

**MARYLAND TRANSPORTATION AUTHORITY
CAPITAL COMMITTEE MEETING
THURSDAY, JUNE 4, 2020
OPEN MEETING VIA CONFERENCE CALL**

OPEN SESSION

MEMBERS ATTENDING: William C. Ensor, III – Chairman
William H. Cox, Jr.
Mario J. Gangemi
W. Lee Gaines

STAFF ATTENDING: Jim Ports
John O’Neill
Will Pines
James Harkness
Russ Walto
Brian Wolfe
Kim Millender
Meshelle Howard
Ebony Moore
Melissa Williams
Jeanne Marriott
Jacqueline Djomo

Mike Rice
Mary O’Keeffe
Natalie Henson
Sushmita Mitra
Sheila Rivers
Chantelle Green
Colin Sweetin
John Wedemeyer
Donna DiCerbo
Jeff Davis
Chris Thompson
Ganine Steffe

At 9:00 a.m. Chair William Ensor called the meeting of the Maryland Transportation Authority (MDTA) Capital Committee to order. With this open meeting being done via conference call, Chairman William Ensor did a roll call of participants to ensure the minutes accurately reflected those persons on the call and to ensure a quorum of the Board was present.

APPROVAL – OPEN SESSION MINUTES OF MAY 7, 2020

Upon motion by Member Cox and seconded by Member Gaines the Open Session meeting minutes of the Capital Committee’s Meeting held on May 7, 2020 were unanimously approved.

APPROVAL – BB-3038-0000 – I-95 ETL NORTHBOUND EXTENSION ENVIRONMENTAL MITIGATION PHASE II – ECCLESTON MITIGATION SITE

Mr. Wolfe presented this request to seek a recommended approval from the Capital Committee to present Contract No. BB-3038-0000, I-95 ETL Northbound Extension Environmental Mitigation Phase II – Eccleston Mitigation Site to the full MDTA Board for award at its next scheduled meeting.

This project is to provide “Permittee-Responsible Mitigation” Services including the design and construction of Wetland and Stream Mitigation credits as part of the ETL NBE Permit Process. This is a sole source contract with NextEra to provide the PRM services. NextEra owns the rights to perform the mitigation on the Eccleston site and MDE and USACE agreed to using this site for part of MDTA’s offsite mitigation for the ETL Program.

Upon motion by Member Gaines and seconded by Member Cox, the Members unanimously recommended contingent approval of I-95 ETL Northbound Extension Environmental Mitigation Phase II – Eccleston Mitigation Site to the full MDTA Board for award at its next scheduled meeting.

APPROVAL – KH-3022-0000 – CLAYTON ROAD OVERPASS REPLACEMENT

Mr. Wolfe presented this request to seek a recommended approval from the Capital Committee to present Contract No. NB-3022-0000, Clayton Road Overpass Replacement to the full MDTA Board for award at its next scheduled meeting.

The work to be performed under this contract is the replacement of the Clayton Road overpass at the I-95 to accommodate the future Express Toll Lane Extension.

Upon motion by Member Gangemi and seconded by Member Gaines, the Members unanimously recommended contingent approval of Clayton Road Overpass Replacement to the full MDTA Board for award at its next scheduled meeting.

APPROVAL – AE-3046-0000 and AE-3047-0000 - MDTA 2018-01A – COMPREHENSIVE PLANNING AND MISCELLANEOUS CONSULTING SERVICES

Mr. Walto presented this request to seek a recommended approval from the Capital Committee to present Contract No. AE-3046-0000 and AE-3047-0000 – MDTA 2018-01A – Comprehensive Planning and Miscellaneous Consulting Services.

Services provided under these contracts will include project planning, environmental services and miscellaneous consulting services including revenue and expense forecasting, toll analysis, right-of-way/real estate services, travel forecasting, public relations, studies pertaining to operating systems and working on behalf of MDTA to review documents pertaining to traffic developed by others as directed by MDTA. Assignment may vary from providing travel forecasting data including transit use, developing secondary and cumulative effects analyses and conducting community involvement activities to completing environmental documents meeting the requirements of the National Environmental Policy Act (NEPA) and the Maryland Environmental Policy Act (MEPA), as applicable to MDTA projects. Consultants may also be required to provide supplemental staffing as needed. Specific assignments are expected to vary depending on MDTA's needs throughout the life of the contract.

Upon motion by Member Gaines and seconded by Member Gangemi, the Members unanimously recommended contingent approval of Contract No. AE-3046-0000 and AE-3047-0000 – MDTA 2018-01A – Comprehensive Project Planning and Miscellaneous Consulting Services to the full MDTA Board for award at its next scheduled meeting.

APPROVAL – FORMER ROBERT A. KENNEY PROPERTY - CARSIN'S RUN RESTRICTIVE COVENANTS – MC#20-7041

Mr. Wedemeyer presented this request to seek recommended approval from the Capital Committee to place restrictive covenants on a Conservation Area within the Maryland Transportation Authority (MDTA) owned property (Parcel 1 and Parcel 2), for environmental mitigation.

A total of 2.654 acres, plus or minus, were acquired as part of the I-95 JFK Memorial Highway Project from Robert A. Kenny, by the MDTA in 1962 (State Roads Commission Plat No. 26580). The acquisition was only for the purpose of Highway Development. MDTA will remain the owner in the after situation. The property is located I-95 - JFK North Bound: Station No. 643+50.00 to 654 +00.00, in Harford County, Maryland.

In accordance with the Real Property Article of the Annotated Code of Maryland Section 2-118 and MDTA's Permits with the Department of the Army Permit No. CENAB-OPR-MN (MDTA/ I-95 – Stage II/ETL NORTHBOUND EXTENSION) 2019-60846-M12 ("Permit") issued by the U.S. Army Corps of Engineers, Baltimore District ("Corps" or "Baltimore District," to include

any successor agency), and permit No. 19-NT-0150/201960846 issued by the Maryland Department of the Environment (“MDE,” to include any successor agency), and in recognition of the continuing benefit to the permitted property, and for the protection of waters of the United States and/or the State of Maryland and scenic, resource, environmental, and general property values, MDTA placing certain restrictive covenants on a Conservation Area within the Property, in order that the Conservation Area shall remain substantially in its natural condition forever. This is a requirement as stated within the permit and any failure to comply with those terms could result in the I-95 ETL Project being shut down.

Upon motion by Member Gangemi and seconded by Member Gaines, the Members unanimously recommended contingent approval of Former Robert A. Kenney Property – Carsin’s Run Restrictive Covenants – MC#20-7041 to the full MDTA Board at its next scheduled meeting.

**APPROVAL – FORMER JAMES R. TILLMAN AND JOYCE H. TILLMAN PROPERTY
– WUS18 RESTRICTIVE COVENTS – MC#20-7042**

Mr. Wedemeyer presented this request to seek recommended approval from the Capital Committee to place restrictive covenants on a Conservation Area within the Maryland Transportation Authority (MDTA) owned property for environmental mitigation.

A total of 2.008 acres, plus or minus, were acquired as part of the I-95 JFK Memorial Highway Project from James R. Tillman and Joyce H. Tillman, by the MDTA by way of deed dated May 15, 1963 (Liber 618 Page 587). The acquisition was only for the purpose of Highway Development. MDTA will remain the owner in the after situation. The property is located I-95 - JFK North Bound: Station No. 560+08.34 to 561 +68.67, in Harford County, Maryland.

In accordance with the Real Property Article of the Annotated Code of Maryland Section 2-118 and MDTA’s Permits with the Department of the Army Permit No. CENAB-OPR-MN (MDTA/ I-95 – Stage II/ETL NORTHBOUND EXTENSION) 2019-60846-M12 (“Permit”) issued by the U.S. Army Corps of Engineers, Baltimore District (“Corps” or “Baltimore District,” to include any successor agency), and permit No. 19-NT-0150/201960846 issued by the Maryland Department of the Environment (“MDE,” to include any successor agency), and in recognition of the continuing benefit to the permitted property, and for the protection of waters of the United States and/or the State of Maryland and scenic, resource, environmental, and general property values, MDTA placing certain restrictive covenants on a Conservation Area within the Property, in order that the Conservation Area shall remain substantially in its natural condition forever. This is a requirement as stated within the permit and any failure to comply with those terms could result in the I-95 ETL Project being shut down.

Upon motion by Member Gangemi and seconded by Member Gaines, the Members unanimously recommended contingent approval of Former James R. Tillman and Joyce H. Tillman Property –

WUS18 Restrictive Covenants – MC#20-7042 to the full MDTA Board at its next scheduled meeting.

APPROVAL – DRAFT FY 2021-2026 CONSOLIDATED TRANSPORTATION PROGRAM (CTP)

Ms. Marriott presented this request to seek recommended approval of the proposed Draft FY 2021-2026 CTP. The Draft CTP will be presented to the Finance Committee for recommendation for approval on June 9, 2020 and will be presented to the full MDTA Board for final approval on June 25, 2020.

The six-year FY 2021-2026 budget in the proposed CTP is \$2.8 billion. The proposed CTP reflects a net decrease in the six-year FY 2021-2026 budget of \$281.6 million. The net FY 2021-2026 decrease is the result of the following:

- Decrease in the six-year CTP budget by \$52.7 million for the Nice/Middleton Bridge
- Decrease in the six-year CTP budget by \$114.6 million for the I-95 ETL Northern Extension
- Increase in the six-year CTP budget by \$107.0 million for all projects except Nice/Middleton Bridge, I-95 ETL Northern Extension, and reserves
- Decrease in the Allocated and Unallocated Reserves by \$221.3 million

FY 2020 expenditures are projected to be \$449.8 million vs. \$429.5 million projected in the Final FY 2020-2025 CTP

Highlights of project and reserve changes incorporated in the proposed Draft FY 2021-2026 CTP.

Added a New Project

Added one new system preservation project for an increase of \$221 thousand in the FY 2021-2026 time period.

Modified Budgets to Reflect Bids Received

Adjusted six projects to reflect bids received for a net decrease of \$5.4 million. Five projects were lower and one contract was higher than Engineer's Estimate.

Added Construction Phase

The construction phase of four projects was funded for a total of \$95.6 million transferred from the reserves as design reached 60% level and cost estimates were developed on fully developed scopes.

Modified Budget to Reflect Completed or Deleted Projects

Eleven projects were completed and one project was deleted with no budget change in the FY 2021-2026 time period.

Modified Active Projects Due to Cost Changes and Cash Flow Adjustments

Adjusted cash flows and funded changes in engineering and/or construction budgets for 94 projects for a net budget decrease of \$150.7 million.

Reserve Changes

The allocated reserves decreased by \$221.3 million and the unallocated reserves remained the same at \$25.0 million.

Upon motion by Member Gaines and seconded by Member Cox, the Members unanimously recommended contingent approval of Draft FY 2021-2026 Consolidated Transportation Program (CTP) to the full MDTA Board at its next scheduled meeting.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 9:40 a.m. following a motion by Member Gangemi and seconded by Member Gaines.

The next meeting of the MDTA Capital Committee is scheduled for Thursday,

July 9, 2020 at 9:00 a.m. at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.

APPROVED AND CONCURRED IN:
