

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

THURSDAY, JUNE 23, 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:

Jeffrey Brown
Donna DiCerbo – On Phone
David Goldsborough
Chantelle Green
Lynnea Green – On Phone
James Harkness
Joe Jackowski
Paris Lee
Jeanne Marriott
Selena McKissick
Kelly Melhem
Kimberly Millender, Esq.
Mary O’Keeffe
Will Pines
Bill Randow
Tia Rattini
Joe Quattrone
Deb Sharpless
Paul Trentalance
John Wedemeyer
Melissa Williams

OTHERS ATTENDING:

Ebony Moore, MDOT TSO
Shaiyel Seltzer, General Public

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 MAY 19, 2022

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 May 19, 2022 were unanimously approved.

APPROVAL – BOARD COMMITTEE ASSIGNMENTS

Executive Director Will Pines requested Maryland Transportation Authority (MDTA) Board approval of the new proposed committee assignments. The only proposed change to the committee assignments is to designate Member Cynthia D. Penny-Ardinger, Esq. as the new Chair of Audit Committee.

Upon motion by Member John F. von Paris and seconded by Member Mario J. Gangemi, the new proposed committee assignments were unanimously approved.

APPROVAL – CONTRACT AWARDS

- **MA-2257-0000 – Modification # 1 – Third Generation Electronic Toll Collection (ETC 3G) Toll System and Services**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. MA-2257-0000 – Modification # 1 – Third Generation Electronic Toll Collection (ETC 3G) Toll System and Services with Kapsch TrafficCom USA, Inc. Modification # 1 will increase the contract by \$8,764,758.28, and the new contract total will be \$80,676,101.06.

Ms. DiCerbo explained that Contract No. MA-2257-000 was competitively solicited and awarded to Kapsch TrafficCom USA Inc., in the amount of \$71,911,342.78 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.

She further explained that in March 2020, during the COVID-19 pandemic, the MDTA implemented statewide cashless tolling (i.e., all-electronic tolling or AET) to protect customers and employees from face-to-face cash transactions. Between March and October 2020, to help provide some financial relief, the MDTA also paused mailing Notices of Tolls Due (NOTDs) and assessing civil penalties on unpaid NOTDs for drivers who used our toll facilities without *E-ZPass*. The image review associated with NOTD, and civil penalty processing has resumed under Contract No. MA-2257-0000. Therefore, this retroactive modification is necessary for the Contractor to process the current (i.e., real-time) AET image reviews along with recovering the backlog from during the pandemic.

Upon motion by Member Mario J. Gangemi and seconded by Member Dontae Carroll, the Members unanimously gave approval to execute Contract No. MA-2257-0000 – Modification # 1 – Third Generation Electronic Toll Collection (ETC 3G) Toll System and Services with Kapsch TrafficCom USA, Inc.

- **MA-2868-0000 – Modification # 1 – Third Generation Electronic Toll Collection (ETC 3G) Customer Service Center Systems and Services**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. MA-2868-0000 – Modification # 1 – Third Generation Electronic Toll Collection (ETC 3G) Customer Service Center Systems and Services with Transcore Limited Partnership (aka Transcore, LP). Modification # 1 will increase the contract by \$63,106,810.98, and the new contract total will be \$263,535,583.79.

Ms. DiCerbo explained that Contract No. MA-2257-000 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 Customer Service Center Services and Systems for the operation of the Electronic Toll Collection System.

She further explained that in March 2020, during the COVID-19 pandemic, the MDTA implemented statewide cashless tolling (i.e., all electronic tolling or AET) to protect customers and employees from face-to-face cash transactions. Between March and October 2020, to help provide some financial relief, the MDTA also paused mailing Notices of Tolls Due (NOTDs) and assessing civil penalties on unpaid NOTDs for drivers who used our toll facilities without *E-ZPass*. NOTD and civil penalty processing have resumed under MA-2868-0000. Additionally, on February 24, 2022, the MDTA Board approved the Customer Assistance Plan (CAP). The Contractor is providing additional staffing and services to complete the CAP. Senate Bill 59 also became law codifying the CAP. Therefore, a modification is necessary for the Contractor to process current (i.e., real-time) AET transactions, along with recovering the backlog during the pandemic, and for the services for the CAP.

Upon motion by Member Jeffrey S. Rosen and seconded by Member Cynthia D. Penny-Ardinger, Esq., the Members unanimously gave approval to execute Contract No. MA-2868-0000 – Modification # 1 – Third Generation Electronic Toll Collection (ETC 3G) Customer Service Center Systems and Services with Transcore Limited Partnership.

- **MT-3146-0000 – Elevator Maintenance and Repairs for MDTA Facilities**

Ms. Donna DiCerbo requested approval from the MDTA Board to execute Contract No. MT-3146-0000 – Elevator Maintenance and Repairs for MDTA Facilities with Admiral Elevator, Inc. in the bid amount of \$2,397,006.00.

Ms. DiCerbo explained that the contract is for the provision of elevator maintenance and repair services. The requested preventive maintenance and repair services include all elevator mechanical components for nineteen (19) elevators and one (1) chair lift at the various MDTA facilities.

Upon motion by Member William H. Cox, Jr. and seconded by Member W. Lee Gaines, Jr., the Members unanimously gave approval to execute Contract No. MT-3146-0000 – Elevator Maintenance and Repairs for MDTA Facilities.

APPROVAL – LAND SURPLUS/DISPOSITION

Mr. John Wedemeyer requested MDTA Board approval to dispose of surplus land known as Former Richard Rutkowski, et al – I-95 Maintenance Facility (MC #22-7045).

Mr. Wedemeyer explained that in 2009, MDTA voluntarily purchased the “Former Rutkowski, et al” property containing 66.07 acres for a proposed MDTA Maintenance Facility site to serve the I-95 corridor. The property was for sale on the open market and MDTA purchased the property for \$1,085,500 as a willing buyer based on an approved appraisal obtained by MDTA.

He further explained that the approvals of the MDTA Board and the Maryland Board of Public Works (BPW) are required since the Former Rutkowski Property was purchased under Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland, and not as part of a transportation project. Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland requires MDTA to seek the approval of the Board of Public Works to “surplus” the property to the needs of the State of Maryland before MDTA can dispose of the property.

Upon motion by Member John F. von Paris and seconded by Member William C. Ensor, III, the Members unanimously gave approval to dispose of surplus land known as Former Richard Rutkowski, et al – I-95 Maintenance Facility (MC #22-7045).

APPROVAL – FISCAL YEAR (FY) 2023 FINAL OPERATING BUDGET

Ms. Deb Sharpless and Mr. Jeffrey Brown requested approval from the MDTA Board for the Fiscal Year (FY) 2023 Final Operating Budget. The Trust Agreement requires the approval of a final budget on or before July 1.

They explained that the FY 2023 Final Operating Budget totals \$387.2 million. This represents an increase of \$25.8 million, or 7.1%, increase versus the FY 2023 Preliminary Budget.

Changes from the FY 2023 Preliminary Budget include a \$12.4 million increase in mandated spending and a \$13.4 million increase in discretionary spending. Overall, the key drivers are increased *E-ZPass* Service Center costs, increased personnel costs for civilian and sworn employees (steps and COLAs), and motor vehicle purchases for the MDTA Police.

Upon motion by Member Dontae Carroll and seconded by Member W. Lee Gaines, Jr., the Members unanimously approved the FY 2023 Final Operating Budget.

APPROVAL – DRAFT FISCAL YEAR (FY) 2023-2028 CONSOLIDATED TRANSPORTATION PROGRAM (CTP)

Ms. Jeanne Marriott requested approval from the MDTA Board for the Draft Fiscal Year (FY) 2023-2028 Consolidated Transportation Program (CTP). An earlier version of the Draft CTP was recommended for approval by the Capital Committee on June 2, 2022, and by the Finance Committee on June 7, 2022. The CTP presented for full Board approval includes two changes: the Tier 2 NEPA for the Bay Crossing Study has been added and the budget and cash flow for the ETC-3G project have been updated.

Ms. Marriott explained that the six-year FY 2023-2028 budget in the proposed CTP is \$2.6 billion. The proposed CTP reflects a net increase in the six-year FY 2023-2028 budget of \$24.6 million and that the net increase is the result of the following: 1) Increase in the six-year CTP budget by \$17.0 million for the Nice/Middleton Bridge; 2) Increase in the six-year CTP budget by \$24.4 million for the I-95 ETL Northern Extension; 3) Increase in the six-year CTP budget by \$86.5 million for all projects except Nice/Middleton Bridge, I-95 ETL Northern Extension, and reserves; and 4) Decrease in the Allocated and Unallocated Reserves by \$103.2 million.

She further explained that FY 2022 expenditures are projected to be \$548.6 million vs. \$573.2 million in the Final FY 2022-2027 CTP and that FY 2022 underspending is projected to be \$24.6 million. The FY 2022 underspending has been rolled over into the Draft FY 2023-2028 CTP.

At 9:45 a.m. Ms. Shaiyel Seltzer spoke regarding the Tier 2 NEPA for the Bay Crossing Study that was added to the CTP. Ms. Seltzer spoke in opposition of having a new Bay Crossing Study that does not include public transportation, such as trolley service. Ms. Seltzer left the meeting after completing her comments.

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, the Members unanimously approved the Draft FY 2023-2028 Consolidated Transportation Program.

APPROVAL – FISCAL YEAR (FY) 2023-2028 FINANCIAL FORECAST

Ms. Chantelle Green requested approval from the MDTA Board for the Fiscal Year (FY) 2023-2028 Financial Forecast. Ms. Green gave an update on the financial affordability of the FY 2023 Final Operating Budget and the Draft FY 2023-2028 Consolidated Transportation Program. Throughout the six-year forecast period, the MDTA remains in compliance with its financial goals and minimum legal standards.

Upon motion by Member Mario J. Gangemi and seconded by Member Dontae Carroll, the Members unanimously approved the FY 2023-2028 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) 2023-2028 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 FY 2023-2028 financial forecast shows that current toll rates, fees, and discounts provide sufficient revenue over the next six years to meet forecasted spending and meet all legal and policy requirements.

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 June 9, 2022, there are eleven major projects in the Capital Program. Seven of the projects are under construction, one is in procurement, and three are in design. 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 ETL Northbound Expansion program.

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. As of June 23, 2022, the DoIT maintains an active portfolio of 15 projects with two (2) additional projects on hold awaiting resource assignments. The portfolio remains consistent with the last quarterly update. Since the previous update, DoIT has completed the Cyber Security assessment/readiness engagement conducted by the State of Maryland DoIT. The results are expected within the coming weeks. The assessment covered a multitude of topics around processes and policies dealing with various governance models like procurement, patching, and change management. Additionally, post-go-live support of the third generation tolling system (3G) continues and will stay in place through systems acceptance as the transition to O&M takes place.

Mr. Goldsborough also went over some of the significant initiatives that DoIT continues to work on, including the following:

- Cybersecurity measures – State DoIT assessment and readiness engagement.
- Completion of the initial conversion to the new Salesforce Lightning platform for the Customer Tracking System (CITS).
- Continued progress for the web scheduling system for the MDTA Customer Service Centers now that the Lightning platform is in place. The anticipated completion date is July 2022.
- Post-go-live support of 3G.
- E-forms platform.
- Spatial implementation of the Maximo system for asset management.
- Continuing progress with the RFID project for inventory management.

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

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) 2022, which covers the performance period of July 1, 2021 to March 31, 2022 (Q3 FY 2022).

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.

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 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.

UPDATE – AUDIT COMMITTEE

Member William H. Cox, Jr. presented an update on the Audit Committee meeting that took place on June 9, 2022. 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 six audits currently completed and four audits in process.

The Internal Audit of Recruitment and Retention was presented and the Committee was satisfied with the result of this audit.

UPDATE – EXECUTIVE DIRECTOR

Mr. Will Pines gave the Executive Director Update.

Mr. Pines spoke on the following topics: Governor Hogan's June 10th Announcement on the launch of the \$28 Million Chesapeake Bay Crossing Tier 2 Study; expanded upon Agenda Item # 9 Land/Surplus Disposition – Former Rutkowski Property that the Board approved earlier in the meeting; gave updates on what the MDTA Division of Communications and E-ZPass Outreach Team are doing to educate and inform customers about MDTA programs; and announced that MDTA's excellence was recognized at MdQI's Annual Conference by being awarded the MdQI Project of the Year – Over \$5 Million for MDTA's I-895 Bridge Project.

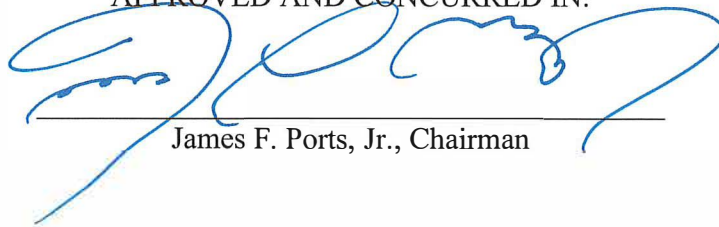
Mr. Pines ended by highlighting three community initiatives that the MDTA were involved in over the past month. These included the June 4th Bike with a Cop event that the MDTA Police participated in; the Vietnam Veterans Memorial at MD 24 and I-95 interchange in Harford County that our JFK Maintenance 1 team members dedicate themselves to every year; and on May 28th the Chesapeake House, home to the Maryland Women in Military Service Monument, was the site of a commemoration event sponsored by the Women's Veterans United Committee.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Jeffrey S. Rosen and seconded by Member William C. Ensor, III, the Members unanimously voted to adjourn the meeting at 11:10 a.m.

The next MDTA Board Meeting will be held on Thursday, July 28, 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