

INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION



LARRY HOGAN
GOVERNOR

KAREN SALMON, PhD.
CHAIRPERSON

ROBERT A. GORRELL
EXECUTIVE DIRECTOR

200 WEST BALTIMORE STREET
BALTIMORE, MD 21201
410-767-0617

IAC.MARYLAND.GOV

PSCP.MSDE@MARYLAND.GOV

Meeting Minutes

June 13, 2019

Call to Order:

Dr. Karen Salmon called the meeting of the Interagency Commission on School Construction to order at 9:00 a.m.

Members in Attendance:

Dr. Karen Salmon, State Superintendent of Schools, Chair
Denise Avara, Appointee of the Governor
Secretary Ellington Churchill, Department of General Services
Edward Kasemeyer, Appointee of the President of the Senate
Gloria Lawlah, Appointee of the President of the Senate, via teleconference
Secretary Robert S. McCord, Maryland Department of Planning

Members Not in Attendance:

Brian Gibbons, Appointee of the Speaker of the House
Dick Lombardo, Appointee of the Governor
Todd Schuler, Appointee of the Speaker of the House

Revisions to the Agenda:

Director Gorrell informed the members that a handout was provided with additional contract approvals that were added after the publication of the agenda.

Public Comment:

John Andryszak provided public comment and written testimony on behalf of the National Association of Surety Bond Producers.

Contract Awards

Director Gorrell presented two contract awards for Baltimore City (#122 Samuel Coleridge Taylor Elementary PSC #30.203.19.SR Fire Safety and #122 Samuel Coleridge Taylor Elementary PSC # 30.203.19 SR HVAC Replacement) that were added to the agenda.

Motion Carried

Upon a motion by Secretary McCord, seconded by Ms. Avara, the members voted unanimously to approve the contract procurements as presented.

I. Consent Agenda

Motion Carried

Upon a motion by Secretary Churchill and a second by Ms. Avara, the members voted unanimously to approve the consent agenda.

A. Approval of May 9, 2019 Minutes

To approve the minutes of the May 9, 2019 Interagency Commission on School Construction Meeting.

B. Approval of Contracts

To approve contract procurement as presented.

C. Closed Projects

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

D. Project Allocation Reversions

To approve, subject to final audit, the reversion of the amounts identified to the appropriate statewide contingency accounts.

E. St. Mary's Aging Schools Program Project Extension

To approve a second extension for St. Mary's County Public School System for FY 2019 ASP Lock Replacement Projects to June 28, 2019.

II. Baltimore City Rescind and Amend Projects

A. Cancellation of FY 2019 #206 Furley Elementary Project

Motion Carried

Jamie Bridges, Baltimore City Project Manager, explained that Baltimore City had requested that the project at Furley Elementary School be rescinded as the extent of the structural repair work that drove up the price of the project to above \$8 million.

Upon a motion by Secretary McCord, seconded by Mr. Kasemeyer, the members voted unanimously to approve a request from Baltimore City Public Schools to cancel one (1) FY 2018 CIP project at #206 Furley Elementary School and to transfer \$3,501,000 to the Statewide Contingency Account reserves for BCPSS.

B. FY 2019 Cancellation and FY 2020 CIP Amendment for #217 Belmont Elementary

Motion Carried

Mr. Bridges explained that at the time of the allocation for Belmont, the scope and cost of electrical upgrades required to carry out the project were unknown. In response to questions from the Commission, Mr. Bridges explained that when the City began requesting Vertical Package Unit projects, the scope of electrical upgrades was unknown. A number of these projects have been rescinded or modified to address the unexpected costs, and that estimates for projects in subsequent cycles were based upon bids in the first round of projects and are far less likely to need project cost increases. Members requested a summary of Baltimore City VPU projects be brought to a future meeting.

Upon a motion by Secretary Churchill, seconded by Mr. Kasemeyer, the members voted unanimously to approve a request from Baltimore City Public Schools (BCPSS) to:

1. Cancel one (1) FY 2019 CIP project at #217 Belmont Elementary, and transfer \$428,000 to the Statewide Contingency Account reserves for BCPSS.
2. Amend the FY 2020 CIP to include one (1) project at #217 Belmont Elementary; and to allocate \$1,116,000 from the Statewide Contingency Account reserves for BCPSS to fund the project.

III. Facilities Status Changes

Michael Bayer, Manager of Infrastructure and Development, Maryland Department of Planning, explained the facilities status changes.

A. Dorchester County Jones Thicket Road

Motion Carried

Upon a motion by Secretary McCord, seconded by Secretary Churchill, the members voted unanimously to approve the transfer of 0.23 acres of vacant land (a portion of a former school property) on the East Side of Jones Thicket Road (Property Identification #01-010425, Tax Map 34, Parcel 0087), in Vienna, MD, from the Board of Education of Dorchester County to the Dorchester County Council for the purpose of disposition as surplus property.

B. Prince George's North Brentwood

Motion Carried

Upon a motion by Secretary McCord, seconded by Ms. Avara, the members voted unanimously to approve the transfer and disposal of 1.42 acres at 4008 Wallace Road/4008 Webster Street and an adjacent parcel at the northeast corner of Banner Street and Wallace Road, in North Brentwood, Maryland, occupied by the North Brentwood Community Center, formerly the Brentwood Elementary School, from the Prince George's County Board of Education to the Prince George's County Government and then to the Maryland-National Capital Park and Planning Commission (M-NCPPC), to complete a land exchange for real property associated with the Fairmount Heights High School replacement project completed in 2017.

C. Informational Property Change Items

Information Only

Mr. Bayer presented informational property change items.

IV. Qualified Zone Academy Bond (QZAB) Funding

Motion Carried

Arabia Davis, Funding Programs Manager, explained that until FY 2018 the QZAB program, a federal program, was administered by the IAC. The program was not reauthorized by Congress, however, prior year funds remain for allocation. IAC staff is recommending that a portion of the funds be used to increase 5 project allocations for existing QZAB projects. IAC staff expects to present new projects for allocation in July or August. Ms. Davis reviewed specific project recommendations.

Upon a motion by Mr. Kasemeyer, seconded by Secretary Churchill, the members voted unanimously to approve an increase to the original allocation for FY 2017 and FY 2018 Qualified Zone Academy Bond projects as presented.

V. 100% FY 2020 Capital Improvement Program Amendments

Motion Carried

Ms. Davis provided a handout to the members detailing differences at a County level between the May 9th FY 2020 CIP Approval and the IAC Staff Recommendations for amendments to the approval. Ms. Davis explained that projections were initially funded based upon an anticipated funding amount which was reduced during the legislative session. In their approval on May 9th, the IAC approved a motion that allowed LEAs to adjust project funding among approved projects due to the lower than anticipated funding amount. Ms. Davis reviewed recommendations for CIP amendments.

Upon a motion by Ms. Avara, seconded by Mr. Kasemeyer, the members voted unanimously to approve funding amendments to the Fiscal Year 2020 Capital Improvement Program 100% allocations and planning projects as specified for each local school system as presented in the FY 2020 IAC Staff 100% CIP Recommendations, dated June 13, 2019, as presented.

VI. Healthy School Facility Fund Administrative Procedures Motion Carried

Joan Schaefer, Deputy Director, explained that in 2018 legislation passed and created the Healthy School Facility Fund (HSFF). Additional modifications were made to the program in the 2019 session to add lead in drinking water as a priority for funding under the program. Ms. Schaefer noted that the program will require a Local Cost Share, identified as an appendix in the Administrative Procedures Guide (APG). Projects are required to be reviewed and approved by the IAC within 45 days of the submission due date. A FY 2020 Program Schedule can be found as an appendix in the APG.

Members directed staff to modify the APG to clarify how the State Cost Share Percentages are calculated and to include windows as an eligible scope under the program to align with statutory language.

Upon a motion by Mr. Kasemeyer, seconded by Secretary McCord, the members voted unanimously to amend the procedures as directed by IAC members and to direct staff to release Administrative Procedures, pending non-substantive edits by staff, to solicit applications from LEAs and Maryland School for the Blind for projects that will improve the health of school facilities and to evaluate project requests based on a competitive application process.

VII. State Center for Child Abuse and Neglect Report Information Only

Ms. Schaefer explained that per legislation, the IAC must work with the State Council on Child Abuse and Neglect to create best practice guidelines. A draft was provided to the members and the Final version is expected to be provided to the IAC in July. IAC staff and the MSDE School Facilities Branch has met with staff for the State Council on Child Abuse and Neglect to develop the guidelines, which are based around the idea that adult and student interactions in a school should be easily visible.

VIII. FY 2019 School Safety Grant Program Applications Report Information Only

Ms. Schaefer presented an update on 2nd Round FY 2019 School Safety Grant Program Applications.

IX. Baltimore City HVAC Project Status Information Only

Mr. Bridges presented an update on the status of Baltimore City HVAC projects funding with an additional \$15 million appropriation during the 2018 legislative session. Mr. Bridges noted that in the consent agenda the IAC approved 10 contracts for design of Baltimore City HVAC projects. IAC staff will continue to update the IAC on the status of Baltimore City projects monthly.

Executive Session:

Pursuant to §§ 3-305(b)(7) and 3-305(b)(14) of the General Provisions Article, Annotated Code of Maryland, and upon a motion by Secretary Churchill, seconded by Ms. Avara and with unanimous agreement, the Interagency Commission met in closed session on Thursday, June 13 to obtain legal advice

regarding a procurement matter. All members were present except Brian Gibbons, Dick Lombardo, and Todd Schuler. Also in attendance were Elizabeth Kameen, Principal Counsel for the Maryland State Department of Education, Elliott Schoen, Assistant Attorney General, Robert Gorrell, Executive Director of the IAC, and Alex Donahue, Special Projects Manager for the IAC. The Executive Session commenced at 10:05 a.m.

At that time, the Interagency Commission received advice from legal counsel and decided that the IAC's procurement of project management software would be conducted by competitive methods.

Adjournment:

The meeting of the Interagency Commission on School Construction was adjourned.