post-usage rebate is an account-based discount calculated on the dollar amount of tolls paid on a business account per month. There is no limit on the number of transponders that can be assigned to this program. The supplemental rebate is a transponder-based discount calculated on the number of

<sup>1</sup> The \$2.00 per axle discount is also offered at the Baltimore Harbor Tunnel (BHT) Childs Street, in which vehicles travel on BHT without going through the tunnel.

times a vehicle traverses a MDTA facility<sup>2</sup> in a month. These rebate program discounts are not mutually exclusive.

Post Usage Rebate		Supplemental Rebate	
Rebate	Monthly Tolls	Rebate	Monthly Trips
10%	\$150.00 to \$1,999.99	10%	60 to 79
15%	\$2,000.00 to \$7,499.99	15%	80 to 99
20%	\$7,500 or more	20%	100 or more

## **Discussion of how other Toll Authorities deal with similar issues**

### *Types of Toll Facilities*

The MDTA's nine toll facilities include each of the three types of toll facilities: toll bridge/tunnel, toll roadway, and priced managed lanes (PMLs).

Toll bridge/tunnel facilities are comprised of either a bridge or tunnel and the facility largely consists of a single asset, minimally extending from the bridge/tunnel abutment. Customers are tolled when crossing the bridge or passing through the tunnel.

Toll roadway facilities vary in distance and asset types on the facility. The facility roadway extends beyond a single bridge or tunnel or may be entirely a roadway. In some cases, customers are tolled at single points; in other cases, customers are tolled a fixed amount based on the distance traveled. The Key Bridge facility is an example of a toll roadway facility.

PML facilities are similar to toll roadways; however, they are toll lanes set apart from parallel general-purpose lanes and have a toll rate that varies based on time of day or congestion.

Facility	Facility Type	Asset Type(s)	Distance
Key Bridge	Toll Roadway	Bridge & Highway	10.9 miles
Fort McHenry Tunnel	Toll Roadway	Tunnel & Highway	13.3 miles
Baltimore Harbor Tunnel	Toll Roadway	Tunnel & Highway	18.3 miles
Intercounty Connector (ICC)	Toll Roadway	Highway	17.6 miles
John F. Kennedy (JFK) Memorial Highway	Toll Roadway	Bridge & Highway	53 miles
Nice/Middleton Memorial Bridge	Toll Bridge/Tunnel	Bridge	2.2 miles
William Preston Lane Memorial (Bay) Bridge	Toll Bridge/Tunnel	Bridge	5.3 miles
Thomas J. Hatem Memorial Bridge	Toll Bridge/Tunnel	Bridge	1.9 miles
I-95 ETL	PML	Highway	17 miles <sup>3</sup>

### *Toll Roadway Facilities*

Outside of Maryland, there are 121 toll roadway facilities in the United States, varying between either an open or closed system. Closed systems do not allow for any free movements, resulting in a toll charged to customers whenever traveling on any portion of a toll facility regardless of the distance or major infrastructure traversed. The toll rate charged to customers generally scale

<sup>2</sup> Intercounty Connector (ICC - MD 200) and I-95 Express Toll Lanes (ETL) are congestion priced facilities and as such are not eligible for program discounts.

<sup>3</sup> Distance includes 11.7-mile extension project that is currently under construction.

based on the distance traveled. Open tolling systems allow for certain free movements and generally range from very little free movements to some free movements.

Nearly two-thirds of toll roadway facilities in the United States are closed systems and allow for no free movement on the toll facility and the remainder are open systems. An open system with very little free movements is generally a long-distance toll roadway with only one or two free movements spanning between minor, relatively less traveled interchanges, representing 12 percent of total toll systems. Roughly one-quarter of toll roadway facilities are open systems that have some free movements.

	Closed System	Open System with Very Little Free Movements	Open with Some Free Movements	Total
<b>Number</b>	75	14	32	121
<b>Percentage of all toll roadway facilities</b>	62%	12%	26%	100%

The MDTA operates both open and closed toll roadway facilities. Free movements are seen as a credit negative by rating agencies; therefore, the amount of free movement facilities across the country are limited by tolling agencies whenever feasible.

MDTA Toll Roadway Facilities	Closed	Open with Very Limited Free Movement	Open with Some Free Movement
Key Bridge		•	
Fort McHenry Tunnel			•
Baltimore Harbor Tunnel		•	
Intercounty Connector (ICC)	•		
John F. Kennedy (JFK) Memorial Highway			•

The MDTA has toll roadway facilities with some free movement controlled by federal tolling agreements, established when those toll facilities were constructed. The MDTA has managed the credit negative perspective of open systems by not expanding the portion of free movement toll facilities. Tolling the Bear Creek/Broening Highway only movement is an example of consistently tolling sections of the roadway that have been tolled from initial construction. The placement of the new toll gantries at the Key Bridge facility were installed to allow a consistent tolling practice and to meet bondholder expectations with the transition to All-Electronic Tolling.

### **Options for addressing the complaint of truck drivers that they are paying a bridge toll despite not crossing the bridge**

The most productive option to address truck drivers' complaints for paying a toll when they do not cross the Key Bridge is education. The MDTA is responsible for the entire 10.9-mile Key Bridge facility, including 22 bridges other than the Key Bridge proper, 7 small structures, 167 ancillary structures, 38.5 lane miles of highway, and 1.5 lane miles of Broening Highway, all of which must be maintained exclusively by toll dollars.

The MDTA's Trust Agreement with its bondholders requires that the MDTA collect a toll for the use of the bridges, approaches, entrance plazas, interchanges, and toll stations, which are part of the Transportation Facilities Project under Section 4-101(h)(1) of the Transportation Article. If the MDTA does not collect tolls, it is depriving bondholders of a property interest in those revenues that were previously collected. Over the past five years, approximately \$2.1 million has been spent on maintenance, repair, and inspection of the Bear Creek section of the Key Bridge facility. Within the next few years, major projects totaling between \$80 million to \$90 million are required to maintain the Bear Creek section in a state of good repair.

Education and outreach to the trucking community remain important. In an effort to reduce ITOLS (tolling based upon the axle count of a vehicle and license plate match to an *E-ZPass* account), an educational PowerPoint presentation is being sent to businesses with large fleets. This is important to help truckers receive the best toll rates from their *E-ZPass* account, as ITOLS do not receive the discount. This PowerPoint was also sent to MDTA's customer service centers to share with companies that open an *E-ZPass* business account. In 2019, the MDTA distributed informational flyers about the commercial vehicle discount program to those using the turnaround. Lastly, MDTA's *E-ZPass* Customer Service Division is staffed with experienced Customer Service Representatives who are available to work with both individual commercial vehicle drivers and commercial vehicle companies to educate them on how the FSK Commercial Vehicle Turnaround discount works with an *E-ZPass* Maryland account.

Educational efforts also include the impact trucks have on transportation infrastructure compared to passenger vehicles. Truck traffic is a major contributor to the cost of maintaining these bridges, structures, and highway lane miles. According to the U.S. Government Accountability Office (GAO), a five-axle tractor-trailer loaded to 80,000 lbs, which is the federal limit, has the same impact on an interstate highway as 9,600 automobiles. As truck axle weights increase, pavement damage increases at an even faster rate. For example, while a truck axle carrying 18,000 lbs is only 9 times heavier than a 2,000-pound automobile axle, it does 5,000 times more damage.

# **TAB 7**



**Maryland  
Transportation  
Authority**

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

James F. Ports, Jr., Executive Director

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**MEMORANDUM**

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**TO:** MDTA Board  
**PRESENTED BY:** Ms. Lillian Sidrak, PE, Structures Inspection Program Manager  
Mr. Tekeste Amare, PE, Deputy Director of Engineering  
**SUBJECT:** 2021 Updates on the Annual Facilities Inspections  
**DATE:** October 28, 2021

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**PURPOSE**

The purpose of the memorandum is to update the MDTA Board on the 2021 Updates on the Annual Facilities Inspections.

**SUMMARY**

This information contains the MDTA Annual Report on Inspection findings for FY 2021.

**ATTACHMENTS**

- 2021 Updates on the Annual Facilities Inspections Presentation





# 2021 Updates on the Annual Facilities Inspections

By Lillian Sidrak, P.E.

Structures Inspection Program Manager

Office of Engineering and Construction

October 8, 2021

# Structures Inspection Program

## Purpose

### Purpose

- MDTA's Bridge and Tunnel Inspection Program determines whether facilities are maintained in good repair, working order and condition
- Performed with a mission to provide safe facilities that keep traffic moving and instill public confidence
- Fulfil requirements

### Requirements

- FHWA's requirements NBIS and NTIS (by law)
- MDTA Trust Agreement Requirements
- MDTA OEC's requirements

# MDTA's Trust Agreement

## Requirements

- Article C, Section 5.01 of the Tenth Supplemental Trust Agreement dated April 7, 2021, by and between the MDTA and the Bank of New York Mellon, (“the Trustee”):
- The Authority covenants that it will cause independent engineers or engineering firms or corporations having a favorable reputation for skill and experience in such work to complete an inspection of the Transportation Facilities Projects periodically in accordance with industry standards, and to submit to the Authority a report or reports setting forth their findings as to whether the Transportation Facilities Projects have been maintained in good repair, working order and condition.
- Promptly after the receipt of such reports by the Authority, copies thereof shall be filed with the Trustee and made available upon request for review to the owner of any Bond issued hereunder

# 2021 Inspections

## Inspections Completed

### Hands-On Inspections (HOI)

- All Signature Bridges and Tunnels
- Sign Structures
- Low Level Lights and Camera poles

### Risk-Based Interim Inspections (RBI)

- Workhorse Bridges
- Small Bridges (culverts)
- High Mast Lighting Structures
- Toll Plazas
- Underground SW Structures
- Noisewalls & Retaining Walls

### Hydrographic Survey

- WPL Bridge

### Visual Inspections

- Roadway & Traffic Safety Features



# 2021 Inspections

## Providing Information and Data

### Information (Data) Type

- Annual Bridge and Tunnel Inspection Data
- Annual Executive Summary Reports
- Structures Asset Data
- Transportation Asset Management Plan
- Annual MFR, Attainment Report, Insurance Renewal Cost, etc.
- Bridge Load Rating Data, Bridge Vertical Clearance Data
- Other Structures data/info

### Provided To

- Federal Highway Administration (FHWA) through MDOT SHA
- Trustee
- MDOT Asset Management Work Group
- FHWA through MDOT SHA
- Multiple MDTA Divisions, Performance Measure Drivers, etc.
- MDOT SHA MCD Maryland-One Hauling Permit Program
- As requested



# 2021 Inspections


## Providing Trainings and Presentation

- Completed the Biennial Inspection Team Leaders' Training - Virtually
- Provided direction and guidance to consultant inspection project managers at biweekly inspection progress meetings
- Provided a presentation to Middle School Students attending Morgan State University on National Transportation and Safety and how its applied in Engineering

**MDTA Inspection Program Updates**

2021 Team Leader Kick-Off Meeting

*What's New?*



**LET'S MAKE SOME IMPROVEMENTS**

How did we do in 2020...Lessons Learned

**TEAM MDTA + TEAM CONSULTANTS + TEAM ASIR =  
A BETTER INSPECTION PROGRAM!**

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# 2021 Inspection Updates

## Inspection Findings – Hands-On Inspections

### Bay Bridge – Overall in Satisfactory Condition

- Patches, spalls, and delaminations on the Eastbound and Westbound bridge deck
- Peeling paint with localized surface corrosion at superstructure elements
- Minor to moderate concrete deterioration at bridge substructure element
  - Numerous defects were undergoing repairs at the time of inspection

### Nice Bridge – Overall in Fair Condition

- Spalls on previous patches on bridge deck
- Moderate to severe corrosion on superstructure and substructure steel members
  - Construction of a new Nice Bridge is currently underway

# 2021 Inspection Updates

## Inspection Findings – Hands-On Inspections

### Tydings Bridge – Overall in Satisfactory Condition

- Minor typical concrete deterioration at bridge deck and substructure
- Corrosion on steel bridge superstructure
- Heavy wear and corrosion in the bearing blocks of wind-shear devices
  - These were undergoing repairs

### Hatem Bridge – Overall in Satisfactory Condition

- Minor surface cracking on the bridge deck
- Minor to moderate corrosion on steel superstructure elements
- Isolated areas of minor to moderate cracks and spalls in the concrete substructure



# 2021 Inspection Updates

## Inspection Findings – Hands-On Inspections

### Key Bridge – Overall in Satisfactory Condition

- Minor concrete cracks and delamination at bridge deck
- Localized section loss at steel superstructure elements
- Minor typical concrete deterioration at bridge substructure

### K-Truss Bridge – Overall in Satisfactory Condition

- Minor spalls and cracking on the bridge deck
- Isolated corrosion areas of corrosion at superstructure elements
- Minor to moderate concrete deterioration at bridge substructure

# 2021 Inspection Updates

## Inspection Findings – Hands-On Inspections

### Baltimore Harbor Tunnel – Overall in Satisfactory Condition

- Minor surface cracks at roadway wearing surface
- Missing and/or impacted ceiling tiles
- Typical concrete deterioration at the underside of the roadway and tunnel walls
- Vent building electrical system – fair condition

### Fort McHenry Tunnel – Overall in Satisfactory Condition

- Tunnel roadway surfaces exhibit minor isolated areas of cracking
- Missing tunnel wall tiles at isolated locations
- Fans operational and currently under rehabilitation
  - Structural, Mechanical and Electrical repairs were being performed at both tunnels during the time of inspection.

# 2021 Inspection Updates

## Inspection Findings – Hands-On Inspections

### Sign Structures and AET Gantries – Overall in Good Condition

- New sign structures along JFK North in Cecil County to the Delaware Line were inspected
- New Toll Gantries along the FMT, TJH, FSK and WPL facilities were inspected
- Typical defects found include loose hardware

### Low Level Lights (LLL) and Camera Poles – Overall in Good Condition

- Inspections of the LLL were performed using a newly launched mobile application
- New LED lighting was implemented on the JFK Rest Areas and FSK facilities
- Typical defects include loose hardware, broken breakaway boxes, and some poles required removal

# 2021 Inspection Updates

## Inspection Findings – Risk Based Interim Inspections

### Workhorse Bridges – Overall in Satisfactory Condition

- Canton Viaduct and Holabird Avenue Ramp constructions have been completed. A full hands-on inspection on the Canton Viaduct is scheduled for January 2022.
- Old Joppa Road over I-95 construction is complete, and a full hands-on inspection was performed in October 2020.
- Typical defects on all facility bridges include minor spalls, cracks, and steel corrosion.

### High Mast Lights (HML) – Overall in Good Condition

- Majority of Fort McHenry Tunnel Facilities HMLs Replaced
- Typical defects include some loose hardware and non-functional luminaires

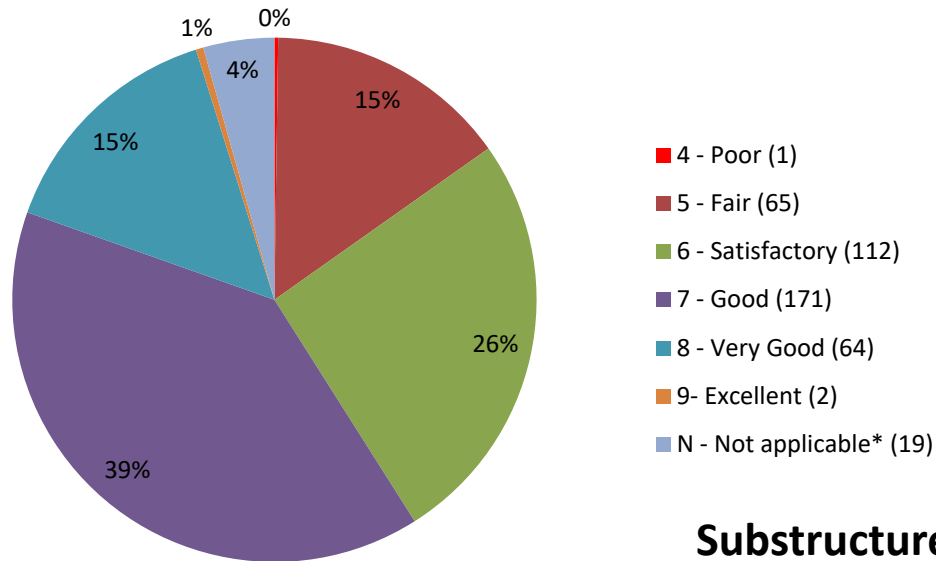
### Toll Plaza, Scales – Overall in Satisfactory Condition

- AET Implemented at FSK, WPL and TJH Facilities
- Some loose hardware, minor spalls and some steel corrosion

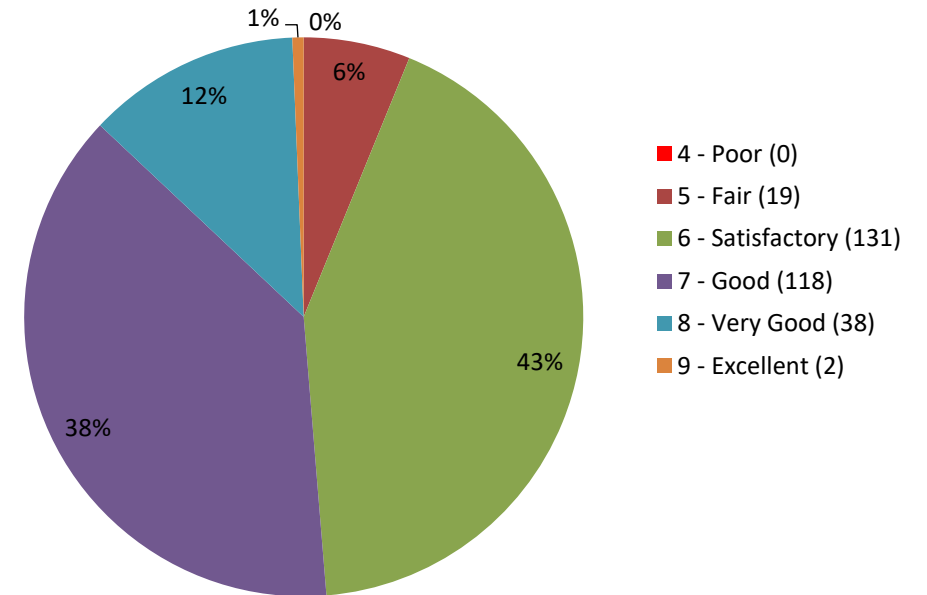
# 2021 Inspection Updates

## Condition Ratings

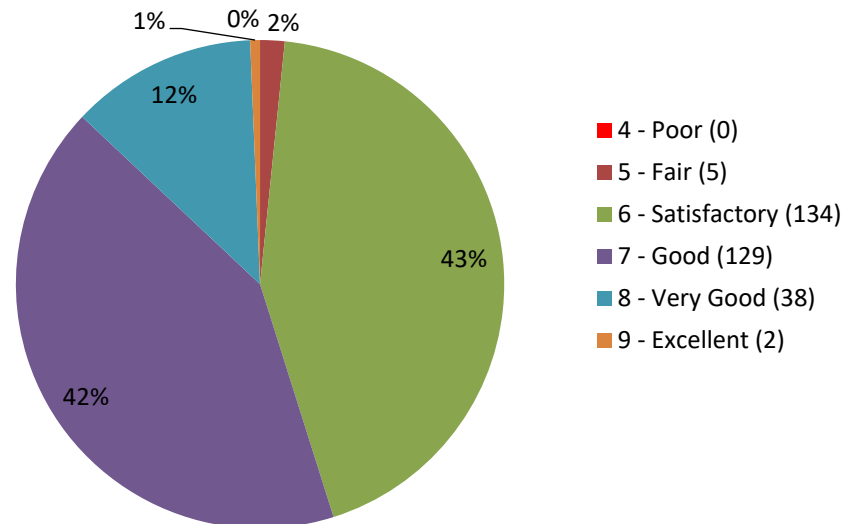
### Deck Condition



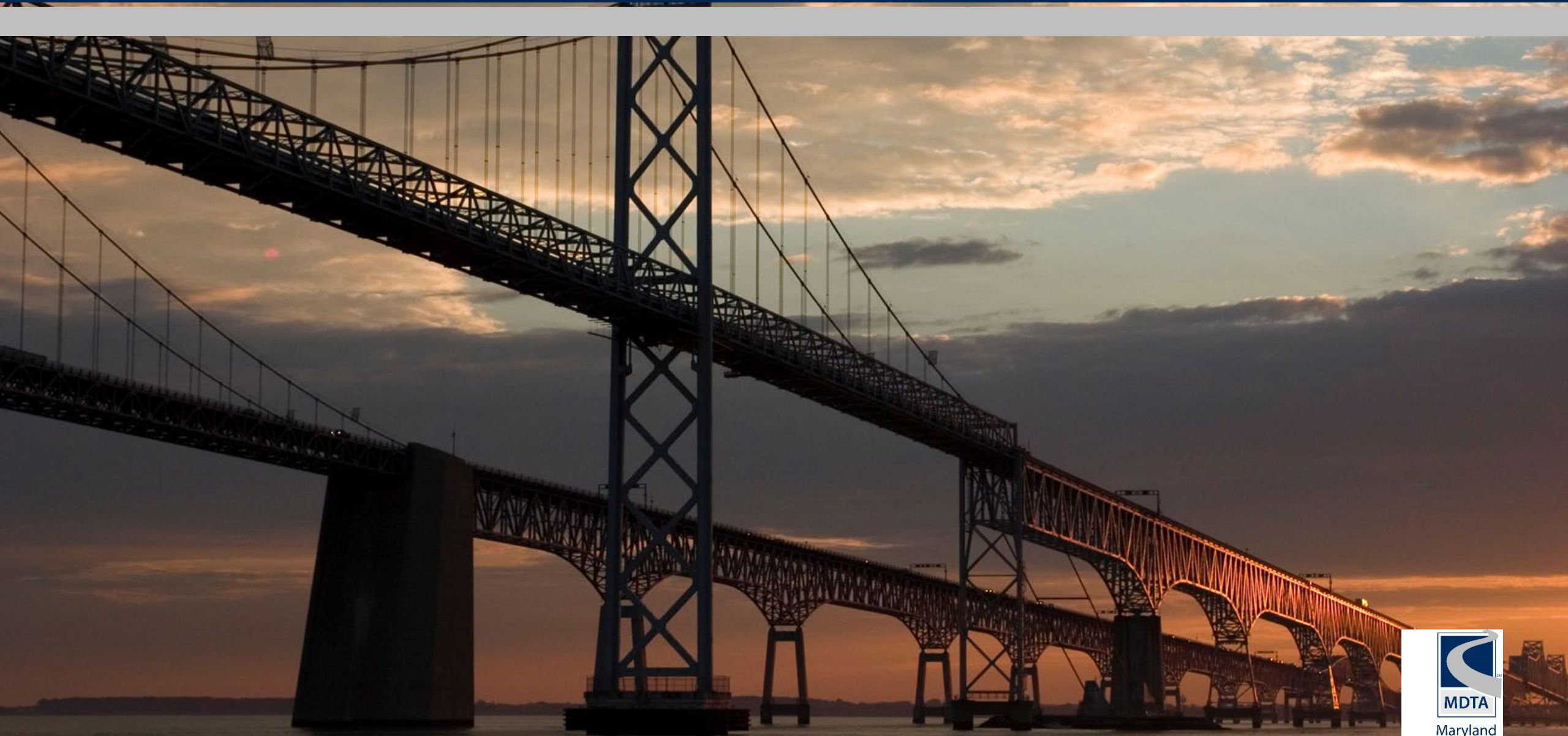
### Superstructure Condition



### Substructure Condition



# Questions





# **TAB 8**



**Maryland  
Transportation  
Authority**

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

James F. Ports, Jr., Executive Director

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**MEMORANDUM**

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**TO:** MDTA Board  
**PRESENTED BY:** Mr. Will Pines, PE, PMP, CCM, Chief Operating Officer  
**SUBJECT:** Third Generation Electronic Toll Collection (3G ETC) System Current Operations Update  
**DATE:** October 28, 2021

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**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

October 28, 2021

# Schedule Update

- Original Go-Live plan to get to System Acceptance was focused on delivering 30 day, 60 day and Post-SAT releases with contingencies for new issues
  - Focus of plan was to address system defects & complete deferred functionality
- Many newly identified issues have been higher priority to address customer and MDTA operational concerns, such that System Acceptance is delayed
- Received Contractor's updated SAT schedule
  - Schedule based on a fully agile release approach with new tickets addressed every 3 weeks
- Negotiating with Contractor to establish clear SAT deadlines and ensuring Post-SAT is limited to punchlist items
  - Modifications sent to the vendors for review,
  - 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

## **Post-Transition & Backlog Tasks**

- Tightly monitor schedule & coordination between MDTA and vendors
- Queue transactions for processing and resolve issues
- Continue to triage and resolve software bugs
- Coordinate with the IAG

## **QA/QC & Lane Maintenance Improvements**

- Coordinating and addressing ongoing AET conversions for JFK, FMT and HWN
  - JFK highway speed AET Go Live is planned for November 2021
- 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
- Plan and test KPI

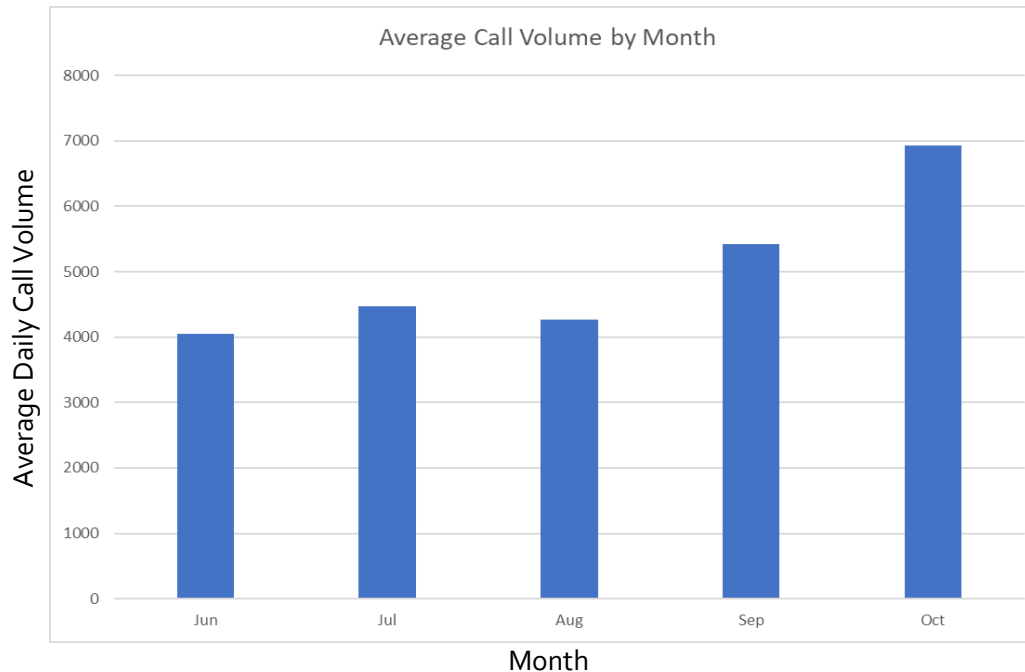
## **Contract Administration & Operational Functions**

- Coordinating responsibilities & communication across IT, Operations and Finance
- Standing up contract administration tools & processes
- Forming cross-functional workgroups
- Partnering meeting completed with Lane Vendor and planned with CSC Vendor

# Post Go-Live Risk Tracking

## Call Center

- High volumes and wait times persist with average waits over an hour and half
  - Increased volumes with escalations resuming and backlog processing
    - From June to October, average volumes increased from 4,000 to 7,000 daily calls
  - CIC is also processing 13,185 backlogged dispute cases, primarily contesting mailed tolls
    - Most carried over from previous vendor
  - Staffing losses continue to be an issue, but hiring continues
    - 9/7 to 10/7 – CIC lost 29 employees
  - Overflow center and new hires supporting volumes
  - Certain periods heavier than others
- Website improvement releases continue to also 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 10/11/2021
  - Approximately 16 million video transactions posted to customer accounts
    - Several notices sent to alert customers to proactively pay electronically to receive early payment discounts
    - \$5.4 million PNOTDs paid online to date for early payment discounts
    - Proactive mailer to customers with more than 25 transactions complete
  - 4.8 million NOTD transactions have been mailed, since resuming
  - Image certifications and citations fully resumed

## 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

# Backlog Processing Status

## Current Status – 10/11/21

- Continue to anticipate processing all backlog within FY22 (Summer 2022)
- Continued transaction processing
  - Approximately current transactions plus one week of backlog, per week
  - Some clean up activities related to IAG processing
- Video Toll Transactions
  - ITOLs separated and issued with AVI
  - Metering plan implementation ongoing to limit customer impacts
  - Monitoring the plan and call center impacts

# **TAB 9**

**VERBAL**



# **TAB 10**

**CLOSED SESSION**

# **TAB 11**

**CLOSED SESSION**