

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

THURSDAY, APRIL 28, 2022
9:00 A.M.

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

OPEN SESSION

James F. Ports, Jr., Chairman

MEMBERS ATTENDING:

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

STAFF ATTENDING:

Col. Kevin Anderson
Donna DiCerbo
Allen Garman
David Goldsborough
Chantelle Green
Jim Harkness
Natalie Henson
Greg Jones
James Kittleman
Selena McKissick
Kelly Melhem
Kimberly Millender, Esq.
Mary O’Keeffe
Will Pines
Bradley Ryon
Joseph Sagal
John Sales
Deb Sharpless
Brian Wolfe

OTHER ATTENDEES:

Ebony Moore, MDOT TSO

At 9:02 a.m. Chairman James F. Ports, Jr. called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at 2310 Broening Highway, Baltimore MD and was livestreamed on the MDTA Board Meeting web page.

APPROVAL – OPEN SESSION MEETING MINUTES OF MARCH 31, 2022

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 March 31, 2022 were unanimously approved.

APPROVAL – CLOSED SESSION MEETING MINUTES OF MARCH 31, 2022

Upon motion by Member Jeffrey S. Rosen and seconded by Member W. Lee Gaines, Jr., the closed session meeting minutes of the MDTA Board meeting held on March 31, 2022 were unanimously approved.

APPROVAL – CONTRACT AWARDS

- **J01B1600006 – MDTA Civil Rights and Compliance Information Management Software Solutions (IMSS)**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. J01B1600006 – MDTA Civil Rights and Compliance Information Management Software Solutions (IMMS) with Insight Public Sector, Inc. in the bid amount of \$796,958.42.

Ms. DiCerbo explained that PRiSM was procured as an Intergovernmental Cooperative Purchasing Agreement using the National Association of State Procurement Officials (NASPO) ValuePoint Cloud Solutions Intergovernmental Cooperative Purchasing Contract. The two Master Contractors authorized by Early Morning Software, Inc., the developer (or PRiSM), to supply PRiSM products were requested to submit quotes; one firm responded. The procurement officer performed a price analysis on Insight Public Sector's (Insight) proposal and determined the recommended awardee's price to be fair and reasonable. MDTA's Evaluation Committee reviewed the proposal and determined Insight to be technically capable and susceptible for award

Upon motion by Member Jeffrey S. Rosen and seconded by Member William H. Cox, Jr., the Members unanimously gave approval to execute Contract No. J01B1600006 – MDTA Civil Rights and Compliance Information Management Software Solutions (IMMS)

- **KH-3035-0000R – Off-Site Reforestation, Raphel Road**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. KH-3035-0000R – Off-Site Reforestation, Raphel Road with Ed's Plant World, Inc. in the bid amount of \$566,190.00.

Ms. DiCerbo explained that the work to be performed under this Contract is at the MDTA property known as the Raphel Road property located in Baltimore County, MD. The scope of work includes tree planting, the installation and removal of tree protection, and maintenance of trees for two years following the Installation Phase acceptance as part of the off-site forest mitigation for the I-95 Express Toll Lanes Northbound Extension.

Upon motion by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., the Members unanimously gave contingent approval to execute Contract No. KH-3035-0000R – Off-Site Reforestation, Raphel Road.

***** At 9:10 a.m. Member John F. von Paris and Executive Director Will Pines recused themselves from Contract No. MDTA 2020-02. They both stepped out of the room prior to the presentation and discussion of the next item. *****

- **MDTA 2021-01A – Comprehensive Preliminary Engineering and Final Design Services**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MDTA 2021-01A – Comprehensive Preliminary Engineering and Final Design Services - Contract #'s AE 3100-0000, AE 3101-0000, AE 3102-0000, AE 3103-0000, AE 3104-00, AE 3105-0000, AE 3106-0000, AE 3107-0000, and AE 3108-000 in the bid amounts for each contract as stated below.

<u>Contract No.</u>	<u>Proposer</u>	<u>Contract Amount</u>
AE 3100-0000	RKK	\$12,000,000.00
AE 3101-0000	JMT	\$12,000,000.00
AE 3102-0000	WRA	\$12,000,000.00
AE 3103-0000	WBCM-Dewberry	\$ 7,250,000.00
AE 3104-0000	AECOM-WM	\$ 7,250,000.00
AE 3105-0000	STV-Jacobs	\$ 7,250,000.00
AE 3106-0000	WSP-Prime	\$ 7,250,000.00
AE 3107-0000	KCI-PAI	\$ 5,000,000.00
AE 3108-0000	Stantec-MH-HH	\$ 5,000,000.00

Ms. DiCerbo explained that this project involves the award of nine (9) contracts for Comprehensive Preliminary Engineering and Final Design Services for the MDTA. The consultant shall perform preliminary and final design services associated with the preparation of construction contract plans and documents. This work shall include but not be limited to: structural engineering; highway engineering; traffic engineering; ITS & electrical engineering; environmental engineering; compliance and permitting; surveys; right-of-way support; geotechnical engineering; testing and drilling services; various mechanical and electrical engineering services related to bridge, highway and facility (building) projects; condition inspection; project delivery analysis; traffic and revenue analysis; cost estimating; financial and project planning, analysis, and management; public relations support; supplemental staffing as

required; planning; construction management and inspections; "Phase V"; comprehensive general engineering consultant (GEC); and program management services.

Upon motion by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., the Members unanimously gave contingent approval to execute Contract No. MDTA 2021-01A – Comprehensive Preliminary Engineering and Final Design Services - Contract #'s AE 3100-0000, AE 3101-0000, AE 3102-0000, AE 3103-0000, AE 3104-00, AE 3105-0000, AE 3106-0000, AE 3107-0000, and AE 3108-000

***** At 9:13 a.m., after the vote was complete, Chairman Jim Ports brought Member John F. von Paris and Executive Director Will Pines back into the meeting for the remainder of the agenda items. *****

UPDATE – CREDIT RATINGS UPDATE AND TIFIA LOAN CLOSING

In accordance with Board Operating Policy Section 6(c), Ms. Deb Sharpless updated the MDTA Board on recent rating agency affirmations of the MDTA's double-A credit ratings with Stable outlooks.

Ms. Sharpless explained that consistent with the Debt Policy and as required by the TIFIA loan terms, the MDTA obtained two credit ratings as part of the closing process. Moody's Investor Service and Fitch Ratings affirmed the MDTA's ratings with Stable outlooks at Aa2 and AA, respectively. Within Moody's U.S. Toll Sector universe of approximately 50 rated credits, the MDTA remains one of only four tolling agencies with a double-A-two (Aa2) rating, which is among the highest for the sector, with only one issuer rated one-notch higher at Aa1.

Ms. Sharpless also reported on the results of the TIFIA loan closing and rate lock that occurred on April 26, 2022, as required by Resolution 21-06.

She explained that the new money financing will fund capital spending for the Nice/Middleton Bridge Replacement. Although the loan draw is deferred to January 2, 2023 to coincide with the funding need, the MDTA benefits from an interest rate lock at prevailing Treasury rates on the date of the closing. This rate lock could be greatly beneficial in the rising rate environment.

Loan payments begin 7/1/24 and end 7/1/54. The financing is structured with five loan tranches to take advantage of the lower rates available for shorter terms, though the yield curve flattening has recently diminished this benefit. The interest rates for each tranche were determined by prevailing SLGS rates on the closing date. Unlike traditional municipal financings, the TIFIA loan is continuously callable, which could provide shorter refinancing opportunities for interest cost savings.

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

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

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

UPDATE – LEGISLATIVE SESSION

Mr. Bradley Ryon gave a final update to the MDTA Board wrapping up the 2022 legislative session and its impacts to the MDTA.

Mr. Ryon then introduced Mr. James Kittleman to the MDTA Board. Mr. Kittleman is the new Assistant Manager of Government Relations for the MDTA.

UPDATE – EXECUTIVE DIRECTOR

Mr. Will Pines gave the Executive Director Update. Mr. Pines spoke on the following topics: His follow-up conversation with Ms. Leah Biddinger, President of the Sussex Community Association, who spoke last month at the Board Meeting regarding E-ZPass tolls and civil penalties; the Federal Highway Administration approval of the Bay Crossing Study Tier 1 Final Environmental Impact Statement/Record of Decision (FEIS/ROD); the E-ZPass Education Campaign; the Annual WTS MDOT Reception that was held on April 26 where MDOT Secretary, and MDTA Chairman, Jim Ports was the Keynote Speaker; the MDTA Police Awards Ceremony that was held on April 27; the MDTA Police 55th Recruit Class Graduation that was taking place that evening (April 28); and the announcement of the 2022 Bay Bridge Run on November 13 and the Susquehanna River Running Festival on September 24.

VOTE TO GO INTO CLOSED SESSION

At 10:20 a.m., upon motion by Member William H. Cox, Jr. and seconded by Member William C. Ensor, III, the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board will meet in Closed Session under the General Provisions Article, Sections 3-305(b)(15) to discuss the MDTA's Cyber Security Penetration Test Exercise and details of the findings 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; to discuss a pending investigative proceeding involving possible criminal conduct; and Section 3-305(b)(8) to receive a status update on all litigation currently pending against the MDTA.

In attendance for the entirety of Closed Session were Chairman Jim Ports; Members Carroll (via phone), Cox, Ensor, Gaines (via phone), Gangemi (via phone), Penny-Ardinger (via phone), Rosen, and von Paris; Will Pines; Kimberly Millender; and Natalie Henson. David Goldsborough was in attendance for Agenda Item # 8 (Cyber Security) only. Col. Kevin Anderson was in attendance for Agenda Item # 8 (Cyber Security) and Agenda Item # 9 (Public Security).

VOTE TO ADJOURN CLOSED SESSION

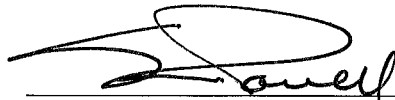
At 11:22 a.m., a motion was made by Member Jeffrey S. Rosen and seconded by Member John F. von Paris which was unanimously approved, to adjourn the Closed Session and return to Open Session. There were no actions taken in Closed Session that require ratification.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member W. Lee Gaines, Jr. and seconded by Member Jeffrey S. Rosen, the Members unanimously voted to adjourn the meeting at 11:25 a.m.

The next MDTA Board Meeting will be held on Thursday, May 19, 2022 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:



Sean Powell, Acting Chairman