

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

THURSDAY, JANUARY 27, 2022
9:00 A.M.

2310 BROENING HIGHWAY, BALTIMORE MD 21224
VIRTUAL & LIVESTREAMED OPEN MEETING

OPEN SESSION

James F. Ports, Jr., Chairman
Sean Powell, Acting 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:

Ryan Bounds, Esq.
Percy Dangerfield
Donna DiCerbo
Tonya Dorsey
Anna Dove
Kaushik Dutta
David Goldsborough
Chantelle Green
James Harkness
Natalie Henson
Bob Jordan
Walter Laun
Kimberly Millender, Esq.
Sushmita Mitra
Mary O'Keeffe
Will Pines
Joseph Quattrone
Bradley Ryon
Deb Sharpless
Tim Sheets
Christina Thompson

OTHER ATTENDEES:

Samantha Biddle, MDOT TSO
Ebony Moore, MDOT TSO

At 9:01 a.m. Acting Chairman Sean Powell called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held virtually and was livestreamed on the MDTA Board Meeting web page. Acting Chairman Powell announced that due to a conflicting schedule Chairman James F. Ports, Jr. would be joining the meeting late.

APPROVAL – OPEN SESSION AND CLOSED SESSION MEETING MINUTES OF DECEMBER 16, 2021

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the open session meeting minutes of the MDTA Board meeting held on December 16, 2021 were unanimously approved.

Upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the closed session meeting minutes of the MDTA Board meeting held on December 16, 2021 were unanimously approved.

APPROVAL – OPEN SESSION AND CLOSED SESSION MEETING MINUTES OF JANUARY 7, 2022

Upon motion by Member Dontae Carroll and seconded by Member Jeffrey S. Rosen, the open session meeting minutes of the MDTA Board meeting held on January 7, 2022 were unanimously approved.

Upon motion by Member Mario J. Gangemi and seconded by Member John F. von Paris, the closed session meeting minutes of the MDTA Board meeting held on January 7, 2022 were unanimously approved.

RESOLUTIONS – YEARS OF SERVICE RECOGNITION

Mr. Will Pines announced the Years of Service Recognition for retired employees Senior Officer James Hedgecoth, Jr., Ms. Kathy Savage, and Mr. Darol E. Smith.

On the occasion of their retirement from their distinguished careers of service, the Chairman and Members of the Maryland Transportation Authority hereby express to them their most sincere appreciation for their excellence and commitment.

APPROVAL – CONTRACT AWARDS

- **J01B2600004 – Electronic Security System Software Maintenance and Service Plan**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Sole Source Contract No. J01B12600004 – Electronic Security System Software Maintenance and Service Plan with ASCVid Holdings, LLC in the bid amount of \$3,506,927.85.

Ms. DiCerbo explained that the MDTA is issuing this Sole Source contract in order to procure a full-service plan that includes software and hardware maintenance, support, and professional services for the Electronic Security System (ESS) currently installed at various bridges, tunnels, and buildings located throughout the MDTA. This consists of maintenance of the central software and field hardware modules, and associated field hardware for perimeter detection systems, radar devices, thermal night vision cameras, color and black and white cameras for a term of 5 years.

Upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the Members unanimously gave approval to execute Sole Source Contract No. J01B2600004 – Electronic Security System Software Maintenance and Service Plan.

- **KH-3042-0000 – I-95 at Belvidere Road Interchange – Offsite Mitigation Contract**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Sole Source Contract No. KH-3042-0000 – I-95 at Belvidere Road Interchange – Offsite Mitigation Contract with Greenvest, LLC in the bid amount of \$1,617,733.68.

Ms. DiCerbo explained that the purpose of this Sole Source contract is to provide the wetland mitigation credits to achieve the required offsite mitigation necessary to compensate for unavoidable wetland impacts associated with the I-95 at Belvidere Road Interchange project. The required wetland mitigation cannot be entirely achieved on-site. This contract is intended to fulfill the mitigation requirements through the purchase of credits in exchange for the design, establishment, and long-term maintenance and monitoring of a wetland mitigation site by a third-party environmental developer.

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the Members unanimously gave contingent approval to execute Contract No. KH-3042-0000 – I-95 at Belvidere Road Interchange – Offsite Mitigation Contract.

- **MT-3136-0000 – Bay Bridge Facility (WPL) and Baltimore Harbor Tunnel Facility (BHT) Field Hardware Maintenance Contract**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MT-3136-0000 – Bay Bridge Facility (WPL) and Baltimore Harbor Tunnel Facility (BHT) Field Hardware Maintenance Contract with Communication Electronics, Inc. in the bid amount of \$4,567,665.00.

Ms. DiCerbo explained that the MDTA is issuing this Contract in order to procure a full-service on-call emergency and non-emergency repair services and miscellaneous maintenance and repair services contract for MDTA's Intelligent Transportation System (ITS) field hardware at WPL and BHT. This Contract includes all labor, materials, parts, hardware, supplies, tools, equipment, transport, expenses, and all unspecified incidental items for a full maintenance service contract for MDTA's ITS field hardware.

Upon motion by Member Dontae Carroll and seconded by Member William C. Ensor, III, the Members unanimously gave contingent approval to execute Contract No. MT-3136-0000 – Bay Bridge Facility (WPL) and Baltimore Harbor Tunnel Facility (BHT) Field Hardware Maintenance Contract.

- **MDTA 2020-03 – Electronic Toll Collection Services**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MDTA 2020-03 – Electronic Toll Collection Services # AE 3096-0000 with Rummel, Klepper & Kahl, LLP in the bid amount of \$11,500,000.00.

Ms. DiCerbo explained this project involves the contract award to a consultant engineering firm to provide professional design services for Electronic Toll Collection Systems and Services as directed by the MDTA. The scope includes but is not limited to project management of toll systems contracts for tolling systems and opportunities throughout Maryland. The services will be related to existing facilities as well as any future or potential future tolling facilities. The work shall include but not be limited to project management support, inspection, business analysis, financial analysis, traffic and revenue study, and analysis, policy analysis, design, preliminary design, planning, benchmarking, cost estimation, construction management, public meeting support services, RFP development, specifications development, schedule development and analysis, industry research, and any related activities and services related to toll systems and tolling. The services provided shall be applied to tolling related work and may also include parking applications, the use of tolling technology for other transportation related services, automated vehicles, DSRC, Vehicle to Vehicle and Vehicle to infrastructure communications and applications, and any other related technology that may involve toll collection, traffic information, or transportation safety.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member Jeffrey S. Rosen, the Members unanimously gave contingent approval to execute Contract No. MDTA 2020-03 – Electronic Toll Collection Services # AE 3096-0000.

UPDATE – TRAFFIC AND REVENUE

Ms. Deb Sharpless gave an update to the MDTA Board on Traffic and Revenue (T&R) performance through December 31, 2021.

Ms. Sharpless explained that for the period of July 1, 2021 through December 31, 2021, MDTA's actual toll revenue received totaled \$386.8 million, \$22.9 million below its official forecast. When adjusting for timing differences in the receipt of toll revenue, MDTA is \$19.3 million above its forecast.

Ms. Sharpless further explained that timing differences are transactions that we continue to have a reasonable expectation of collection within the Fiscal Year (FY) 2022. These transactions, totaling \$42.2 million, were forecasted to be processed and collected by December 31, 2021.

Should the estimated revenue timing differences not materialize in FY 2022, the MDTA will still exceed its financial standards.

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

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

Mr. Quattrone explained that 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 an update to the MDTA Board regarding the bills that have been filed that will have an impact to the MDTA. Mr. Ryon also introduced the new Assistant Manager of Government Relations, Ms. Anna Dove.

***** Chairman James F. Ports, Jr. joined the meeting. Chairman Ports presided over the remainder of the meeting. *****

UPDATE – EXECUTIVE DIRECTOR

Mr. Will Pines started his update by wishing the Board a very Happy New Year. He proceeded to tell them that 2022 will certainly be another productive year for the MDTA as we continue advancing work on the new Nice/Middleton Bridge and northbound extension of the I-95 ETLs; continue with significant progress in removing the remaining toll plazas; and preparing for the combined Tier1 Final Environmental Impact Statement (FEIS/Record of Decision (ROD) for the Bay Crossing Study.

Mr. Pines expressed that this is the first Board Meeting as the MDTA Acting Executive Director and that it is an honor to work with the Board and to serve the MDTA's dedicated workforce and toll customers.

Mr. Pines informed the Board that he has met virtually with some key legislators and will continue to make outreach throughout the 90-day legislative session.

He updated the Board on the January 5th Bay Bridge Reconstruction Advisory Group meeting. This meeting covered several topics including: the additional "Stay-on-50" signs that will be installed before Memorial Day; Update on the Tier 1 NEPA Bay Crossing study which led to discussions about the possible paths forward on funding for a potential Tier 2 NEPA study; an overview of the Anne Arundel and Queen Anne's County resolutions in support of a replacement

bridge where the current bridges stand; and Queen Anne's County update on their continued activities in support of funding a Tier 2 NEPA study.

In addition, Mr. Pines updated the Board on the Division of Communications and E-ZPass Operations joint project which developed a New Year's email that was sent to more than 1 million E-ZPass customers who have emails associated with their accounts. This email was to help our E-ZPass customers start the year off right by paying the lowest possible rate. The email blast provided a list of best practices for our E-ZPass customers to follow, including: Having your account fully funded; Having a valid, up-to-date credit card on file; and proper transponder mounting. This messaging campaign has been successful with 53% of recipients opening their emails and 3/7% clicking on the links. These rates are well above the industry standard.

Finally, Mr. Pines announced that Ms. Ebony Moore has left the MDTA to work for MDTA Chairman/MDOT Secretary Jim Ports and he thanked her for all she has done.

***** Prior to Closed Session Member Penny-Ardinger left the meeting due to a scheduling conflict and did not return. *****

VOTE TO GO INTO CLOSED SESSION

At 10:40 a.m., upon motion by Member William H. Cox, Jr. 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 will meet in Closed Session under the General Provisions Article, Sections 3-305(b)(7) & (9) to discuss matters related to the collective bargaining negotiations with FOP 34 that have not yet been ratified and to consult with counsel to receive legal advice regarding the legal duties of the MDTA Board related to the collective bargaining agreement; General Provisions Article, Sections 3-305(b)(1) to discuss the compensation of one or more specific individuals of the MDTA Police command staff; General Provisions Article, Sections 3-305(b)(10) & (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 General Provisions Article, Sections 3-305(b)(8) to receive a status update on all litigation currently pending against the MDTA.

In attendance for Closed Session was Chairman Jim Ports; Acting Chairman Sean Powell; Members Carroll, Cox, Ensor, Gaines, Gangemi, Rosen, and von Paris; and Samantha Biddle, Ryan Bounds, Percy Dangerfield, Tonya Dorsey, Natalie Henson, Kim Millender, Ebony Moore, Will Pines, and Christina Thompson.

VOTE TO ADJOURN CLOSED SESSION

At 12:05 p.m., a motion was made by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr. which was unanimously approved, to adjourn the Closed Session and return to Open Session.

RATIFICATION TAKEN IN CLOSED SESSION

Upon motion by Member William H. Cox, Jr. and seconded by Member John F. von Paris, the Members ratified their approval of extending the same compensation benefits to the members of the MDTA Police command staff that will be granted to union members under the pending collective bargaining agreement contingent upon the MDTA Board approval, Governor signature, and ratification by the FOP.

***** NOTE: Due to the length of the meeting, it was decided in Closed Session that two of the Closed Session agenda items (To Discuss Public Security and To Discuss Pending Litigation) would be moved to the February 24, 2022 Board Meeting agenda. *****

APPROVAL – COLLECTIVE BARGAINING AGREEMENT WITH FRATERNAL ORDER OF POLICE (FOP)

Mr. Percy Dangerfield requested approval from the MDTA Board to provide additional benefits to certain members of the MDTA Police as a result of the collective bargaining agreement reached between the MDTA and the Fraternal Order of Police (FOP) Lodge #34 contingent upon signature of the Governor and ratification by the FOP.

Mr. Dangerfield explained that on December 31, 2021, the State and the FOP reached a tentative agreement through collective bargaining. The final agreed upon package is a three (3) year agreement, effective July 1, 2022 through June 30, 2025.

The following details the agreed upon proposals with significant economic impact:

- A 7% cost-of-living adjustment (COLA) in fiscal year 2023;
- a one-step increase for all bargaining unit members effective January 1, 2023;
- A 5% cost-of-living adjustment in fiscal year 2024;
- a one-step increase for all bargaining unit members effective January 1, 2024;
- A 5% cost-of-living adjustment in fiscal year 2025; and
- a one-step increase for all bargaining unit members effective January 1, 2025

In addition, the bargaining unit will receive additional cars to be distributed to officers at the rank of sergeant and up to 50 officers that are members of the Civil Disturbance Team.

Upon motion by Member Mario J. Gangemi and seconded by Member William H. Cox, Jr., the Members unanimously gave contingent approval of the collective bargaining agreement reached between MDTA and the FOP Lodge #34 contingent upon signature of the Governor and ratification by the FOP.

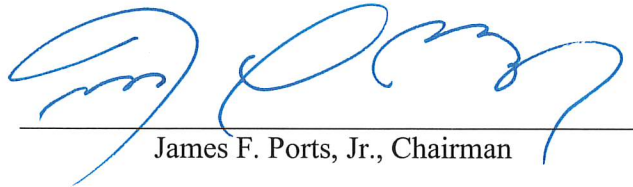
Speaking for the MDTA Board, Member Rosen gave the following statement: “The Board would like to direct Will Pines to work with DBM to secure an MOU for previously negotiated funding to offset the increased funds that we just approved in support of MDTA’s outstanding police force.”

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Jeffrey S. Rosen and seconded by Member William H. Cox, Jr., the Members unanimously voted to adjourn the meeting at 12:10 p.m.

The next MDTA Board Meeting will be held on Thursday, February 24, 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:



James F. Ports, Jr., Chairman