

MARYLAND TRANSPORTATION AUTHORITY
APRIL BOARD MEETING

THURSDAY, APRIL 25, 2024
9:00 A.M.

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

OPEN SESSION

Paul J. Wiedefeld, Chairman

MEMBERS ATTENDING:

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

STAFF ATTENDING:

Percy Dangerfield
Donna DiCerbo
Bruce Gartner
David Goldsborough
James Harkness
Natalie Henson
Richard Jaramillo
James Kittleman
Kelly Melhem
Kimberly Millender, Esq.
Ebony Moore
Simon Najar
Mary O'Keefe
Tia Rattini
Bradley Ryon
Acting Col. Joseph Scott
Deborah Sharpless
Cheryl Sparks

At 9:01 a.m. Chairman Paul J. Wiedefeld called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at MDTA Headquarters, 2310 Broening Highway, Baltimore MD 21224 and was livestreamed on the MDTA Board Meeting web page.

APPROVAL – OPEN SESSION MEETING MINUTES OF APRIL 4, 2024

Upon motion by Member William H. Cox, Jr. and seconded by Member W. Lee Gaines, Jr., the open session meeting minutes of the MDTA Board meeting held on April 4, 2024 were unanimously approved.

APPROVAL – CONTRACT AWARD

- **MT-00210861 – Generator Maintenance, Testing, and Repairs at Various MDTA Locations**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. MT-00210861 – Generator Maintenance, Testing, and Repairs at Various MDTA Locations with VarcoMac, LLC in the amount of \$812,790.84.

Mr. DiCerbo explained this contract is for the provision of generator maintenance, testing, and repairs at various MDTA locations. It includes all labor, transportation, and services necessary for adequate performance in accordance with all applicable local, state, and federal regulations pertaining to worker protection and the protection of the environment.

She explained that this contract exceeds the delegated procurement authority of the Maryland Transportation Authority; and therefore, will be presented to the Board of Public Works on May 1, 2024.

Upon motion by Member Jeffrey S. Rosen and seconded by Member John F. von Paris, the Members unanimously gave approval to execute Contract No. MT-00210861 – Generator Maintenance, Testing, and Repairs at Various MDTA Locations.

- **J01B3600015 – Next Generation E-ZPass® (Transponders) - Kapsch**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. J01B3600015 – Next Generation E-ZPass® (Transponders) – Kapsch with Kapsch TrafficCom USA, Inc. in the amount of \$38,114,196.00.

Mr. DiCerbo explained this contract is for the provision of Electronic Toll Collection Equipment and Services including but not limited to E-ZPass® transponders, readers, and antennas used to collect toll revenue from MDTA-maintained bridges and tunnels.

Upon motion by Member Dontae Carroll and seconded by Member W. Lee Gaines, Jr., the Members unanimously gave approval to execute Contract No. J01B3600015 – Next Generation E-ZPass® (Transponders) – Kapsch.

- **J01B3600016 – Next Generation *E-ZPass*® (Transponders) - TransCore**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. J01B3600016 – Next Generation *E-ZPass*® (Transponders) – TransCore with TransCore, LP. in the amount of \$38,114,196.00.

Mr. DiCerbo explained this contract is for the provision of Electronic Toll Collection Equipment and Services including but not limited to *E-ZPass*® transponders, readers, and antennas used to collect toll revenue from MDTA-maintained bridges and tunnels.

Upon motion by Member Mario J. Gangemi and seconded by Member Cynthia D. Penny-Ardinger, the Members unanimously gave approval to execute Contract No. J01B3600016 – Next Generation *E-ZPass*® (Transponders) – TransCore.

UPDATE – CONTRACT MODIFICATION

- **MA-2257-0000 – 3rd Generation Electronic Toll Collection – Toll System and Services – Kapsch Modification No. 3**

Ms. Donna DiCerbo updated the MDTA Board Modification No. 3 for Contract No. MA 2257-0000 with Kapsch TrafficCom USA Inc., for the 3G Electronic Toll System Operation. Approval of this Modification No. 3 is contingent upon the Board of Public Works (BPW) approval.

Mr. DiCerbo explained that Contract No. MA 2257-000 was competitively solicited and awarded to Kapsch TrafficCom USA Inc., in the amount of \$71,911,342.78 on February 21, 2018, to furnish and provide Operator Electronic Toll Collection Technology and Associated Subsystem Components and Services for the operation of the Electronic Toll Collection System. Modification No. 1 was approved on July 27, 2022, for \$8,764,758.28 and Modification No. 2 was a no-cost modification approved on July 5, 2023.

Modification No. 3 will adjust the original Operations and Maintenance (O&M) line items due to the conversion from cash to All Electronic Tolling (AET), costs associated with all work for the I- 95 ETL Expansion and installation of AET Zones at the Baltimore Harbor Tunnel (BHT) facility, and task orders. Total final costs for Modification No. 3 are \$16,130,376.68, which would increase the total contract value to \$96,806,477.74.

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 April 18, 2024, there are thirteen major projects in the Capital Program. Ten of the projects are under construction, two are in procurement, and one is in design. This update includes projects funded for construction in the current CTP and includes six projects valued in excess of \$100 million. There are four projects from the \$1.1 billion I-95 ETL Northbound Extension program.

Mr. Harkness also informed that Board that there are three projects with construction budget changes and two projects with schedule changes. The budget for MA-2257 Replace Electronic Toll Collection – 3rd Gen has increased by \$11 million due to all-electronic conversion projects, the budget for FT-2651R Rehabilitate Vent Fans (FMT) has increased by \$3 million due to replacement of deteriorated conduit and wiring as well as impeller repairs, and the budget for KB-3005 was reduced due to favorable bids. The schedule for KH-3009 I-95 ETL extension from MD 43 to MD 152 has changed from the anticipated construction completion in Summer 2024 to Spring 2025 due to foundation redesigns at two bridge structures and rock impacts to drainage systems, and the schedule for KH-3024 I-95 @ Belvidere Road Interchange project has changed from the anticipated construction completion in Summer 2025 to Summer 2026 due to delays in obtaining the stormwater management permit for the advance rough grading package.

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. As of March 28, 2024, DoIT maintains an active portfolio of 21 projects and continued support of the third-generation tolling system (3G) program.

Penetration testing was completed, and the final report was submitted by Cyber Defense. This covered external testing whereby attempts are made to gain access to infrastructure from outside of the network and exploit potential vulnerabilities. MDTA's wireless infrastructure was also tested.

Some of the significant initiatives that DoIT continues to work on include the following:

- HR Central Conversion
- Scheduling System Enhancements
- Maximo Spatial
- Open Text Upgrade
- Dynamics SL Upgrade
- HRIS
- Data Center Enhancements Project
- Clearing House Tracking for Health and Safety
- Police BW
- PRISM

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

Ms. Tia Rattini updated the MDTA Board on MDTA's progress toward achieving the legislatively mandated socioeconomic program goals for the 2nd Quarter of Fiscal Year (FY) 2024, which covers the performance period of July 1, 2023 to December 31, 2023 (Q1 FY 2024).

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.

In addition, Ms. Rattini reported on current strategies focused on outreach, training, and data analysis. These included: PRISM Contract Compliance System; In-Person Outreach Events; Training with the Office of Engineering and Construction; Credit Card Purchases made with DBE, MBE, SBR, and VSBE Vendors; Identifying Additional Opportunities for DBE/MBE/VSBE Participation; and Outstanding DBE/MBE/VSBE Subcontracting Partner Award.

UPDATE – MDTA’S TRAVEL PLAZAS

Mr. Simon Najar updated the MDTA Board on the progress of operations at the Maryland House and Chesapeake House Travel Plazas.

Mr. Najar explained that in 2012, the MDTA entered into a Lease and Concession Agreement with Areas USA MDTP, LLC (Areas USA), to undertake the redevelopment (including financing) and long-term operations and maintenance of the travel plazas. Pursuant to the public-private partnership (P3) arrangement, the MDTA retains oversight of the travel plazas for a period of 35 years. The presentation provided a brief overview of the contract award and agreement; Areas USA history and expertise; current operations at the travel plazas, including the fiscal rebound from COVID-19; recent challenges; and the future outlook.

UPDATE – MDTA POLICE

Acting Col. Joseph Scott provided an update on activities for the MDTA Police. He explained that the Key Bridge incident has changed how staff is deployed. He also stated how proud he was of his officers and how they responded. Acting Col. Scott said he was proud of his Health and Wellness Division, which provided services for families and employees who have needed help during this difficult time. He also gave updates on community engagement, vacancies, key initiatives, leadership development, and female law enforcement mentorship. Acting Col. Scott ended his presentation by presenting Resolutions to the first responders and dispatchers who were first on the scene at the Key Bridge incident.

UPDATE – LEGISLATIVE SESSION

Mr. Bradley Ryon gave the final update to the MDTA Board wrapping up the 2024 legislative session and its impacts to the MDTA. Mr. Ryon thanked the Chairman and his TSO partners for their assistance during session.

UPDATE – FRANCIS SCOTT KEY BRIDGE UPDATE

Mr. Bruce Gartner and James Harkness gave an update on the Francis Scott Key Bridge. They discussed the salvage operation, procurement process, and next steps on the rebuild.

Mr. Harkness began by stating that he is the MDTA's representative for the Unified Command. Some of the responsibilities of the Unified Command is salvage, restoration, and recovery operations. He stated the first goal is the recovery of the victims and the second goal is the reopening of the Federal channel with safety being of the upmost importance. As of now, there have been no injuries.

He continued by stating that it is a very complex situation at the site and with the size, scope, and scale of the work that needs to be done, there is a lot of engineering that goes in to removing the twisted steel and debris that are in various locations in the mud, on the mud, in the water, and above the water. So far, more than 2,300 tons of the truss steel have been removed. The steel is being processed at a yard in Sparrows Point.

He also stated that over the past weekend the Unified Command was able to open a 3rd channel with a 20-foot depth thus allowing some commercially essential ships to pass through. Today, Unified Command was able to announce the opening of a 4th channel that is part of the main channel. It is not at full depth yet, but it is at a 35-foot depth and approximately 300 feet wide. This channel will remain open for 4 days. So far, 145 vessels have moved through the temporary channels and we remain on schedule to fully open the Federal channel before the end of May.

Mr. Gartner stated that it has been an incredible effort that Jim and his team have undertaken with the contractors. In talking about next steps, the entire team has been involved in preparing for a rebuild effort. The Secretary/Chairman has been front and center with the Governor in getting the Federal support for the project and we remain optimistic that we will get the bipartisan support for the Federal funding. It is a constant effort and we hope to hear more by the end of May.

In the meantime, MDTA continues to move forward. Ms. Deb Sharpless and the Finance team have been working with insurance proceeds that will offset some of the Federal funding. Ms. Kimberly Millender, Esq., the legal department, and the Attorney General's office has undertaken great efforts in helping with the legal questions related to financing and preparing for the request for proposals for the rebuild of the bridge.

The progressive design build is the delivery method MDTA proposes to use. It is a single contract procured for the design and construction of the project. It allows the State to closely coordinate the design process early on and reduces the time to complete the project. We continue to further define the elements, cost, and as part of this process and we are working closely with industry. In fact, we are announcing today that a virtual Industry Forum will be held on May 7 to initiate the efforts of building the new Key Bridge. This will help the industry understand the goals, teaming potentials, DBE potentials, etc. of the project. We look forward to working with them and we want all firms to be interested.

Chairman Wiedefeld thanked Mr. Harkness for all he has done at Unified Command. Mr. Harkness and his team are turned to frequently and their professionalism and response time have been unwavering. Mr. Gartner thanked the State Highway Administration for their continued support through this incident.

UPDATE - EXECUTIVE DIRECTOR'S REPORT

Mr. Bruce Gartner updated the MDTA Board on the following items: Bring Your Child to Work Day; National Work Zone Awareness Week; Kingsville Volunteer Fire Department's First Responder Event; On The Go Transponders; MDTA Police Recruit Class 58 Graduation; and MDTA Earth Day Fair.

Mr. Gartner recognized Mr. Percy Dangerfield with a Special Resolution that recognizes his time served as MDTA Acting Executive Director.

Mr. Gartner closed with a few upcoming events: May 3 – MDTA Fallen Hero Ceremony; May 22 – MDTA Roadeo Event; and May 23 – I-895 at Frankfurst Avenue Interchange Improvements Information Open House and Property Owner Notification Meeting.

VOTE TO GO INTO CLOSED SESSION

At 10:36 a.m., upon motion by Member William H. Cox, Jr. seconded by Member Mario J. Gangemi, the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board met in Closed Session under the General Provisions Article, Section 3-305(b)(15) to discuss the MDTA's Cyber Security including discussions regarding security assessments and deployment of information technology and network security related to detecting and investigating possible criminal activity; Section 3-305(b)(10) and (12) to receive an update on deployment of police staff and resources and other security measures and to discuss a pending investigative proceeding involving possible criminal conduct; Section 3-305(b)(8) to receive a status update on all litigation currently pending against the MDTA; and Section 3-305(b)(7) and (12) to receive legal advice and discuss an investigative proceeding related to employee criminal conduct.

In attendance for the Closed Session were Chairman Paul J. Wiedefeld; Members Carroll, Cox, Gaines, Gangemi, Penny-Ardinger, Rosen, Snead, and von Paris; Bruce Gartner; Percy Dangerfield; David Goldsborough; Kimberly Millender, Esq.; Acting Col. Joseph Scott; and Natalie Henson.

VOTE TO ADJOURN CLOSED SESSION

At 11:51 a.m., a motion was made by Member Dontae Carroll and seconded by Member Jeffrey S. Rosen, which was unanimously approved, to adjourn the Closed Session and return to Open Session. There were no actions taken in Closed Session that require ratification.

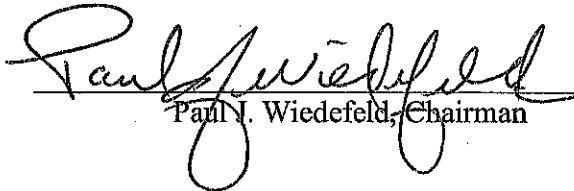
VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Mario J. Gangemi and seconded by Member John F. von Paris, the Members unanimously voted to adjourn the meeting at 11:52 a.m.

OPEN SESSION
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The next MDTA Board Meeting will be held on Thursday, May 30, 2024 at 9:00 a.m. at MDTA, 2310 Broening Highway, Baltimore MD and will be livestreamed on the MDTA Board webpage.

APPROVED AND CONCURRED IN:



Paul N. Wiedefeld, Chairman