

MARYLAND TRANSPORTATION AUTHORITY  
BOARD MEETING

THURSDAY, JUNE 29, 2023  
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.  
William C. Ensor, III  
W. Lee Gaines, Jr.  
Mario J. Gangemi  
Cynthia D. Penny-Ardinger – via Telephone  
John F. von Paris

STAFF ATTENDING:

Col. Kevin Anderson  
Jeffrey Brown  
Carl Chamberlin  
Percy Dangerfield  
Donna DiCerbo  
David Goldsborough  
Chantelle Green  
Natalie Henson  
Jeanne Marriott  
Selena McKissick  
Kelly Melhem  
Kimberly Millender, Esq.  
Sushmita Mitra  
Mary O'Keeffe  
William Pines  
Tia Rattini  
Deb Sharpless  
Jennifer Stump  
Brian Wolfe

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 MAY 25, 2023**

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 May 25, 2023 were unanimously approved.

**APPROVAL – CONTRACT AWARDS**

- **MA-2868-0000 – Electronic Toll System (ETC 3G) Customer Service Center Services – Collection Contract Modification # 2**

Ms. Donna DiCerbo requested approval to execute Modification No. 2 for Contract No. MA-2868-0000 with Transcore LP, for the 3G Electronic Toll System Operation. Approval of this Modification No. 2 is contingent upon the Board of Public Works (BPW) approval.

Ms. DiCerbo explained Contract MA-2868-000 was competitively solicited and awarded to Transcore Limited Partnership (aka Transcore, LP) in the amount of \$200,428,772.81 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.

Ms. DiCerbo further explained that in March 2022, due to the statewide cashless tolling and pausing NOTDs due to the COVID pandemic, Modification No. 1 to the Contract was necessary, for the Contractor to process AET transactions in real-time, to recover the backlog of transactions paused during the pandemic, and to provide services for the Customer Assistance Plan. Contract Modification No. 1 was approved by the BPW on July 27, 2022, and provided a non-compensable time extension for Phases I, II, and III; and added both time and an additional \$63,106,810.98 to Years 1 and 2 of the Operations and Maintenance of Phase IV, raising the total Contract amount to \$263,535,583.79.

She further explained that MDTA now seeks approval for this, the second contract Modification, to extend the end date of the contract and add additional time to the Contract phases which combined pushes the original term out 214 days due to transition delays as well as additional work added to the project, including but not limited to; performing activities for multiple legislatively mandated activities, performing various externally requested data queries, extending the Customer Assistance Plan, and addressing MDTA assigned work orders. This Modification is also requesting an additional \$44,317,717.58 in new funding to adjust the operations and maintenance line items associated with the additional time and due to the deletion of cash operations and the move to All Electronic Tolling (AET). The addition of funds results in a new total contract amount of \$307,853,301.37.

Upon motion by Member Dontae Carroll and seconded by Member William H. Cox, Jr., the Members unanimously gave approval to execute Modification No. 2 for Contract No. MA-2868-0000 with Transcore LP, for the 3G Electronic Toll System Operation contingent to the approval from the Board of Public Works (BPW).

- **MDTA 2020-01B – Structures Inspection Program and Miscellaneous Engineering Services – Small Business Reserve**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MDTA 2020-01B – Structures Inspection Program and Miscellaneous Engineering Services with Transtech Engineering Consultants, Inc. in the bid amount of \$5,000,000.00.

Ms. DiCerbo explained that this project entails the award of one (1) contract to a Small Business Consultant Engineering Firm 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 workhorse bridge, 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 low-level light poles, and other related appurtenances.

Upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the Members unanimously gave contingent approval to execute Contract No. MDTA 2020-01B – Structures Inspection Program and Miscellaneous Engineering Services.

**APPROVAL – NEW SECTION (SECTION 200) OF THE I-95 EXPRESS TOLL LANES (ETL) NORTHBOUND EXTENSION AND I-695 RAMPS TOLL RATE RANGE SETTING**

Mr. Carl Chamberlin requested MDTA Board approval, as stipulated in Transportation Article §4-312 of the Annotated Code of Maryland and Code of Maryland Regulations (COMAR) Title 11 Department of Transportation, Subtitle 07 MDTA, Chapter 05 Public Notice of Toll Schedule Revisions (11.07.05), for the I-95 Express Toll Lanes (ETL) Northbound Extension (Section 200) and I-695 Ramps toll rate range setting.

Mr. Chamberlin explained that the toll rate ranges are the same as what was proposed at the first MDTA Board meeting on this subject in December of 2022 and that the proposed toll rate ranges match the existing toll rate ranges for the existing facility (Section 100).

Mr. Chamberlin then read the following to the MDTA Board for their approval. “The proposal presented is to set the I-95 ETL Northbound Extension (Section 200) & I-695 Ramps toll rate ranges for three different time periods (peak, off-peak, and overnight). The existing per mile toll rates are estimated to still result in highspeed operations of the express lanes with the Northbound Extension and I-695 direct connectors even by 2035. Therefore, the proposed toll rate ranges for the I-95 ETL Northbound Extension (Section 200) and I-695 Ramps are the same as the existing toll rate ranges for the existing ETL.

We are seeking the Board's approval to accept the toll rate ranges noted above for the I-95 ETL Northbound Extension (Section 200) & I-695 Ramps toll rate range setting."

Member William H. Cox, Jr. commented that he has heard nothing but positive feedback regarding the project and wanted to share that with the Board for the record.

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the Members unanimously approved the I-95 Express Toll Lanes (ETL) Northbound Extension (Section 200) and I-695 Ramps toll rate range setting.

**APPROVAL – FISCAL YEAR (FY) 2024 FINAL OPERATING BUDGET**

Mr. Jeffrey Brown requested approval from the MDTA Board for the Fiscal Year (FY) 2024 Final Operating Budget. The Trust Agreement requires the approval of a final budget on or before July 1.

Mr. Brown explained that the proposed FY 2024 Operating Budget for the MDTA reflects a return to normal operations with minimal COVID -19 impacts. The proposed operating budget of \$400.1 million, represents a \$8.7 million, or a 2.2%, increase versus the FY 2024 Preliminary Operating Budget. The key drivers are increased personnel costs for civilian and sworn employees, a cost shift from FY 2023 to FY 2024 for motor vehicle purchases, and increased *E-ZPass*® Service Center costs.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member William H. Cox, Jr., the Members unanimously approved the FY 2024 Final Operating Budget.

**APPROVAL – DRAFT FISCAL YEAR (FY) 2024-2029 CONSOLIDATED TRANSPORTATION PROGRAM (CTP)**

Ms. Jeanne Marriott and Ms. Jennifer Stump requested approval of the proposed Draft FY 2024-2029 CTP. The Draft CTP was recommended for approval by the Capital Committee on June 1, 2023, and by the Finance Committee on June 8, 2023.

They explained that the six-year FY 2024-2029 budget in the proposed CTP is \$2.7 billion. The proposed CTP reflects a net increase in the six-year FY 2024-2029 budget of \$169.7 million. The net FY 2024-2029 increase is the result of the following: (1) Decrease in the six-year CTP budget by \$19.1 million for the Nice/Middleton Bridge; (2) Decrease in the six-year CTP budget by \$7.0 million for the I-95 ETL Northern Extension; (3) Increase in the six-year CTP budget by \$178.0 million for all projects except Nice/Middleton Bridge, I-95 ETL Northern Extension, and reserves; and (4) Increase in the Allocated and Unallocated Reserves by \$17.9 million.

They further explained that FY 2023 expenditures are projected to be \$484.8 million vs. \$534.4 million in the Final FY 2023-2028 CTP. FY 2023 underspending is projected to be \$49.7 million and has been rolled over into the Draft FY 2024-2029 CTP. The rollover accounts for 30% of the 6-year increase. Inflation, including materials availability, is responsible for 54% of the increase, while scope changes and the addition of construction funding for projects added to the Allocated Reserves account for 16% of the increase.

Upon motion by Member Mario J. Gangemi and seconded by Member John F. von Paris, the Members unanimously approved the Draft FY 2024-2029 Consolidated Transportation Program.

**APPROVAL – FISCAL YEAR (FY) 2024-2029 FINANCIAL FORECAST**

Ms. Chantelle Green requested approval from the MDTA Board for the Fiscal Year (FY) 2024-2029 Financial Forecast. Ms. Green explained key takeaways of the FY 2024-2029 Financial Forecast, which include: (1) Through FY 2027, the MDTA remains in compliance with its financial goals and legal standards. (2) Based on the current forecast estimates, beginning in FY 2028, a systemwide toll increase will be necessary to maintain 2.0 times debt service coverage throughout the remainder of the FY 2024-2029 forecast period. Tolls were last increased in FY 2014 followed by a reduction of tolls in FY 2016. (3) The actual timing of a toll increase will depend on many factors that impact MDTA's financial standards, such as inflationary pressures, deferred maintenance policies, toll revenue attainment, mandated operating budget increases, and debt issuance costs and timing.

Upon motion by Member William H. Cox, Jr. and seconded by Member Dontae Carroll, the Members unanimously approved the FY 2024-2029 Financial Forecast.

**UPDATE – BI-ANNUAL REVIEW OF REVENUE SUFFICIENCY**

Ms. Chantelle Green provided the MDTA Board with an update on the bi-annual review of revenue sufficiency for the Fiscal Year (FY) 2024-2029 financial forecast period. Ms. Green noted that the MDTA's Board Policy requires a bi-annual review of revenue sufficiency to determine if current rates and fee levels are appropriate based on levels of expected spending. The most recent financial forecast shows that current toll rates, fees, and discounts provide enough revenue over the near-term to meet forecasted spending and meet all legal and policy requirements.

**UPDATE – MAJOR PROJECTS UPDATE**

Mr. Brian Wolfe updated the MDTA Board on the status of Major Projects in the Capital Program. Mr. Wolfe explained that as of June 9, 2023, there are twelve major projects in the Capital Program. Eight of the projects are under construction, two projects are under design, and two projects are in Procurement. This update includes projects funded for construction in the current CTP and includes five projects valued in excess of \$100 million. There are three projects from the \$1.1 billion I-95 Express Toll Lanes Northbound Expansion program.

**UPDATE – DIVISION OF INFORMATION TECHNOLOGY (DOIT) MAJOR PROJECTS UPDATE**

Mr. Goldsborough updated the MDTA Board on the Division of Information Technology's (DoIT) major projects. He explained that as of June 29, 2023, DoIT maintains an active portfolio of 19 projects and continued support of the third-generation tolling system (3G) program. Currently DoIT is assisting with creating business intelligence reports to support QA functions for the KPI portion of the contract.

DoIT has also been participating on the IT Risk Assessment which should be closing in the coming weeks. This is not an audit so it will not requirement management responses, but we will be holding an exit conference to review the findings. He further explained that in response to the recent compromise of the MOVEit program from Progress Software, DoIT has verified through enterprise scans that there were no instances of the program on premise.

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

- HR Central Conversion
- Web-Based Appointment Scheduler
- Miss Utility Conversion
- Maximo Spatial
- Open Text Upgrade
- Dynamics SL Upgrade
- HRIS
- Data Center Enhancement Project

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

Mr. Percy Dangerfield and Ms. Tia Rattini updated the MDTA Board on MDTA's progress toward achieving the legislatively mandated socioeconomic program goals for the 3rd Quarter of Fiscal Year (FY) 2023, which covers the performance period of July 1, 2022 to March 31, 2023 (Q3 FY 2023).

#### **Disadvantaged Business Enterprise (DBE) Program**

CRFP is responsible for monitoring the Nice-Middleton Bridge and the newly awarded I-95 Interchange at Belvidere Road projects federally funded contracts to ensure compliance with nondiscrimination and affirmative action requirements.

#### **Minority Business Enterprise (MBE) Program**

The MBE participation for Q3 FY 2023 is calculated by dividing the total MBE contract award dollars by the total contract award dollars. During this period, MBE firms received \$51.3 million (20.21%) of the \$254 million in total contract awards.

For Q3 FY 2023, MBE utilization is \$56.7 million (14.14%). MBE utilization is calculated by dividing the sum of total payments to MBE primes and MBE subcontractors by the total procurement payments. MBE Primes received \$4.9 million (1.24%) of the \$401.6 million in procurement payments during this period, and MBE Subcontractors received \$51.8 million (12.90%) for a total MBE Utilization of \$56.7 million (14.14%).

#### **Small Business Reserve (SBR) Program**

The SBR firms' utilization for Q3 FY 2023 is calculated by dividing the total SBR designated payments by the total procurement payments. An SBR-designated payment is a payment made to a vendor for an SBR-designated procurement. The SBR Program utilization for Q3 FY 2023. SBR-designated firms received \$6.5 million (1.63%) of the \$401.6 million in procurement payments

during this period. Non SBR-Designated payments for this quarter were \$5.4 million (1.35%). MDTA's SBR utilization was \$11.9 million (2.98%) for all SBR payments (designated and non-designated).

Veteran-Owned Small Business Enterprise (VSBE) Program.

The VSBE participation for Q3 FY 2023 is calculated by dividing the total contract award dollars to VSBE firms by all contract awards. During this period, VSBE firms received \$3,085,569 (0.77%) of the \$401.6 million in contracts awarded by the MDTA.

Mr. Percy Dangerfield then explained CRFP's Major Initiatives moving forward which include the PRISM Contract Compliance System; reinstated outreach events; training with the Office of Engineering and Construction; working to get credit card purchases made with MBE, DBE, VSBE and SBR vendors counted towards our goals; identifying additional opportunities for MBE/DBE/VSBE participation; and creating an MBE/DBE awards program for primes and subs that perform well on MDTA contracts.

Mr. Dangerfield also discussed corrective strategies that CRFP will be working on in order to meet their defined goals.

**UPDATE – EXECUTIVE DIRECTOR'S REPORT**

Mr. William Pines gave the Executive Director's Report. During his report, Mr. Pines gave the following project/event updates: The June 27th Virtual Public Meeting hosted by the Bay Crossing Tier 2 Study Team that focused on transit, bicycle, and pedestrian options; the June 14th Doing Business with MDTA Development Workshop; and the June 14th MDTA Police Promotional Ceremony.

Mr. Pines also gave updated the MDTA Board on some recognitions including: Recognizing Chief Operating Officer Joey Sagal for his presentation at the Eastern Transportation Coalition's Move Over/Distracted Driving Conference; the Nice/Middleton Bridge won three 2023 Design-Build Institute of America Mid-Atlantic Region awards (Project of the Year, Infrastructure Award of Excellence, and Best Design in Excellence for Engineering), the American Concrete Institute of Maryland Chapter award for High Performance Concrete, and the Association for materials and performance Project Award for Outstanding Achievement in Coatings; the I-95 ETL Northbound Extension Clayton Road Overpass Replacement received the 2023 National Recognition Award from the American Council of Engineering Companies; and the I-895 Bridge project received the 2023 National Recognition Award from the American Council of Engineering Companies and the 2023 Outstanding Project Award from the American Council of Engineering Companies Maryland.

In a 2021 webinar titled "Evolution of Virtual Public Involvement" the Federal Highway Administration spotlighted the innovative work of MDTA's Division of Planning and Program Development using Virtual Public Involvement tools during the Bay Crossing Study hearings during the pandemic. In May 2022, the U.S. Department of Transportation Volpe Center interviewed MDTA staff for a case study detailing MDTA's work in this area. After the study is published, MDTA staff anticipates participating in a presentation for the Federal Highway Administration Volpe Center on this topic.

Mr. Pines then recognized Mr. Mark Rappold in Human Resources and Workforce Development for his hard work and dedication in completing the first installment of the new LIFT program; Mr. Nick Scanlon from Operations who was awarded MDOT's Safety Hero Award on June 21st; and Ms. Shaneka Johnson and Ms. Lauren White from Operations for being competitively selected this year on scholarships from the Eastern Transportation Coalition to attend the 2023 Operations Academy Senior Management Program this fall.

Additionally, Mr. Pines recognized Ms. Chris Thompson for her 45 years of service (2022) to the State of Maryland. All but three years have been here at the MDTA. She is currently working in her 46th year of service. Mr. Pines also shared with the Board that Mr. Jason Pulliam assumed the position of Director of Traffic Management and Technology on June 21st.

Mr. Pines recognized and thanked Member William C. Ensor, III for his years of service to the MDTA Board and his contributions to MDTA and MDTA staff during that time. Mr. Pines also wished him well in his future endeavors.

Lastly, Mr. Pines announced that MDTA will be participating in the MDOT's Back to School Drive which will run from July 10 – July 28. Collection boxes will be available at select MDTA facilities and MDTA employees will be receiving more information in the near future.

**VOTE TO ADJOURN MEETING**

There being no further business, upon motion by Member William H. Cox, Jr. and seconded by Member John F. von Paris, the Members unanimously voted to adjourn the meeting at 10:15 a.m.

The next MDTA Board Meeting will be held on Thursday, July 27, 2023 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 J. Wiedefeld, Chairman