

INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION



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Meeting Minutes

January 10, 2019

Call to Order:

Dr. Karen Salmon called the meeting of the Interagency Commission on School Construction to order at 9:06 a.m.

Members in Attendance:

Dr. Karen Salmon, State Superintendent of Schools, Chair
Secretary Ellington Churchill, Department of General Services
Brian Gibbons, Appointee of the Speaker of the House, via phone
Barbara Hoffman, Appointee of the President of the Senate
Dick Lombardo, Appointee of the Governor
Michael Bayer, Designee for Secretary Robert S. McCord, Maryland Department of Planning
Todd Schuler, Appointee of the Speaker of the House

Members Not in Attendance:

Denise Avara, Appointee of the Governor
Gloria Lawlah, Appointee of the President of the Senate

I. Consent Agenda

Motion Carried

Upon a motion by Secretary Churchill and a second by Ms. Hoffman, the members voted unanimously to approve the consent agenda. Mr. Gibbons and Mr. Schuler were absent for the vote.

A. Approval December 13, 2018 Minutes

To approve the minutes of the December 13, 2018 Interagency Commission on School Construction Meeting.

B. Approval of Contracts

To approve contract procurement as presented.

C. Approval of Closed Projects

To approve the final project costs as presented and to remove the projects from the active project detailed financial report

II. DGS LEA DD/CD Review Certification for Public School Reviews Information Only

Mr. Gorrell noted that HB 1783 required the IAC to develop a process to certify LEAs to conduct their own design reviews as well as reviews of educational specifications and preventative maintenance plans. The approval

for consideration by the IAC at this meeting is only for design development and construction document reviews, and the remaining portions of the certification are under development.

Clarence Felder, Program Manager for the Department of General Services, explained that the proposed process is intended to allow the LEAs to prove that they are qualified to conduct the design reviews themselves. The certification is valid for 5 years but is subject to revocation upon an audit by DGS if performance is unsatisfactory. LEAs can reapply after one year if certification is denied or revoked. Mr. Felder noted that a business process management system would create efficiencies in the process and allow the State to keep track of important project information.

Secretary Churchill thanked the Assistant Attorney Generals as well as DGS and IAC staff for taking the time to develop the proposed process and echoed Mr. Felder's support for a business process management system to promote effective use of the State's time and money.

Upon a motion by Mr. Lombardo with a second by Ms. Hoffman, the IAC voted unanimously to approve the Department of General Services (DGS) LEA DD/CD Review Certification Process as outlined in the attached documents and to allow DGS to certify LEAs that meet the requirements of the process to begin conducting design reviews in lieu of design reviews required for the Public School Construction Program by the Department of General Services. Mr. Schuler was absent for the vote.

III. FY 2020 State Cost Share Percentages Alternative Motion Carried

Kim Spivey, Director of Fiscal Services for the IAC, told the IAC that in the summer of 2017 the IAC and the Maryland State Department of Education (MSDE) collaboratively calculated the proposed state cost share percentages for fiscal years 2019, 2020, and 2021, in accordance with COMAR 23.03.02.05 which required updates every 3 years. Enactment of HB 1783 amended this requirement so that updates occur every 2 years, and IAC staff anticipates working collaboratively with MSDE to perform updates for FY 2021 and FY 2022 this spring.

Ms. Spivey referred the IAC to background material showing adopted figures for FY 2018 as calculated and figures adopted by the BPW for FY 2019 that held harmless 9 counties that would have experienced a decrease from FY 2018 to FY 2019. Staff requested approval of the FY 2020 State cost shares as calculated in the summer of 2018.

Dr. Salmon stated that in a time when the IAC is interested in doing as much as possible to promote school construction in Maryland, she would propose not decreasing any State shares for FY 2020. Members of the workgroup echoed Dr. Salmon's concerns. In response to questions from the Commission, Ms. Spivey explained that the main base of the calculation formula is the Foundation program formula as calculated by MSDE, along with several add-ons, as outlined in COMAR. Add-ons are based on factors such as free and reduced price meal percentages, the status of the county as a One Maryland county, the amount of local outstanding debt, and growth. Ms. Spivey noted that Steve Brooks with MSDE has a presentation that has been shared with various groups to explain the formula.

Upon a motion by Dr. Salmon with a second by Secretary Churchill, the IAC voted unanimously to approve the continuation of the use of FY 2019 State cost share percentages. Mr. Schuler was absent for the vote.

IV. Approval of Baltimore City HVAC Allocation Motion Carried

Jamie Bridges, Project Manager for the IAC, provided detail regarding January 2018 school closures as requested by the IAC at their December meeting. Mr. Bridges notes that the average temperature in Baltimore for the first week of 2018 was just over 15 degrees. On January 8, 2018, Governor Hogan provided emergency funding of \$2.5 million, administered by the Department of General Services, to correct HVAC deficiencies in Baltimore City. 2018 SB 186 included \$15 million for Baltimore City to improve or install new HVAC systems. As of December 24, 2018, approximately 13.5% of the funds have been allocated. Mr. Bridges also mentioned that Baltimore City provided local funds, spending \$1.2 million to add wifi enabled temperature systems in 72 buildings, and will complete phase 2 to add wifi enabled temperature sensors in the rest of their facilities by the end of the year. In response to questions from the Commission, Mr. Gorrell noted that other LEAs were affected by the cold, and some problems were caused by pressure problems due to the high demand for natural gas.

Dr. Lynette Washington, Interim Chief Operating Officer, Baltimore City Public School System (BCPSS), introduced Blaine Lipski, Director of Facility Maintenance and Operations, and Jeff Wilson, Assistant Director of Mechanical Services and Engineering. BCPSS submitted earlier in the year a full list of anticipated projects and submitted a few projects for allocations. BCPSS has received guidance from IAC staff on how to move forward administratively, and intends to submit projects sufficient to utilize the full allocation soon.

Mr. Bridges noted that the current action under consideration is approval of one project at Harlem Park #078 to replace three boiler sections with a cost of \$19,630.

Upon a motion by Mr. Lombardo with a second by Ms. Hoffman, the IAC voted unanimously to approve Baltimore City HVAC Projects as presented with the state allocations identified, to be funded through the \$15 million for Baltimore City HVAC Improvements included in 2018 SB 186 (2018 Laws of Md., Chap. 9). Mr. Schuler was absent for the vote

V. FY 2019 School Safety Grant Program (SSGP) Applications Report Information Only

Joan Schaefer, Deputy Director for the IAC, detailed SSGP applications received and approved. Ninety projects from 10 LEAs have been submitted and approved as of the date of the provided report. Of the 24 LEAs and the Maryland School for the Blind (MSB), 11 LEAs and MSB have not yet submitted requests and 2 LEAs have submissions under review. Ms. Schaefer contacted each LEA and understands that they are all working to submit projects in the coming months.

VI. Educational Specifications Workgroup Information Only

Mr. Gorrell reminded the Commission that Mr. Gibbons and Mr. Lombardo are members of the Ed Spec Workgroup and referred the IAC to background information provided. Member of the Workgroup

agreed that the goal is to have educationally effective and fiscally sustainable facilities, supporting a productive discussion by the Workgroup.

Mr. Lombardo stated that the meetings have been productive and informative as the members delve deeply into the process and consequences. Themes have been balancing planning guidelines and perceptions of State guidelines as requirements. When reviewing square footage, cost per square foot, and cost per student, members keep in mind that the goal is for the LEAs to have the independence to design their own facilities. Other discussions have involved use of cost per square foot versus cost per student and regional construction costs to account for the variable cost from region to region. Mr. Gibbons noted that the challenge is to come up with the proper framework for incentives for the LEAs to meet the educational requirements while also getting the biggest bang for the buck. Mr. Lombardo stated that metrics must consider first cost of construction as well as the total cost of ownership, and that the incentives could encourage efficiency by providing an increased percentage of State funding.

Mr. Gorrell noted that recommendations will come out of the workgroup that require legislative changes, while others can be considered by the IAC, such as potentially creating a Statewide contingency reserve to increase funding for projects where a need can be demonstrated. Mr. Gorrell referred members to the Educational Specifications Worksheet Tool, included in the IAC agenda. This document could become part of educational specifications, certification program, or CIP requests, in order to make clear the first cost as well as a high-level cost of ownership based upon industry standards.

Adjournment:

Upon a motion by Mr. Schuler, with a second by Mr. Lombardo, the meeting of the Interagency Commission on School Construction was adjourned at 9:57 a.m.