



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

DAVID G. LEVER  
EXECUTIVE DIRECTOR

LARRY HOGAN  
GOVERNOR


INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

LILLIAN M. LOWERY, Ed.D  
CHAIRPERSON

**MEMORANDUM**

**PLEASE REVIEW AND RESPOND PRIOR TO MAY 29, 2015**

**TO:** Dr. Lillian M. Lowery, Mr. David Craig, Ms. Gail Bassette  
Mr. Tim Maloney, and Mr. John Bohanan

**FROM:** Dr. David Lever 

**DATE:** May 26, 2015

**RE:** Approval of Expedited IAC Agenda Items

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Enclosed for your review and approval are Sections VI E agenda items submitted for expedited processing.

**SECTION VI E – APPROVAL OF ACCOUNTING ACTIONS**

- E. 1) Baltimore City Public Schools – Amendments to FY 2014 CIP (6 projects)
- 2) Frederick County Public Schools – Amendments to FY 2015 CIP – Middletown Middle

Approval of these items is recommended. They will be recorded as approved by the Committee at the next IAC meeting.

**Please call or email prior to May 29, 2015 with your comments and approval.**

DL:hm

Attachment

cc: Barbara Bice  
Patricia Goucher  
Fred Mason, III  
Arabia Davis

**E. FUNDING AMENDMENTS**

**Capital Improvement Program (CIP) Amendments**

1. Amendment to the FY 2014 CIP, Baltimore City Public Schools

**Request for Rescission of Six (6) FY 2014 Projects**

Baltimore City Public Schools (City Schools) has submitted a request to rescind six (6) projects approved in the FY 2014 Capital Improvement Program (letters from Dr. Gregory Thornton, May 19 and May 22, 2015, attached). Although the request was presented after the deadline for IAC motions, in light of the enormous need for school construction funding in Baltimore City and because of prior precedent, the Designees recommend approval of the rescissions. An explanation is provided below.

**Projects Requested for Rescission**

For three of the requested projects, the justification for rescission is that the bids were substantially over the budget. City Schools intends to revise the project scopes and costs, and to submit the projects for approval in the FY 2017 CIP. The three projects are:

- Baltimore City College High School #480 – Fire Safety – PSC #30.110.14SR - \$292,000
- Baltimore City College High School #480 – Windows/Doors – PSC #30.110.12/14SR - \$3,500,000
- Brehms Lane Elementary School #231 – Roof – PSC #30.191.14SR - \$600,000

One project is requested for rescission because it is in a building that is now scheduled to be closed and surplus to Baltimore City, following possible use as swing space for student populations affected by projects in the 21<sup>st</sup> Century Building Program. The building will be empty during the 2015-16 school year. The project is:

- Thurgood Marshall Building #170 – Elevator - PSC #30.264.14SR - \$240,000

The final two projects are requested for rescission because of their relation to renovation projects in the 21<sup>st</sup> Century Building Program. Per the concept design, the Robert Poole Building is scheduled for partial demolition and renovation in Year 1 of the Program; subject to confirmation through the upcoming feasibility study, the Montebello Elementary/Middle School is scheduled for complete renovation in Year 2 of the Program. City Schools states that “investment of CIP funds... at this time would not be in the best interests of City Schools or the IAC...” The two projects are:

- Robert Poole Building #056 – Windows/Doors - PSC #30.165.14SR - \$2,200,000
- Montebello Elementary/Middle School #044 – HVAC - PSC #30.022.14SR - \$3,724,000

**Misallocation of State Funding: The Magnitude of the Reversion**

While each specific project rescission can be justified, in total the reversion represents a serious misallocation of State funds:

- The total State funding approved for the six projects in this IAC Item is \$10.5 million.
- In combination with nine (9) other FY 2014 CIP City Schools projects that were previously rescinded by the IAC, a total of \$13.6 million will have been reverted out of the FY 2014 allocation of \$33.5 million for City Schools.
- Subject to IAC approval, the amount of funds reverted will represent 40% of the total funding and 38% of the total number of projects approved for the school system in FY 2014.
- Approximately 67% (\$9 million, nine projects) of the total reverted funding is for projects that have a relation with 21<sup>st</sup> Century projects and 33% (\$4.5 million, five projects) is associated with facility administration issues (late project start; lack of pre-qualification of contractors; over- or under-estimating of project costs).

Certain conclusions are unavoidable:

- ***City Schools has insufficient capacity to manage its large capital program.*** While there is an urgent need for school facility improvements in Baltimore City, City Schools has not yet developed the staffing, organizational structure or procedures that are needed to manage a large-scale capital program.
- ***Coordination between educational needs and the capital program has been lacking.*** The annual movement of educational programs in response to educational needs, enrollment shifts, and programmatic requirements (the “Portfolio Review”), has not been well coordinated in the past with facility requirements or a disciplined review of past capital investments. The timing of the educational program decisions has been such that they threw into doubt the need for CIP projects that were under review, were recently approved by the Board of Public Works, or (as with three of the projects in this Item) were approved by the BPW several years earlier.

The issues highlighted here take on particular significance in relation to the 41 projects that were approved by the Board of Public Works for Baltimore City Public Schools in the FY 2016 CIP. We understand that procedures have been initiated to start projects at an earlier date and to ensure that the Portfolio Review is conducted with the involvement of personnel from the capital and maintenance divisions.

Nevertheless, the PSCP indicated to Dr. Thornton in a letter dated April 30, 2015, that funds for the FY 2016 projects will not be released until City Schools states its position on addressing the first two items in the recommendations from the November 2014 Report.

**Improvements to Facility Administration**

The size of the reversion and the causes of the specific project reversions point to the urgent and inescapable need for City Schools to implement adequate procedures to ensure that CIP projects are thoroughly coordinated with 21<sup>st</sup> Century Building Program and that the project scopes and costs are accurately defined in advance of solicitation. IAC staff references the four recommendations made in the *Report* of November 29, 2014:

1. *City Schools should engage an Executive Director of Facilities.*

2. *City Schools should establish a formal plan for improvement of all facility management processes, similar to and parallel to the CMP (Comprehensive Maintenance Plan).*
3. *City Schools should develop formal written procedures for all aspects of facility administration.*
4. *City Schools should develop an individual building plan for every school facility not touched by 21st C. Building Program.*

**Designees Recommendation:**

While noting the late submission of the request for rescission of the six FY 2014 projects, and not accepting that there were substantial reasons for this delayed submission other than a lack of staff capacity, IAC staff also recognizes the need to clarify procedures regarding project rescissions. Concurrently, staff recognizes the enormous need for State school construction funding in Baltimore City. Accordingly, the Designees recommend approval of the rescission of the six projects listed above, and that the FY 2014 funding in the amount of \$10,556,000 be reverted to the Statewide Contingency reserved for Baltimore City Public Schools.

Motion:

TO APPROVE THE CANCELLATION OF THE FY 2014 CIP APPROVAL IN THE AMOUNT OF \$292,000 FOR THE #480 BALTIMORE CITY COLLEGE HIGH SCHOOL FIRE SAFETY PROJECT PSC #30.110.14SR, \$3,500,000 FOR THE #480 BALTIMORE CITY COLLEGE HIGH SCHOOL WINDOWS/DOORS PROJECT PSC #30.110.12/14SR, \$600,000 FOR THE #231 BREHMS LANE ELEMENTARY SCHOOL ROOF PROJECT PSC #30.191.14SR, \$240,000 FOR THE #170 THURGOOD MARSHALL BUILDING ELEVATOR PROJECT PSC #30.264.14SR, \$2,200,000 FOR THE #056 ROBERT POOLE BUILDING WINDOWS/DOORS PROJECT PSC #30.165.14SR, AND \$3,724,000 FOR THE #044 MONTEBELLO ELEMENTARY/MIDDLE SCHOOL HVAC PROJECT PSC #30.022.14SR, ALL IN BALTIMORE CITY PUBLIC SCHOOLS, AMENDING THE FY 2014 CAPITAL IMPROVEMENT PROGRAM TO REFLECT THIS CHANGE, AND APPROVING THE TRANSFER OF A TOTAL OF \$10,556,000 TO THE FY 2014 CIP STATEWIDE CONTINGENCY ACCOUNT RESERVED FOR BALTIMORE CITY PUBLIC SCHOOLS.

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:						
	Approved	Disapproved	Deferred	Abstain	Recuse	
Dr. Lillian M. Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mr. David Craig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ms. Gail Bassette	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mr. Tim Maloney	<input 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"/>	

# BALTIMORE CITY PUBLIC SCHOOLS

IAC Memorandum

May 29, 2015

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**Stephanie Rawlings-Blake**  
*Mayor, City of Baltimore*

**Shanaysha M. Sauls, Ph.D.**  
*Chair, Baltimore City Board of  
School Commissioners*

**Gregory E. Thornton, Ed.D.**  
*Chief Executive Officer*

May 19, 2015

Dr. David Lever, R.A., D.A.  
Executive Director  
Public School Construction Program  
200 West Baltimore Street, 2<sup>nd</sup> Floor  
Baltimore, Maryland 21201

RE: Baltimore City FY 2014 CIP Projects to be Rescinded

Dear Dr. Lever:

Baltimore City Public Schools (City Schools) requests that the funding for the FY2014 CIP projects noted below be rescinded and the funds deposited in the reserve account for City Schools for assignment to other projects.

#480 Baltimore City College HS – Fire Safety – PSC#30.110.14 SR - \$292,000

**Justification:** This school is in Year 4 of the 10 Year Plan. The project has been bid and was substantially over budget. It is our intent to revise the project scope and cost and submit as part of our FY17 CIP.

#480 Baltimore City College HS – Windows/Doors – PSC#30.110.14 SR - \$3,500,000

**Justification:** This school is in Year 4 of the 10 Year Plan. The project has been bid and was substantially over budget. It is our intent to revise the project scope and cost and submit as part of our FY17 CIP.

#231 Brehms Lane ES – Roof – PSC#30.191.14 SR - \$600,000

**Justification:** This school is in Year 3 of the 10 Year Plan. The project has been bid and was substantially over budget. It is our intent to revise the project scope and cost and submit as part of our FY17 CIP.

#170 Thurgood Marshall Building – Elevator – PSC# 30.264.14 SR - \$240,000

**Justification:** This school is noted on Exhibit 6 of the Memorandum of Understanding for the 10 Year Plan as closing and to be surplus to Baltimore City following possible swing space use. The building will be empty during the SY15-16 school year as a result of the Maritime program moving to the Southside Building and the Vanguard program moving to the Northeast Middle Building. Based on this information, we feel that expenditure of State funds would not be appropriate at this time.

#056 Robert Poole Building – Windows/Doors – PSC# 30.165.14 SR - \$2,200,000

**Justification:** This school is in Year 1 of the 10 Year Plan. The concept design submission recommends partial demolition and a complete renovation of the remaining existing building and building additions. Based on review of the concept design and conversation with MSA, we believe that investment of CIP funds in this building at this time would not be in the best interests of City Schools or the IAC and that the work can be done more economically as part of the larger building project.

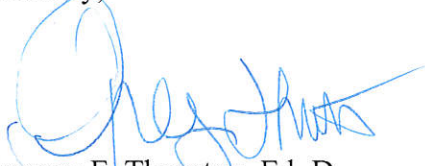
#056 Montebello E/MS – HVAC – PSC# 30.022.14 SR - \$3,724,000

**Justification:** This school is in Year 2 of the 10 Year Plan. The current Plan recommendation for this building is for renovation with addition. The feasibility study will be procured as part of Lot 3 of the Year 2 schools and will begin in the late summer of this year. Based on a review of the extent of interior building work that will be required to meet the educational specifications for the renovation and addition and conversation with MSA, we believe that investment of CIP funds in this building at this time would not be in the best interests of City Schools or the IAC and that the work can be done more economically as part of the larger building project.

Should you have any questions or concerns, please contact J. Keith Scroggins at 410-396-8722.

Thank you for your consideration in this matter.

Sincerely,



Gregory E. Thornton, Ed. D.  
Chief Executive Officer

Cc: J. Keith Scroggins, Dr. Lynette Boswell Washington, Lawrence F. Flynn

**BALTIMORE CITY**  
**PUBLIC SCHOOLS**

IAC Memorandum  
May 29, 2015  
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**Stephanie Rawlings-Blake**  
*Mayor, City of Baltimore*

**Shanaysha M. Sauls, Ph.D.**  
*Chair, Baltimore City Board of  
School Commissioners*

**Gregory E. Thornton, Ed.D.**  
*Chief Executive Officer*

May 22, 2015

Dr. David Lever, R.A., D.A.  
Executive Director  
Public School Construction Program  
200 West Baltimore Street, 2<sup>nd</sup> Floor  
Baltimore, Maryland 21201

RE: Baltimore City FY 2014 CIP Projects to be Rescinded

Dear Dr. Lever:

We are in receipt of your email correspondence, dated May 21, 2015, regarding the Baltimore City Public School (City Schools) May 19th request for FY 2014 projects to be rescinded. City Schools requests that the list of rescinded projects be reviewed as an urgent request and be presented for approval by the IAC.

For both 2014 and 2015, City Schools submitted rescission requests for IAC consideration in late May for your review. Each year the submissions were dated May 19th and for the 2014 request we were never informed by IAC staff that the submission schedule was late or inappropriate. Also in 2014, you informed City Schools staff that although the request had to be submitted in May that the actual IAC approval could occur in June. This is the primary reason for the timing of the 2015 request. Pursuant to your conversation this morning with our Director of Facilities Design and Construction, we now realize that you intended that statement to only apply to 2014. Moving forward as you acknowledged, we need to enhance communication between our respective offices.

Bi-weekly, PSCP and City Schools staff meet to discuss CIP project scope, progress, coordination and other project issues. During these ongoing discussions City Schools staff have made PSCP staff aware of and noted possible rescission projects in the monthly spreadsheet for FY 2014 CIP projects, which is shared with PSCP staff. With these frequent flags, there was little discussion by IAC staff of impending deadlines to meet IAC staff agenda submission to the IAC or review.

In earlier communications, City Schools presented detailed justification for each project rescission request for IAC consideration. Rescission requests have been submitted by City Schools to ensure that CIP projects are aligned with the District's 21st Century Building

initiative and plan, and to ensure all scopes and costs are within the appropriate budget to adequately complete facility projects. With limited resources and significant needs across the district's facility portfolio, it will be important to rescind these projects for a revision to the scope or for funds to be available in our reserve account for other major facility needs.

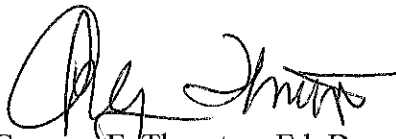
It should be noted that we have significantly accelerated the design and bidding of all FY 2015 CIP projects, which are all anticipated to be bid by the end of the year. This will allow any rescission requests to occur much earlier in process than the past two years.

To further avoid misunderstandings regarding submission timelines, I recommend that deadlines and deliverables be a standing agenda item for district /PSCP meetings. To facilitate this, we will add an agenda item for our bi-weekly coordination meetings adding a 90 day schedule and deadline look-ahead as part of each meeting.

Should you have any questions or concerns, please contact J. Keith Scroggins at 410-396-8722.

Thank you for your consideration in this matter.

Sincerely,



Gregory E. Thornton, Ed. D.  
Chief Executive Officer

Cc: J. Keith Scroggins  
Dr. Lynette Boswell Washington  
Lawrence F. Flynn

**E. FUNDING AMENDMENTS**

2. Amendment to the FY 2015 CIP, Frederick County Public Schools

Middletown Middle School in Frederick County was approved for funding for a piping replacement project as part of the FY 2014 Capital Improvement Program (PSC #10.010.14). Since the date of the approval, Frederick County Public Schools (FCPS) designed the project but found that the bids were substantially higher than the budget (letters dated May 20 and 22, attached). Efforts to redesign the project to accommodate the scope to the budget were not successful. FCPS staff alerted IAC staff to the situation well in advance of the present request.

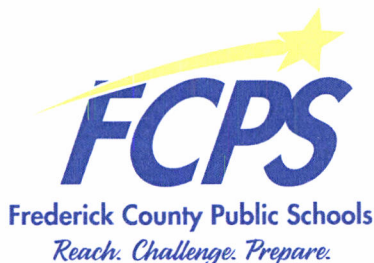
While the request for rescission was submitted after the announced date for submission of items to the IAC, IAC staff also recognizes the need to clarify procedures regarding project rescissions. The Designees recommend approval of the cancellation of Middletown Middle School Piping project, and that the FY 2014 funding in the amount of \$219,000 be reverted to the Statewide Contingency reserved for Frederick County Public Schools.

Motion:

TO APPROVE THE CANCELLATION OF THE FY 2014 CIP APPROVAL IN THE AMOUNT OF \$219,000 FOR THE MIDDLETOWN MIDDLE SCHOOL PIPING PROJECT PSC #10.010.15 SR FOR FREDERICK COUNTY PUBLIC SCHOOLS, AMENDING THE FY 2014 CAPITAL IMPROVEMENT PROGRAM TO REFLECT THIS CHANGE, AND APPROVING THE TRANSFER OF \$219,000 TO THE FY 2014 CIP STATEWIDE CONTINGENCY ACCOUNT RESERVED FOR FREDERICK COUNTY PUBLIC SCHOOLS.

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:					
	Approved	Disapproved	Deferred	Abstain	Recuse
Dr. Lillian M. Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. David Craig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Gail Bassette	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Tim Maloney	<input 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"/>

OFFICE OF THE SUPERINTENDENT  
191 South East Street  
Frederick, MD 21701  
301-696-6910 phone  
301-696-6823 fax  
www.fcps.org



IAC Memorandum  
May 29, 2015

Theresa R. Alban, Ph.D.  
Superintendent of Schools  
superintendent@fcps.org

May 20, 2015

Dr. David Lever, Executive Director  
Maryland Public School Construction Program  
200 W. Baltimore Street  
Baltimore, Maryland 21201

RE: Rescission of FY 2014 funds for Middletown Middle School piping replacement project 10.010.14

Dear Dr. Lever:

This letter is to request rescission of Fiscal Year 2014 funding for the Middletown Middle School pipe replacement project.

The Middletown Middle School piping replacement project was funded in Fiscal Year 2014 to replace part of the domestic hot and cold water piping system installed in the original building constructed in 1953. The bids, unfortunately, came in significantly higher than was originally budgeted for this project. Therefore, we have cancelled the pipe replacement aspect of the project. Our current plan is to move ahead with only the asbestos abatement aspect using available local funds. We may consider resubmitting this project request in a future fiscal year with a revised scope of work.

We look forward to your favorable review of this request.

Sincerely,

A handwritten signature in blue ink that reads 'Theresa Alban'.

Theresa R. Alban, Ph.D.

Cc: Mr. Ray Barnes, Executive Director of Facilities Services  
Ms. Beth Pasierb, Supervisor of Facilities Planning  
Mr. Roger Fritz, Director of Construction Management  
Ms. Heather Clabaugh, Construction Management Accountant

**FACILITIES SERVICES DIVISION**  
191 South East Street  
Frederick, Maryland 21701  
301-644-5025 phone  
301-644-5027 fax  
www.fcps.org



IAC Memorandum  
May 29, 2015  
Ray Barnes, Executive Director <sup>10</sup>  
[ray.v.barnes@fcps.org](mailto:ray.v.barnes@fcps.org)

May 22, 2015

Dr. David Lever, Executive Director  
Maryland Public School Construction Program  
200 W. Baltimore Street  
Baltimore, Maryland 21201

RE: Rescission of FY 2014 funds for Middletown Middle School piping replacement project 10.010.14

Dear Dr. Lever:

Our apologies for requesting the rescission of Fiscal Year 2014 funding for the Middletown Middle School piping replacement project at such a late date but ask that you consider this request an emergency and place this request on the next IAC agenda.

We designed the project, went to bid and received bids that were significantly higher than our budget for this project. We took some time to redesign the project such that it would be within budget but have not been able to succeed in that effort. In addition, the FCPS Facilities Services Department operates with a lean staff during these lean budget years and our staffs' attentions have been diverted to securing FY16 capital funding at both the state and local levels as well as working to save other projects where bids have come in significantly higher than budgeted.

Again, I apologize for the late emergency request but hope that you will consider this for the next IAC agenda.

Sincerely,

A handwritten signature in blue ink that reads 'Raymond V. Barnes'.

Raymond V. Barnes

Cc: Ms. Beth Pasierb, Supervisor of Facilities Planning  
Mr. Roger Fritz, Director of Construction Management  
Ms. Heather Clabaugh, Construction Management Accountant