

MARYLAND TRANSPORTATION AUTHORITY  
BOARD MEETING

THURSDAY, SEPTEMBER 30, 2021  
9:00 A.M.

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

OPEN SESSION

Gregory Slater, Chairman

MEMBERS ATTENDING:

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

STAFF ATTENDING:

Jeffrey Brown  
Sarah Clifford  
Carl Chamberlin  
Donna DiCerbo  
David Goldsborough  
Chantelle Green  
David Greene  
Jim Harkness  
Natalie Henson  
Towanda Livingston  
Jeanne Marriott  
Kimberly Millender, Esq.  
Ebony Moore  
Mary O'Keeffe  
Will Pines  
James F. Ports, Jr.  
Deb Sharpless  
Jennifer Stump  
Paul Trentalance  
Melissa Williams  
Brian Wolfe

OTHER ATTENDEES:

Samantha Biddle, MDOT TSO, Executive Office

At 9:08 a.m. Chairman Gregory Slater called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at MDTA located at 2310 Broening Highway, Baltimore MD 21224 and was livestreamed on the MDTA Board Meeting web page.

**APPROVAL – OPEN SESSION MEETING MINUTES OF AUGUST 26, 2021**

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 August 26, 2021 were unanimously approved.

**RESOLUTIONS – YEARS OF SERVICE RECOGNITION**

Mr. Jim Ports read the Years of Service Recognition for retired employees Ms. Brenda L. Bullinger, Corporal Tangela Carter, and Mr. Lawrence A. Okpolor.

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**

• **FT-3017-0000 – Rehabilitation of Various Bridges on I-95 and I-395**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. FT-3017-0000 – Rehabilitation of Various Bridges on I-95 and I-395 with M.D. Miller Co., Inc. T/A The Marksmen Co. in the bid amount of \$12,699,212.21

The work to be performed under this contract is located along I-95 and I-395 in Baltimore City. The scope of work includes repairs to multiple bridges along the Fort McHenry Tunnel Facility from Joh Avenue to I-895 as part of the System Preservation Program.

Upon motion by Member Mario J. Gangemi and seconded by Member Dontae Carroll, the Members unanimously gave contingent approval to execute Contract No. FT-3017-0000 – Rehabilitation of Various Bridge on I-95 and I-395.

• **J01B260001 – VMware Maintenance and Support**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. J01B260001 – VMware Maintenance and Support with Source IT Technologies, LLC in the bid amount of \$741,221.60.

This contract is for the provision of VMware Maintenance and Support for the MDTA Office of Information Technology. This VMware software maintenance agreement enables technical support of and future upgrades to the virtualization hypervisors that run multiple virtual machines (servers, desktops, etc.) on a single physical host, as well as various ancillary products. The software suite is also used to run and manage all MDTA production, development, and test systems in each of our Data Centers (ICC and JFK) as well as allows for management of workloads between the ICC and JFK Data Centers in the event of a disaster. Further, the suite is used to run and manage our virtual desktop infrastructure (VDI), which is used by teleworkers, developers, testers, and trainers.

Upon motion by Member Jeffrey S. Rosen and seconded by Member Mario J. Gangemi, the Members unanimously gave approval to execute Contract No. J01B260001 – VMware Maintenance and Support.

- **KH-3019-0000 – I-95 Express Toll Lanes (ETL) Northbound Extension MD 152 Interchange Reconstruction**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. KH-3019-0000 – I-95 Express Toll Lanes (ETL) Northbound Extension MD 152 Interchange Reconstruction with Wagman-Allan Myers JV in the bid amount of \$196,197,777.77.

The work to be performed under this contract is located along I-95 from approximately 4,000 feet south of the MD 152 to 1,800 feet north of Winters Run Bridge in Harford County. The project includes a full interchange reconstruction including the replacement of the MD 152 bridge to ultimately accommodate two express toll lanes (ETLs) and four general purpose lanes (GPLs) in each direction.

Member Mario J. Gangemi recused himself from voting on this agenda item.

Upon motion by Member William H. Cox, Jr. and seconded by Member Cynthia D. Penny-Ardinger, the Members unanimously gave contingent approval to execute Contract No. KH-3019-0000 – I-95 Express Toll Lanes (ETL) Northbound Extension MD 152 Interchange Reconstruction.

- **MDTA 2020-01A – Structures Inspection Program and Miscellaneous Engineering Services**

Member John von Paris and Chief Operating Officer Will Pines recused themselves from this agenda item and left the room.

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MDTA 2020-01A – Structures Inspection Program and Miscellaneous Engineering Services with the following:

Company	Contract No.	Amount
Rummel, Klepper & Kahl/Modjeski & Masters	AE 3071	\$12,000,000.00
Hardesty & Hanover/Whitman, Requardt	AE 3072	\$12,000,000.00
AECOM Technical Services/Wallace, Montgomery	AE 3073	\$12,000,000.00
Whiney, Bailey, Cox & Magnani/Prime AE/ Transystems	AE 3074	\$12,000,000.00
Stantec Consulting Services/WSP USA Inc	AE 3075	\$12,000,000.00

This project entails the award of five (5) contracts to consultant engineering firms 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 but are not limited to, signature bridges, workhorse bridges, tunnels, tunnel ventilation buildings including the mechanical/electrical/HVAC and plumbing systems. The inspections scope also includes 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 poles, and other related apparatuses.

Upon motion by Member Jeffrey S. Rosen and seconded by Member Dontae Carroll, the Members unanimously gave contingent approval to execute Contract No. MDTA 2020-01A – Structures Inspection Program and Miscellaneous Engineering Services.

Member John F. von Paris and Chief Operating Officer Will Pines returned to the Board Room.

**APPROVAL – PHASE 1 SOUTH: AMERICIAN LEGION BRIDGE I-270 TO I-370 TOLL SETTING PROCESS**

Mr. Carl Chamberlin provided an update to the MDTA Board on the Proposed Recommended Toll Rate Ranges and requested MDTA Board approval to move forward with the second public comment period.

During this update, Mr. Chamberlin explained that based on public comment and feedback received on the MDTA staff tolling proposal presented on May 20, 2021, MDTA staff has recommended lowering the minimum toll rate range to match the off-peak minimum toll rate range for the Intercounty Connector (ICC)/MD 200. He stated that this was the only change and all other elements of the proposal remain the same.

After giving this brief update, Mr. Chamberlin then asked the MDTA Board for approval to move forward with the second public comment period. He further explained that the approval being requested at this meeting is strictly for moving forward with the second public comment period only. That the approval of the Proposed Recommended Toll Rate Ranges would take place at a future MDTA Board Meeting.

Upon motion by Member William H. Cox, Jr. and seconded by Member William C. Ensor, III, the Members unanimously gave approval to move forward with the second public comment period on the Recommended Toll Rate Ranges.

**UPDATE – FISCAL YEAR (FY) 2021 OPERATING BUDGET COMPARISON**

Mr. Jeffrey Brown updated the MDTA Board on the status of the full year spending against the Fiscal Year (FY) 2021 Operating Budget

Mr. Brown explained that as of June 30, 2021, 95% of the budget was spent compared to a target of 100%. Except for Object 03 (Communications – 105% spend), Object 11 (Additional Equipment – 158% spend), and Object 13 (Fixed Charges - 108% spend), all other Objects were at or below the targeted spending level. The primary driver for the reduced spend are the effects of COVID-19 (e.g., hiring freeze, increased teleworking, AET, reduced activity, etc.). Also, actual expenses were less than the Amended Budget #1, which included cost containment actions that reduced the preliminary budget by \$19 million.

**UPDATE – 3<sup>RD</sup> QUARTER CAPITAL BUDGET COMPARISON**

Ms. Jeanne Marriott introduced her new Assistant Capital Program Manager, Ms. Jennifer Stump, to the MDTA Chairman and Board. Ms. Marriott then updated the MDTA Board on the status of actual Fiscal Year (FY) 2021 spending against the FY 2021 capital budget in the FY 2021-2026 Draft Consolidated Transportation Program (CTP).

She explained that as of June 30, 2021, 79.6% of the FY 2021 budget was spent as compared to the targeted spending level of 100%. The total budget for FY 2021 is \$543.3 million. The actual spending through the fourth quarter was \$432.5 million.

**UPDATE – TRAFFIC AND REVENUE**

Ms. Deb Sharpless updated the MDTA Board on the quarterly and year-to-date traffic and toll revenue trends compared to the previous year and the forecast.

Ms. Sharpless explained that each quarter, an independent review of the MDTA's traffic and revenue is prepared by CDM Smith, Inc. (MDTA's traffic and revenue consultant). The review looks at traffic and toll revenue trends and compares actual system-wide experience with traffic and toll revenue forecasts.

She further explained that systemwide, for the year ended June 30, 2021, transactions totaled 87.5 million. This represents a 37.7 percent, or 52.8 million, decline compared to June 30, 2020. Transactions refer to paid transactions and not actual traffic. Actual traffic volumes are in-line with anticipated volumes. For the year ended June 30, 2021, collected revenue totaled \$415.8 million. This represents a decline of 29.2 percent or \$171.3 million compared to the same period last year.

Ms. Sharpless also explained that during Fiscal Year (FY) 2021, forecasted transactions and collected revenue were 25.6 percent or 30.0 million below forecast, and 18.0 percent or \$90.8 million below forecast, respectively. The delay in processing FY 2021 transactions is a major reason for the overall decrease in revenue compared to the previous year and has directly impacted the achievement of the forecast for FY 2021. Many transactions from FY 2021 were processed in FY 2022. Had these transactions been processed in FY 2021, revenues would have been in line with the forecast. It is anticipated that the backlog of transactions will be processed in FY 2022.

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

Mr. Will Pines updated the MDTA Board on the Third Generation Electronic Toll Collection (3G ETC) post-transition operations and traffic & revenue.

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

#### **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 September 16, 2021, there are ten major projects in the Capital Program: Six of the projects are under construction, three are in procurement, and one is under design. He further explained that this summary only includes projects with funding for construction in the Consolidated Transportation Program and includes six projects valued in excess of \$100 million. There are two projects from the \$1.1 billion I-95 ETL Northbound Expansion program. Mr. Harkness also reported on the Eastbound Bay Bridge Deck Replacement project. Chairman Greg Slater noted that the team is utilizing innovative approaches with offsite work and using panels that drop in to minimize the public impacts from the Eastbound Bay Bridge Deck Replacement project during construction.

#### **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. He explained that as of September 30, 2021, the Division of Information Technology maintains an active portfolio of 19 projects. The portfolio has remained constant since the last update to the MDTA Board. In compliance with the return-to-work requirement, DoIT has shifted back to an on-site work status leveraging telework where applicable. Post go-live support of the third generation tolling system (3G) continues and will remain in place until official transition to operations and maintenance occurs. DoIT is experiencing some recruitment challenges because of the requirement for an on-site work presence. We are considering allowing some flexibility with telework within our highly specialized skilled positions that are contractors.

He further explained that some of the significant initiatives that DoIT continues to work on include the following:

- Cybersecurity - we will be going through a penetration test in the upcoming months
- Police body cameras
- Post go-live support of 3G
- Enterprise budget system
- Conversion of the purchasing card system to the new platform
- Migration of contract data from Dynamics to Maximo

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

Ms. Towanda Livingston updated the MDTA Board on MDTA's Fiscal Year (FY) 2021 performance as it relates to the legislatively mandated socioeconomic programs' aspirational goals.

Ms. Livingston explained that the Division of Civil Rights and Fair Practices (CRFP) is responsible for the development, oversight, and administration of the MDTA's State and Federal socioeconomic programs. 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. She then gave a brief overview of each program and an update on the performance of each program for FY 2021.

#### **UPDATE – AUDIT COMMITTEE**

Member William H. Cox, Jr. presented an update on the Audit Committee meeting that took place on September 16, 2021. The Audit Committee Members were given an update on the Fiscal Year 2022 Audit Plan which is currently on track to complete eleven audits with one currently completed and one in process. Two internal audits, "Promotional Activities" and "Supervisory Control and Data Acquisition Systems (SCADA)", were presented and the Committee was satisfied with the results of these audits.

#### **UPDATE – EXECUTIVE DIRECTOR**

Mr. Jim Ports gave an updated on: The Bay Bridge Run/Walk that is happening on October 31 and the Susquehanna Running Festival that took place on September 25; the Annual Maryland Consolidated Transportation Program (CTP) that is currently underway; the MDOT SHA branding of the P3 Project as "Op Lanes Maryland"; the promotion of two MDTA Police Officers one to the rank of Corporal and one to the rank of Sergeant; the re-examination of the MDTA Strategic Plan; and a "Coming Soon" announcement that plans are currently underway with MVA to open a new *E-ZPass* Customer Service Center at the Essex MVA.

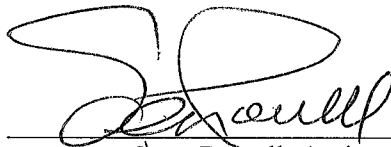
Prior to adjourning the meeting, Member John F. von Paris commented on the recent Office of Legislative Audits (OLA) Report that was published for the MDTA that referenced issues with tolling and overcharging of tolls to customers. Executive Director Jim Ports responded to the findings and gave details and examples of how MDTA has implemented checks and balances that proactively find overcharges and correct them as soon as they are found,

**VOTE TO ADJOURN MEETING**

There being no further business, upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the Members unanimously voted to adjourn the meeting at 11:57 a.m.

The next MDTA Board Meeting will be held on Thursday, October 28, 2021 at 9:00 a.m. at MDTA located at 2310 Broening Highway, Baltimore Maryland.

APPROVED AND CONCURRED IN:

A handwritten signature in black ink, appearing to read 'Sean Powell', written over a horizontal line.

Sean Powell, Acting Chairman