

Meeting Minutes – November 18, 2021

Call to Order:

Chair Kasemeyer called the video-conference meeting of the Interagency Commission on School Construction to order at 9:01 a.m.

Members in Attendance:

Edward Kasemeyer, Appointee of the President of the Senate, Chair
Superintendent Mohammed Choudhury, Maryland State Department of Education
Secretary Ellington Churchill, Department of General Services
Linda Eberhart, Appointee of the Speaker of the House
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate
Secretary Robert S. McCord, Maryland Department of Planning

Members Not in Attendance:

Dick Lombardo, Appointee of the Governor

In Remembrance:

At the request of the Chair, Cassandra Viscarra, Acting Deputy Director of Administration, said a few words to honor the passing of IAC Member Denise Avara:

Today we take a moment to remember IAC Member Denise Avara. Denise lost a battle with cancer on October 19 at just 57 years old. She is survived by three sons, Christian, John, and Stephen, her husband, and her mother. We will remember Denise as a committed member to the mission of the IAC, serving as an appointee of the Governor, and a dedicated advocate for Maryland's public schools. The former president of the Westowne Elementary PTA in Catonsville, Denise developed an air conditioning initiative for the aging building which led to a grassroots effort for a completely new school that opened in 2016. Denise received a Comptroller's Medallion in 2015 for her advocacy and a Certificate of Recognition from the Comptroller in 2016 for her leadership with the PTA and her work on the Cool School Initiative. Denise also received a Maryland Hero Award for her service on the Comptroller's Educational Advisory Council. Denise leaves behind a lasting mark on her local community and the State of Maryland and will be greatly missed. Our thoughts and prayers are with her family and friends as they mourn this tremendous loss.

Members of the commission had a moment of silence for their colleague.

Public Comment:

There was no public comment.

IAC Correspondence:

There is no IAC correspondence

1. Consent Agenda – [Motion Carried]

Upon a motion by Secretary McCord, seconded by Secretary Churchill, the IAC voted unanimously to approve the consent agenda.

A. Approval of the October 14, 2021 Minutes

To approve the minutes of the October 14, 2021 Interagency Commission on School Construction Meeting.

B. Summary of Contract Awards

To approve contract procurement as presented.

C. Project Closeouts

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

D. Harford County Board of Education Site Approval

To approve the use by the Harford County Board of Education (HCBOE) of 61.04 acres of land at 900 South Main Street, Bel Air, MD, 21014 (Tax Map 49, Parcels P224 and P132), to replace the three-building Homestead/Wakefield Elementary School with a single facility with a scheduled completion in December 2024; adhering to the actions identified in the State clearinghouse review, State identifier 20210901-0715.

E. Quarterly Project Activity Report for CIP – [Informational Only]

F. Quarterly Project Activity Report for ASP, SSGP, and HSFF - [Informational Only]

G. Baltimore City E15M HVAC Project Status Report - CIP - [Informational Only]

H. Anne Arundel County - School Name Change - [Informational Only]

2. Built to Learn Project Approvals – [Motion Carried]

Arabia Davis, IAC Funding Programs Manager, presented recommendations for approval of nine Built to Learn (BTL) projects totaling \$263 million. To date the IAC has approved 14 BTL projects totaling \$283 million; with this approval the approved funding allocation for the state share of projects will increase to \$545 million. Upon questions and comments from Commission members, IAC staff clarified that the \$263 million will fund nine additional schools for a total of 23 approved BTL projects.

Upon a motion by Superintendent Choudbury, with a second by Ms. Lawlah, the IAC voted unanimously to approve projects as presented to be funded and executed through the Built to Learn Act, with allocations estimated to total approximately \$263,735,062. Final funding amounts are subject to adjustment based upon finalization of project worksheets and review of project eligibility.

3. Healthy Schools Facility Fund Presentation – [Informational Only]

Cassandra presented an overview and purpose of the Health Schools Facility Fund (HSFF) that was established by legislation in 2018 to address health and safety needs in school facilities.

4. Healthy School Facility Fund Project Approvals – [Motion Carried]

Kiaron Bailey, IAC Programs and Finance Administrator, provided a project summary of recommended HSFF allocations for fiscal years 2021 and 2022, totaling \$105.2 million. The funds will be used in projects that address concerns for HVAC, roofs, temperature regulation, windows, lead remediation, plumbing, and indoor air quality. Upon questions and comments from Commission members about reported Baltimore City heating and air conditioning problems from fall 2021, IAC staff clarified that HSFF funds and other funds such as the Capital Improvement Program and the 2019 extra \$15 million for Baltimore City HVAC

are being allocated to address Baltimore City's HVAC systems. IAC staff agreed to provide additional information to IAC Members on the status of Baltimore City heating and cooling.

Upon a motion by Ms. Lawlah, with a second by Ms. Eberhart, the IAC voted unanimously to approve the fiscal year 2021 and 2022 Healthy School Facility Fund allocations as recommended, including 50% of total FY 21 and FY 22 allocations to Baltimore City in accordance with Ed. Art., §5-322(j)(1)(iii) totaling:

- \$5,216,893 in recycled FY 2020 HSFF Funding
- \$30 million in FY 2021 HSFF Funding, including \$15 million to Baltimore City
- \$30 million in FY 2022 HSFF Funding, including \$15 million to Baltimore City
- \$40 million in FY 2022 American Rescue Plan Act (ARPA) Funding, including \$20 million to Baltimore City

5. School Safety Grant Program Application Period Extension for Baltimore City – [Motion Carried]

Jamie Bridges, IAC Planning Manager, explained that during the July 8, 2021 meeting, the IAC approved the LEA allocations and release of applications for the fiscal year 2021 School Safety Grant Program (SSGP). All programs must be contracted before the end of fiscal year 2022 so a compressed application period was implemented; IAC staff provided information and reminders to LEAs to encourage submission of all SSGP project applications before the September 10, 2021 deadline. Due to an administrative oversight, a final reminder was not provided to Baltimore City Public Schools and further communication has shown that there are a number of projects that the LEA planned to complete with SSGP funds. Upon questions and comments, IAC staff clarified that no other LEA requires an extension as they have submitted their applications; this extension would allow Baltimore City to submit their application.

Upon a motion by Secretary McCord, with a second by Mr. Gibbons, the IAC voted unanimously to approve a 90-day extension of the School Safety Grant Program application period for Baltimore City Public Schools.

6. Washington County - Western Heights Middle Roof Contract Termination – [Motion Carried]

Robert Gorrell, Executive Director, presented a request to cancel the Western Heights Middle Systemic Renovation project contract with D Project Inc., which will allow Washington County Public Schools (WCPS) to reallocate funds and rebid the project at a later date. WCPS Representatives Jeffrey Proulx, Chief Operating Officer, Robert Rollins, Director of Facilities Planning & Development, and Patty Ursprung, Deputy Counsel, explained that WCPS staff recommended to the Board of Education to terminate the contract for convenience due to market conditions of the COVID-19 pandemic and rebid at later date when the market is more favorable.

Upon a motion by Secretary McCord, with a second by Ms. Eberhart, the IAC voted unanimously to approve the termination of the contract awarded to D Project Inc. for the Systemic Renovation project at Western Heights Middle (21.003.21 SR - Roof).

7. Washington County SSGP Reimbursement Extension Request – [Motion Carried]

Kiaron presented a request to extend the deadline for the Smithsburg High SSGP for reimbursement. The project faced delays due to challenges with obtaining fencing materials and COVID-19, but has since been fully expended.

Upon a motion by Secretary Churchill, with a second by Ms. Eberhart, the IAC voted unanimously to approve a request to extend the reimbursement extension deadline for the Smithsburg High School Safety Grant Program until September 30, 2021.

8. Delegate Authority to Grant Extensions – [Motion Carried]

Kiaron reminded the IAC that in June of 2020, the IAC granted the Executive Director authority to approve extensions for smaller programs for a year due to an increased number of extension requests from the LEAs, with many requests related to the COVID-19 pandemic issues. The IAC staff continues to see an increased number of extension requests and recommends that the IAC consider delegating authority to approve extensions to the Executive Director.

Upon a motion by Ms. Lawlah, with a second by Secretary McCord, the IAC voted unanimously to delegate authority to approve project extensions for projects funded through the Aging Schools Program, the Healthy School Facility Fund, or the School Safety Grant Program to the IAC Executive Director until November 30, 2022 so long as the extensions do not violate any legal requirement. Any granted extensions are to be reported to the Interagency Commission at their next regularly scheduled meeting.

9. Montgomery DuFief Elementary Built to Learn Project Cancellation – [Motion Carried]

Bret Waskiewicz, IAC Senior Regional Facilities Manager, presented a request to cancel the DuFief Elementary BTL project after the Montgomery County Board of Education adopted resolution to reallocate the funds to six other capital projects. Montgomery County Public Schools is dealing with a funding shortfall due to significant increases in construction costs and the DuFief Elementary School Project was identified as a cancellation that would address the issue.

Upon a motion by Ms. Eberhart, with a second by Secretary Churchill, the IAC voted unanimously to approve the cancellation of Montgomery County Public Schools FY 2022 DuFief Elementary Built to Learn replacement project.

Announcements:

Chair Kasemeyer noted that IAC staff would present a summary of the actions of the Workgroup on Assessment & Funding of School Facilities at the next IAC meeting.

Adjournment:

Chair Kasemeyer adjourned the meeting in memory of Denise Avara at 9:41 a.m.