

IAC MEETING
Monday, July 31, 2017

Maryland State Department of Education Building
8th Floor Conference Room #1
9 am – 10:00 am

AGENDA

ITEMS FOR APPROVAL AND DISCUSSION

INTRODUCTION

- Meeting called to order
- Roll Call
- Revisions to Agenda

Section I – Approval of Minutes

- A. Approval of June 14, 2017 Minutes 1-2**
- B. Concurrence with Previously Approved Memorandum (June 28 and July 26, 2017)..... 3-4**

Section II – Discussion Items and Deferred Items

- A. Amendments to COMAR Regulations – State-Local Cost Share Percentages..... 5-6**
- B. Washington County Public Schools – LEED Waiver Request..... 7-11**

Section III – Approval of Contracts

- See summary in Section III None

Section IV – Approval of Sites None

Section V – Approval of Property Transfers..... None

Section VI – Approval of Accounting Adjustments

- A. Audit Exceptions None
- B. Project Allocation Reversions None
- C. Cancellation of Contract Award None
- D. Closed Projects None
- E. Funding Amendments None

Section VII – Approval of Other Items

- A. Approval to Establish Supplementary Appropriation Project Allocations..... None

Section VIII (A) – Information: Change Orders None

Section VIII (B) – Information: Property Transfer None

Section VIII (C) – Information: Other/Name Change/Educational Function None

Section IX Fund Adjustments None

**Action Item

Time Meeting Adjourned: _____

State of Maryland
Interagency Committee on School Construction
MEETING MINUTES

June 14, 2017

Meeting called to order: 9:05 am

A meeting of the Interagency Committee on School Construction was held at 200 W. Baltimore Street, Baltimore MD, 8th Floor CR #1 on June 14, 2017.

Attendees

Dr. Karen Salmon – State Superintendent - Chair
Ms. Wendi Peters – Secretary of MD Dept. of Planning – Member
Mr. Ellington Churchill – Secretary of MD Dept. of General Services – Member
Ms. Barbara Hoffman – Public Member

Members not in attendance

Mr. John Bohanan – Public Member

Approval of minutes

Section I – Approval of Minutes

- A. Approval of May 2, 2017 Minutes.....MOTION CARRIED
- B. Concurrence with Previously MOTION CARRIED Memorandum (May 23, 2017)....MOTION CARRIED
Comment: Dr. Salmon agreed to be the member to attend the Open Meetings Act Training.

Section II – Discussion Items and Deferred Items

- A. IAC PSCP Form 102.7 Self-Certification State-Funded Window A/C Units.....MOTION CARRIED
- B. DRAFT Adequacy Standards DocumentNO ACTION
- C. IAC Designee’s Retreat DiscussionNO ACTION

Section III – Approval of Contracts

- See summary in Section IIIMOTION CARRIED

Section IV – Approval of SitesNONE

Section V – Approval of Property TransfersNONE

Section VI – Approval of Accounting Adjustments

- A. Audit ExceptionsNONE
- B. Project Allocation ReversionsMOTION CARRIED
- C. Cancellation of Contract Award.....NONE
- D. Closed Projects.....MOTION CARRIED
- E. Funding Amendments.....MOTION CARRIED

MOTION AMENDED TO:

TO APPROVE THE RESCISSION OF FUNDING FOR THE FIFTEEN PROJECTS LISTED ABOVE AND THE TRANSFER OF \$29,854,000 TO THE STATEWIDE CONTINGENCY ACCOUNT RESERVED FOR BALTIMORE CITY PUBLIC SCHOOLS, AND BCPSS SHALL PROPOSE TO THE IAC WITHIN 90 DAYS, A STRATEGY TO IMPROVE PROJECT MANAGEMENT PROCESSES.

MEETING MINUTES Continued**Section VII – Approval of Other Items**

A. Approval to Establish Supplementary Appropriation Project AllocationsMOTION CARRIED

Section VIII (A) – Information: Change OrdersNONE**Section VIII (B) – Information: Property TransferNONE****Section VIII (C) – Information: Other/Name Change/Educational FunctionNONE****Section IX Fund AdjustmentsNONE****Unfinished business**

NONE

New business**Announcements**

NONE

Meeting Adjourned: 10:12 am

June 14, 2017

Recording Secretary

Date of approval



STATE OF MARYLAND
PUBLIC SCHOOL CONSTRUCTION PROGRAM
 200 W. BALTIMORE STREET
 BALTIMORE, MARYLAND 21201
 410-767-0617

LARRY HOGAN
 GOVERNOR

INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

ROBERT A. GORRELL
 EXECUTIVE DIRECTOR

KAREN SALMON, Ph.D.
 CHAIRPERSON

MEMORANDUM

PLEASE REVIEW AND RESPOND PRIOR TO JUNE 28, 2017

TO: Dr. Karen Salmon, Ms. Wendi Peters, Mr. Ellington Churchill
 Ms. Barbara Hoffman, and Mr. John Bohanan

FROM: Bob Gorrell *RAG*

DATE: June 23, 2017

RE: Approval of Expedited IAC Agenda Items

Enclosed for your review and approval is the Section III agenda item submitted for expedited processing.

SECTION III – APPROVAL OF CONTRACTS

See SEC III Summary Page - Totaling State portion of \$29,745,117

Approval of this item is recommended. It will be recorded as approved by the Committee at the next IAC meeting.

Please call or email prior to June 28, 2017 with your comments and approval.

RG:eb

Attachment

cc: Barbara Bice, Michael Bayer, Fred Mason, III

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:					
	Approved	Disapproved	Deferred	Abstain	Recuse
Dr. Karen Salmon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Wendi Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Ellington Churchill, Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Barbara Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. John Bohanan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



STATE OF MARYLAND
PUBLIC SCHOOL CONSTRUCTION PROGRAM
 200 W. BALTIMORE STREET
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LARRY HOGAN
 GOVERNOR

INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

ROBERT A. GORRELL
 EXECUTIVE DIRECTOR

KAREN SALMON, Ph.D.
 CHAIRPERSON

MEMORANDUM

PLEASE REVIEW AND RESPOND PRIOR TO JULY 26, 2017

TO: Dr. Karen Salmon, Ms. Wendi Peters, Mr. Ellington Churchill
 Ms. Barbara Hoffman, and Mr. John Bohanan
FROM: Bob Gorrell *RAG*
DATE: July 21, 2017
RE: Approval of Expedited IAC Agenda Items

Enclosed for your review and approval is the Section III agenda item submitted for expedited processing.

SECTION III – APPROVAL OF CONTRACTS

See SEC III Summary Page - Totaling State portion of \$60,411,588

SECTION

Approval of this item is recommended. It will be recorded as approved by the Committee at the next IAC meeting.

Please call or email prior to July 26, 2017 with your comments and approval.

RG:hm
 Attachment

cc: Gloria Mikolajczyk, Michael Bayer, Fred Mason, III

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:	Approved	Disapproved	Deferred	Abstain	Recuse
Dr. Karen Salmon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Wendi Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Ellington Churchill, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Barbara Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. John Bohanan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A. AMENDMENTS TO REGULATIONS – STATE COST SHARE PERCENTAGES

Background

State Cost Share Percentages (Amend Existing COMAR 23.03.02.05)

By regulation, every three years the IAC shall recommend to the Board of Public Works the State-Local Cost Share Percentages that determine the State funding participation for individual projects approved in the annual Capital Improvement Program (CIP). The Cost Share Percentage for each local educational agency (LEA) is based on calculations that consider the factors described in COMAR 23.03.02.05:

- The LEA’s current share of the Foundation program;
- The LEA’s allocation under the guaranteed tax base program;
- The LEA’s Free and Reduced Price Meal student population;
- The LEA’s location in a Distressed County as defined by the Department of Business and Economic Development;
- The LEA’s student enrollment growth; and
- The local government’s financial effort toward school construction since the previous calculation

Attached for your information are the proposed Cost Share Percentages that will apply to the FY 2019 through FY 2021 CIPs; for comparison, the Cost Share Percentages for FY 2018 are also shown. The Percentage of four (4) LEAs will increase, 11 LEAs and the Maryland School for the Blind Percentage’s will remain unchanged, and the Percentage of nine (9) LEAs is decreased. By regulation a decrease in Percentage cannot exceed 5% in any fiscal year. Therefore, for Baltimore City the decrease will occur over two (2) fiscal years.

Explanation:

As stated in COMAR, this regulation was due to be amended last October, and percentages are necessary for the FY 2019 CIP. However, there are factors that delayed this process. Previously, the Public School Construction Program worked with DLS to collect and analyze data necessary to calculate the Percentages. The process now involves the PSCP, MSDE, and DLS. Further, there was hesitation to begin this work amongst participants as the 21st Century Schools Commission, in reviewing all aspects of the Public School Construction Program, might have altered the current practice. This delay was then compounded by the loss of key PSCP staffs that were assigned this work.

Once the COMAR State participation Percentages for FY19 through FY21 are approved by the IAC, they will be submitted to the Board of Public Works for consideration at their on August 16, 2017. The amended regulation then goes through the AELR process and comment period. It is our intention to distribute the final Cost Share Percentages to the LEAs and the local governments in the week of November 6 for use in their FY 2019 CIP requests.

Motion:

TO RECOMMEND APPROVAL TO THE BOARD OF PUBLIC WORKS OF AN AMENDMENT TO EXISTING REGULATION 23.03.02.05 REGARDING THE STATE-LOCAL COST SHARE PERCENTAGES.

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:					
	Approved	Disapproved	Deferred	Abstain	Recuse
Dr. Karen Salmon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Wendi Peters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Ellington Churchill, Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Barbara Hoffman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. John Bohanan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Title 23 BOARD OF PUBLIC WORKS

Subtitle 03 PUBLIC SCHOOL CONSTRUCTION

Chapter 02 Administration of the Public School Construction Program

Authority: Education Article, §§4-126, 5-112, and 5-301, Annotated Code of Maryland

.05 State Cost Share Percentage

A. The State may fund eligible costs of approved public school construction projects according to the State cost share percentage established in this regulation.

B. Percentages.

(1) For Fiscal Year [2016] 2019 through Fiscal Year [2018] 2021, the State share percentages of public school construction funding for eligible costs of approved projects are as follows:

[COUNTY	FY 2016	FY 2017	FY 2018		COUNTY	FY 2019	FY 2020	FY 2021
<i>Allegany</i>	88%	83%	83%		Allegany	85%	85%	85%
<i>Anne Arundel</i>	50%	50%	50%		Anne Arundel	50%	50%	50%
<i>Baltimore City</i>	93%	93%	93%		Baltimore City	88%	87%	87%
<i>Baltimore</i>	52%	52%	52%		Baltimore	55%	55%	55%
<i>Calvert</i>	53%	53%	53%		Calvert	53%	53%	53%
<i>Caroline</i>	80%	80%	80%		Caroline	80%	80%	80%
<i>Carroll</i>	59%	59%	59%		Carroll	54%	54%	54%
<i>Cecil</i>	64%	63%	63%		Cecil	66%	66%	66%
<i>Charles</i>	61%	61%	61%		Charles	61%	61%	61%
<i>Dorchester</i>	76%	76%	76%		Dorchester	74%	74%	74%
<i>Frederick</i>	64%	64%	64%		Frederick	59%	59%	59%
<i>Garrett</i>	50%	50%	50%		Garrett	50%	50%	50%
<i>Harford</i>	63%	63%	63%		Harford	59%	59%	59%
<i>Howard</i>	55%	55%	55%		Howard	53%	53%	53%
<i>Kent</i>	50%	50%	50%		Kent	50%	50%	50%
<i>Montgomery</i>	50%	50%	50%		Montgomery	50%	50%	50%
<i>Prince George's</i>	63%	63%	63%		Prince George's	68%	68%	68%
<i>Queen Anne's</i>	50%	50%	50%		Queen Anne's	50%	50%	50%
<i>St. Mary's</i>	59%	58%	58%		St. Mary's	57%	57%	57%
<i>Somerset</i>	100%	100%	100%		Somerset	98%	98%	98%
<i>Talbot</i>	50%	50%	50%		Talbot	50%	50%	50%
<i>Washington</i>	71%	71%	71%		Washington	71%	71%	71%
<i>Wicomico</i>	97%	97%	97%		Wicomico	94%	94%	94%
<i>Worcester</i>	50%	50%	50%]		Worcester	50%	50%	50%

C. Text unchanged.

B. Washington County Public Schools LEED Requirement Waiver

Urban Improvement Project
Hagerstown, MD

Background:

On May 2, 2017, the IAC was informed that Washington County Public Schools (WCPS) provided a letter advising that they intended to request a waiver of the High Performance Act requirements on the “Board of Education Component of the Urban Educational Campus” project, located in downtown Hagerstown. The LEA was then advised that a partial waiver of certain requirements might be possible as opposed to a full waiver. If granted, a partial waiver of certain requirements might leave the project short of achieving a rating of Silver in the LEED (Leadership in Energy and Environmental Design) for Schools rating system.

Project Detail:

Washington County Public Schools requests to waive certain parts of LEED on the Urban Improvement Project (the Downtown Hub), as defined in COMAR 23.03.01.01(20), that do not provide direct educational value, are not affordable, and that if waived, will leave this project short of points necessary to achieve the LEED Silver rating. They will, however, still deliver a high-performance educational facility that meets code required energy savings that are very close, if not equal, to those required for the Silver rating.

Attachments:

Letter from WCPS – Partial LEED Silver Waiver Request
Letter from Bushey Feight Morin Architects – LEED Impact Analysis

Motion:

TO APPROVE A PARTIAL WAIVER FOR THE LEED SILVER REQUIRMENT OF THE URBAN IMPROVEMENT PROJECT LOCATED IN DOWNTOWN HAGERSTOWN, MD.

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:					
	Approved	Disapproved	Deferred	Abstain	Recuse
Dr. Karen Salmon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Wendi Peters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Ellington Churchill, Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Barbara Hoffman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. John Bohanan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

July 24, 2017

Mr. Robert A. Gorrell
Executive Director
Public School Construction Program
200 West Baltimore Street, 2nd floor
Baltimore, MD 21201

Re: LEED Silver Partial Waivers for the Urban Improvement Project – BOE Component

Dear Mr. Gorrell:

As you are aware, Washington County Public Schools (WCPS) is currently working with the Bowman Development Corporation (BDC) and its architect, Bushey Feight Morin Architects (BFM), to design the BOE Component of the Hagerstown Urban Improvement Project (UIP). This building, along with other components of the UIP, is an important piece of the revitalization of downtown Hagerstown, and has the backing of Governor, the Washington County Delegation, the Washington County Board of County Commissioners and the Washington County Board of Education.

WCPS recognizes the importance of building energy efficient, sustainable school facilities. The project is being developed within a tight urban setting, with the building being constructed vertically to the property line on all sides. The attached letter from the project architect is an evaluation of available LEEDv4 points, and shows that WCPS and its partners have strived to find as many opportunities to meet LEED Silver accreditation in accordance with the High Performance Act within the limitations of the project. The architect's evaluation shows that a large number of systems and building elements are being included in the project that will make it highly efficient, and that a good faith effort has been made to achieve required goals.

Based on the evaluation, WCPS is seeking a partial waiver of the High Performance Act. Specifically, WCPS requests to be relieved of the requirement to achieve LEED Silver certification, while agreeing to include the many features listed in the architect's letter within the scope of the project. WCPS also will not rest, and will continue to add other energy efficient and sustainable features to the project, if appropriate and beneficial to the facility in the long term.

RE: LEED Silver Partial Waivers for the Urban Improvement Project – BOE Component

Thank you for your insights, your support of Washington County Public Schools, and your consideration of this request.

Sincerely,



Robert H. Rollins III
Director of Facilities Planning & Development

Attachment

CC: Boyd Michael, Superintendent
Jeff Proulx, Chief Operation Officer
Jeff Tedrick, Bowman Development Corporation
Aaron House, Bushey Feight Morin Architects
Chad Criswell, Senior Project Manager and Planning Supervisor



BRENT A. FEIGHT, AIA
PRESIDENT

AARON K. HOUSE, AIA
VICE PRESIDENT

NORMAN E. MORIN, JR., R.A
PRINCIPAL

July 25, 2017

Washington County Public Schools
10435 Downsville Pike
Hagerstown, MD 21740

Attn: Rob Rollins

Email: rollirob@wcps.k12.md.us

Re: Bowman Urban Educational Complex
LEED Impact Analysis

File: 15065/1-CA-10

Rob,

BFM Architects has evaluated the LEEDv4 Guidelines with respect to the design of the Urban Educational Complex- BoE Component to identify credits which are available to the project on cost neutral or low cost impact. These items are benefits to the project based on the urban site, standard design practices, or other like factors.

Without any relative impact to the project budget, there are upwards of 34 points available at this date with potential of 6 innovation and regional priority credits available, bringing the total points to 40 of the 50 threshold (80% of the goal) for a Silver certified building.

LEEDv4 prerequisites and credits incorporated in the project are as follows;

LTc2- Sensitive Land Protection- The project is located on a site that has been previously developed.

LTc3- High Priority Site- The project is located within the Hagerstown Historic District.

LTc4- Density and Diverse Uses- The project is located in an area to promote walkability and reduce vehicle distance traveled.

LTc6- Bicycle Facilities- Bicycle racks and shower facilities will be provided.

LTc7- Reduced Parking Footprint- No vehicle parking is provided with the project.

SSp1- Construction Activity Pollution Prevention- Sediment and Erosion Control Plans

SSp2- Environmental Site Assessment- Phase 1 Site Assessments have been conducted for the project site.

SSc5- Heat Island Reduction- High reflective roof materials and concrete materials will be utilized.

SSc6- Light Pollution Reduction- Selected light fixtures will comply with the guidelines.

SSc8- Joint Use of Facilities- Portions of the building will be accessible to outside groups/organizations.

WEp1- Outdoor Water Use Reduction- No irrigation required.

WEp3- Building Level Water Metering- Metering to monitor and control water usage.

WEc2- Indoor Water Use Reduction- Specified low flow fixtures will comply with the guidelines.

WEc4- Water Metering- Sub-Metering provided for monitoring and control of selected systems.

EAp1- Fundamental Commissioning and Verification- Ensure that the project meets the Owner's requirements for water, energy, air quality, and durability.

EAp2- Minimize Energy Performance- The use of energy will be reduced to comply with the guidelines.

EAp3- Building Level Energy Metering- Metering to monitor and control energy usage.

EAc2- Advanced Energy Metering- Sub-Metering provided for monitoring and control of selected systems.

MRC2-4- Building Product Disclosure and Optimization- Specified building materials will be selected based on recycled content, extraction source, and low lifecycle impacts.

MRC5- Construction and Demolition Waste Management- The project will divert a minimum of 75% of waste and materials from the landfills.

IEQp3- Minimum Acoustical Performance- Design of spaces will meet the MSDE requirements for acoustics and sound control.

IEQc1- Enhanced Indoor Air Quality Strategies- Mechanical and ventilation systems will comply with the guidelines.

IEQc2- Low Emitting Materials- Specified materials will be selected to comply with the guidelines.

IEQc3- Construction Indoor Air Quality Management Plan- Specified measures will be provided to ensure air quality during and after completion of construction activities.

IEQc4- Indoor Air Quality Assessment- Air testing will be provided by the Owner.

IEQc5- Thermal Comfort- Controls will be provided to comply with the guidelines.

IEQc6- Indoor Lighting- Lighting controls will be provided to comply with the guidelines.

To reach the required LEEDv4 Silver plateau, there are a number of credits which have associated costs, but unfortunately, do not have direct impact on the educational value of the project. Given the budget constraints for the project, certain credits would be a detriment to the overall project. A small sample of these credits include;

SSc2- Site Development- Protect or Restore Habitat- The previously developed urban setting has no habitat that is being affected, thus a fee would be established to create habitat elsewhere.

EAc1- Enhanced Commissioning- Commissioning of specific systems and/or the building envelope.

EAc5- Renewable Energy Production- Limited roof area not conducive to solar array.

EAc7- Green Power and Carbon Offsets- Fees to green power company based on power used by the County system.

IEQc9- Acoustical Performance- Additional analysis of acoustics over and above the MSDE requirements.

As discussed previously, as BFM's general design philosophy, many of the design strategies may be incorporated into the project regardless of the LEEDv4 certification. It is our experience that these credits are becoming much more mainstream in the design field and thus, easier to achieve on each project. We view these credits as integral to intelligent building design.

If you should have any questions, please do not hesitate to contact this office.

Sincerely,

BUSHEY FEIGHT MORIN ARCHITECTS INC.



Aaron House, AIA, Vice President

AKH/wlt

cc: Bowman – Rob Ferree & Jeff Tedrick