

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

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

STAFF ATTENDING:

Col. Kevin Anderson
Donna DiCerbo
James Harkness
Gregory Jones
James Kittleman
Peter Mattejat
Selena McKissick
Kimberly Millender, Esq.
Sushmita Mitra
Mary O'Keeffe
Will Pines
Bradley Ryon
Joseph Sagal
John Sales
Sonia Thomas

OTHERS ATTENDING:

Eric Brenner, General Public

At 9:04 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 JUNE 23, 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 June 23, 2022 were unanimously approved.

APPROVAL – CONTRACT AWARDS

• **SV-3105-0000 – CLEAR Database Subscription**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. SV-3105-0000 – CLEAR Database Subscription with West Publishing Corporation, dba West, a Thomason Reuters business in the bid amount of \$216,265.92.

Ms. DiCerbo explained that this contract is for the provision of acquiring CLEAR Database services to be used by Maryland Transportation Authority Police Criminal Investigation Unit (CIU) only. CLEAR is a proprietary software manufactured by West Publishing and was designed as a government and law enforcement database service that provides definitive data/information for investigative research in real time.

Upon motion by Member Jeffrey S. Rosen and seconded by Member William C. Ensor, III, the Members unanimously gave approval to execute Contract No. SV-3015-0000 – CLEAR Database Subscription.

• **HT-3017-0000 – Baltimore Harbor Tunnel (BHT) In-Tunnel Fiber Improvements**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. HT-3017-0000 – Baltimore Harbor Tunnel (BHT) In-Tunnel Fiber Improvements with McLean Contracting Company in the bid amount of \$915,875.00.

Ms. DiCerbo explained that the work to be performed under this contract is located at the BHT on I-895 in Baltimore City and that the project will install fiber optic cables through primarily existing conduit raceways inside the east and west tunnel bores as well as the Fairfield and Canton service buildings. These cables will serve as the new communication media that will replace the existing blue hose communication cables in use by the programmable logic controller (PLC) and Supervisory Control and Data Acquisition (SCADA) System. A future project will replace the existing PLCs and ancillary components and utilize the new fiber optic communications system.

Upon motion by Member Mario J. Gangemi and seconded by Member Dontae Carroll, the Members unanimously gave approval to execute Contract No. MT-3017-0000 – Baltimore Harbor Tunnel (BHT) In-Tunnel Fiber Improvements.

**** At 9:08 a.m. Member John F. von Paris recused himself from Contract No. MDTA 2021-02A. He stepped out of the room prior to the presentation and did not participate in the discussion of the item. ****

- **MDTA 2021-02A – Comprehensive Environmental Compliance and Engineering Services**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MDTA 2021-02A – Comprehensive Environmental Compliance and Engineering Services – Contract #'s AE-3109-0000, AE-3110-0000, AE-3111-0000, and AE-3112-0000 in the bid amounts for each contract as stated below.

<u>Contract No.</u>	<u>Proposer</u>	<u>Contract Amount</u>
AE 3109-0000	WSP USA Inc. - Prime AE Group, Inc.	\$4,000,000.00
AE 3110-0000	Johnson, Mirmiran & Thompson-Gannett Fleming	\$3,000,000.00
AE 3111-0000	Rummel, Klepper & Kahl – Century Engineering	\$3,000,000.00
AE 3112-0000	AECOM Technical Services, Inc.	\$2,000,000.00

Ms. DiCerbo explained that this project involves the award of four (4) contracts for Comprehensive Environmental Compliance & Engineering Services for MDTA. The Consultants will conduct environmental inventory, compliance inspections, assessments, and design; regulatory permitting support; guidance on regulations; Geographic Information System (GIS) development and management; and report preparation. Activities may include desktop and field studies, research, preliminary and final design services. Other engineering services may include compliance support for highways, bridges, and tunnels and may require environmental, geotechnical, traffic, hydraulics, electrical, mechanical, and construction phase services, including general engineering as directed by MDTA.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member William H. Cox, Jr., the Members unanimously gave contingent approval to execute Contract No. MDTA 2021-02A – Comprehensive Environmental Compliance and Engineering Services – Contract #'s AE-3109-0000, AE-3110-0000, AE-3111-0000, and AE-3112-0000.

**** Member von Paris returned to the meeting room after the above agenda item had been presented, discussed, and approved. ****

APPROVAL – CODE OF MARYLAND REGULATIONS (COMAR) AMENDMENTS

Mr. Bradley Ryon requested MDTA Board approval to proceed with proposed changes to the Code of Maryland Regulations (COMAR) 11.07.07.02, 11.07.07.06, and 11.07.07.09.

Mr. Ryon explained that a proposed action to amend COMAR 11.07.07.02, 11.07.07.06, and 11.07.07.09 is needed to allow MDTA to define and implement installment plan (or payment plans) agreements for customers seeking to pay unpaid video tolls and any associated civil penalties. He further explained that while the MDTA currently has the statutory authority to provide installment plans, COMAR changes are needed to establish the necessary regulatory framework for the definition and implementation of the plans.

Upon motion by Member Mario J. Gangemi and seconded by Member Jeffrey S. Rosen, the Members unanimously gave approval to proceed with the proposed changes to the Code of Maryland Regulations (COMAR) 11.07.07.02, 11.07.07.06, and 11.07.07.09.

UPDATE – LEGISLATIVE UPDATE

Mr. Bradley Ryon and Mr. William Pines provided the MDTA Board with an update on recent MDTA-related legislative items and upcoming activities during the legislative interim. These updates included: informing the Board that staff will be providing additional information regarding changes in the General Assembly membership due to the upcoming elections; the Government Relations team continues to share important MDTA news and items including the Customer Assistance Plan and traffic advisories; and, updates regarding MDTA's participation in the Maryland Association of Counties (MACo) Summer Conference in mid-August and the MDOT Consolidated Transportation Program (CTP) Tour which runs from mid-September to early-November which gives MDTA the ability to meet with local officials and the general public to share information regarding MDTA projects such as the Bay Bridge Automated Lane Closure, the New Nice-Middleton Bridge, and the I-95 Express Toll Lanes Northbound Expansion.

In regard to the Nice-Middleton Bridge, staff updated the Board regarding a recent letter received from members of the Maryland Congressional Delegation regarding reassessing retaining the existing bridge for bike/pedestrian use. Mr. Pines discussed that the design of the new bridge was based on removal of the existing bridge and keeping the current bridge is no longer an option due to design issues. Mr. Pines explained that several entities have independently evaluated retaining the existing bridge for bicycle and pedestrian use, including the MDTA, Virginia, Charles County, and King George County. All entities determined that retaining the existing bridge is cost prohibitive. Mr. Pines pointed out that retaining the entire existing bridge is not included in the permitted, designed, and constructed (ongoing) alternative, and the existing piers in the navigation channel must be removed to eliminate the safety threat to the new bridge foundations from scour. Mr. Pines indicated that demolition of portions of the existing bridge commenced prior to receiving the Congressional Delegation letter but limited to areas that do not impact the maintenance of traffic, like the existing fender system.

Following the update, Mr. Eric Brenner spoke in opposition of demolishing the old Nice-Middleton Bridge referencing the Maryland Congressional Delegation letter and encouraging the Board to re-consider its position regarding retention of the existing bridge. Mr. Brenner left the meeting after completing his comments.

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

Mr. Gregory 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 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. Due to the stable nature of the system, Mr. Pines indicated that future project briefings would be more limited to major changes.

UPDATE – EXECUTIVE DIRECTOR

Mr. Will Pines gave the Executive Director Update. Mr. Pines spoke on the following topics: Summer Travel Communications Campaigns; a MDTA re-organization that will create an Office of Partnerships and Tolling Agreements under the Chief Financial Officer to manage MDTA's P3 projects and will have the Chief Engineer report directly to the Executive Director; the July 6 meeting of the Bay Bridge Reconstruction Advisory Group (BBRAG); the July 14 MDTA Roadeo, Training, and Awards Event; on July 30 the eastbound span of the Bay Bridge turned 70 years old; and the Maryland House will once again serve as a rest/gathering point for America's 9/11 Ride.

VOTE TO GO INTO CLOSED SESSION

At 10:35 a.m., upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board met in Closed Session under the General Provisions Article, 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; and Section 3-305(b)(8) to receive a status update on all litigation currently pending against the MDTA.

In attendance for the Closed Session were Chairman Jim Ports; Members Carroll, Cox, Ensor, Gaines, Gangemi, Penny-Ardinger, Rosen, and von Paris; Will Pines; Kimberly Millender, Esq.; and Col. Kevin Anderson.

VOTE TO ADJOURN CLOSED SESSION

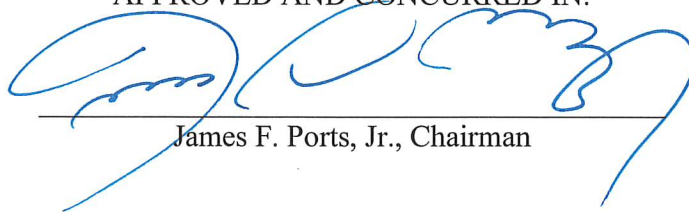
At 11:22 a.m., a motion was made by Member Mario J. Gangemi and seconded by Member Dontae Carroll, which was unanimously approved, to adjourn the Closed Session and return to Open Session. There were no actions taken in Closed Session that require ratification.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Mario J. Gangemi and seconded by Member Dontae Carroll, the Members unanimously voted to adjourn the meeting at 11:27 a.m.

The next MDTA Board Meeting will be held on Thursday, August 25, 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:

A handwritten signature in blue ink, appearing to read 'James F. Ports, Jr.', is written over a horizontal line. The signature is stylized and cursive.

James F. Ports, Jr., Chairman