



Board of Directors Meeting

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March 30, 2023

9:30 a.m.

Agenda

Board Members

Hon. Frederic N. Smalkin
Chair

Robert L. Witt, II
Secretary

Hon. Robert R. Neall
Treasurer

Dereck E. Davis
State Treasurer

Shelley L. Heller
Chair, Audit Committee

Marian C. Hwang, Esq.
Chair, HR Committee

Vacant

Charles C. Glass, Ph.D.,
P.E.
Executive Director

Call to Order	Frederic Smalkin
Inspire Awards	Managing Directors
Approval of Minutes – February 23, 2023	Frederic Smalkin
Executive Director’s Report	Charles Glass
Agency Activity Report	Managing Directors
Financial Update	Hament Patel
Human Resources Report	Steven Barzal
Procurement	Hattie Crosby
Procurement Items (attached)	
• Item 1: State Highway Administration (SHA) Facilities – waste management services – Kalyani Environmental Solutions, LLC	
• Item 2: Brown Station Landfill – construction of Cell C-1	
• Item 3: Victor Cullen WWTP – repair access road – HRI Construction, LLC dba M2 Construction LLC in MD	
• Item 4: Masonville DMCF – design & permit support – Gahagan & Bryant Associates, Inc. (GBA)	
• Item 5: ECI Co-Gen – natural gas conversion – W.M. Schlosser Company	
• Item 6: PG Co. Compost Facility – CBI grinder rental – GT Mid Atlantic	
• Item 7: MDOT SHA – drainage, remediation, maintenance services – Concrete General, Inc.	
• Item 8: Agency wide general lab services – ALS Environmental	
Notifications	
Group Updates	Managing Directors
Legal Report	Sean Coleman
• Presentation of outline of Draft Board Bylaws	
New/Old Business	Frederic Smalkin
Adjournment	Frederic Smalkin

Approval after Solicitation
PROCUREMENTS, CONTRACTS, PURCHASE ORDERS,
AMENDMENTS AND CHANGE ORDERS
FOR
BOARD OF DIRECTOR'S APPROVAL

March 30, 2023

Item: 1

Type: Services over \$200,000

Group & Division: Technical and Environmental Services

MES Contract Number: 1-23-3-32-5

Project Name: Waste Management Services

Title/Description: Waste Management Services for MDOT State Highway Administration (SHA) Facilities

Procurement Method: Competitive Sealed Bid

Bids/Proposals: B.S. Environmental Inc. (\$922,110.60)
Kalyani Environmental Solutions, LLC (\$948,575.00)
Bear Environmental LLC (\$1,238,810.50)

Awarded To: Kalyani Environmental Solutions, LLC

Amount: \$948,575.00

Term: Notice to Proceed through 12/31/2024

Client/Fund Source: MDOT SHA Waste Management Services Task

MBE Goal: 30%

Remarks: This contract will provide labor, materials and equipment to properly characterize, manage, remove, transport, dispose, and treat hazardous and non-hazardous wastes obtained from the multiple MDOT SHA facilities located in Maryland.

The low bidder was considered non-responsive due to a lack of required MBE documents in its bid.

The awarded contractor, Kayani Environmental Solutions, LLC is a MDOT Certified MBE.

Pre-Solicitation Approval
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Item: 2

Type: Construction over \$200,000

Group & Division: Environmental Operations Group

MES Procurement #: 1-23-4-46-5

Project Name: Brown Station Road Sanitary Landfill
Area C Cell C-1 Construction

Title/Description: Construction of an approximately 10-acre cell (C-1) associated with Area C at the Brown Station Road Sanitary Landfill.

Procurement Method: Competitive Sealed Bid

Advertising Date: March 13, 2023

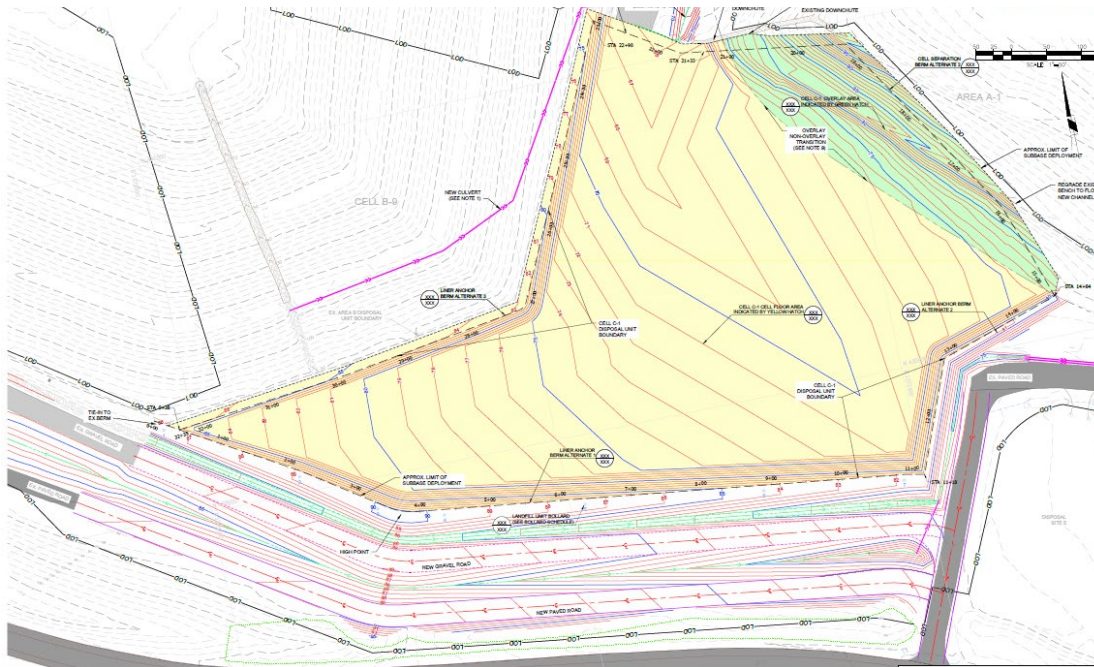
Estimate: \$13,332,400

Client/Fund Source: Prince George's County/3838-1204 PG Co/FY22 – FY26 Contract Management Services (IGA 2-21-4-53)

MBE Goal: 29%

Remarks: The Brown Station Road Sanitary Landfill (BSRSL) is a municipal solid waste landfill owned and operated by Prince George's County (County). The landfill encompasses 850 acres and is divided into two primary areas: Area A and B. Area A is closed and approximately 148 acres in size. Area B is active and has been operational since 1992 encompassing approximately 140 acres. The current landfill is expected to reach its final permitted capacity near the end of Year 2025. To meet the County's municipal solid waste management needs beyond 2025, the County is in the final stages of obtaining a Refuse Disposal Permit to infill the air space between the existing landfill disposal areas A and B (referred to as Area C). The proposed Area C will ultimately consist of 12 cells and add approximately 32 million cubic yards of airspace and extend the life of the landfill more than 50 years beyond 2025.

The work to be performed under this contract includes the construction of the first cell, identified as Cell C-1, by December 2024. Construction of the approximately 10-acre landfill cell will include site preparation earthwork, furnishing and installing landfill cell layers including leachate collection, geocomposite clay liner, geocomposite drainage net, flexible geomembrane liner, subbase clay, furnishing and installing a raincap, installation of landfill gas collection system, erosion and sediment controls, stormwater management and construction management services.



Construction Drawing of Area C Cell C-1



Example of cell construction activities.

Change Order approval

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Item: 3

Type: Construction over \$200,000

Group & Division: Water and Wastewater Group, Engineering Services Division

MES Contract Number: 1-21-2-11-5

Project Name: Victor Cullen WWTP and Gravity Sewer Upgrade

Title/Description: Repair Access road to the WWTP

Original Procurement Method: Competitive Sealed Bid

Contractor: HRI Construction, LLC dba M2 Construction LLC in Maryland

Original Term: 500 days

Modified Term: 681 days

Original Amount: \$7,957,440 (BOD Item 12, approved 4/29/21)

Modifications to Date: CO1 - \$16,161.57
CO 2- \$79,385.78
CO 3- \$33,385.57
FCO1-\$4,140.31
CO 4- \$42,615.65
CO 5- \$0.00

Amount of this Change Order #6: \$96,620.21

Revised Total Contract Amount: \$8,229,749.09

Client/Fund Source: MCCBL of 2021, *MES Infrastructure Improvement Fund, UB00*
542 MCCBL 21 (PCA#12202 - \$96,620.21)

MBE Participation: Goal: 5.04%; Participation: 5.04% Paid to Date

Remarks: This work is to repair the access road to the WWTP. This road was in poor condition before construction started and is now in very poor condition. The repairs are necessary to maintain safe and

reliable access to the WWTP for the operators for the foreseeable future.



[Change Order approval
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Item: 4

Type: AE Services over \$200,000

Group & Division: Environmental Dredging and Restoration

MES Contract Number: 1-23-5-11-3

Project Name: Engineering Design Services for Dike Raising of Masonville Dredged Material Containment Facility to Elevation +30

Title/Description: Continued design and permit support for the Masonville DMCF to Elevation +30 through final permit approvals and procurement support.

Original Procurement Method: SBR A/E Shortlist 1-18-1-05-3

Contractor: Gahagan & Bryant Associates, Inc. (GBA)

Original Term: 10/22 – 4/23

Modified Term: 6/30/2023

Original Amount: \$144,845.49

Modifications to Date: None

Amount of this Change Order #1: \$100,000

Revised Total Contract Amount: \$244,485.49

Client/Fund Source: MCM Task 9, MDOT MPA

MBE Participation: Current MBE invoiced to date is 23.0%. With this change order the proposed MBE achieved is forecast to be 15.6%. The MBE Goal for this contract is 20.6%.

Remarks: This increase is due to additional work required by unforeseen permit requirements that were not anticipated. Some of the additional work will be completed by MBE Subcontractor, SaLUT, but the majority of this new work is required to be performed by

Subcontractor, Whitney Bailey Cox & Magnani, LLC. This work includes permit support to obtain MDE Dam Safety approval of two sand filters that were originally determined to be exempt and additional modeling due to MDE requiring use of specific modeling software. This contract was originally established to complete the final steps to the design, permitting and procurement support for the Masonville DMCF +30 Dike Raising. The original contract, with a final value of \$1.665 million, for these efforts expired. Overall, the MBE participation for the original contract and this contract is over 40% to date.

Image 1: Engineering drawing showing the design of a cross-section up to El. +30'.

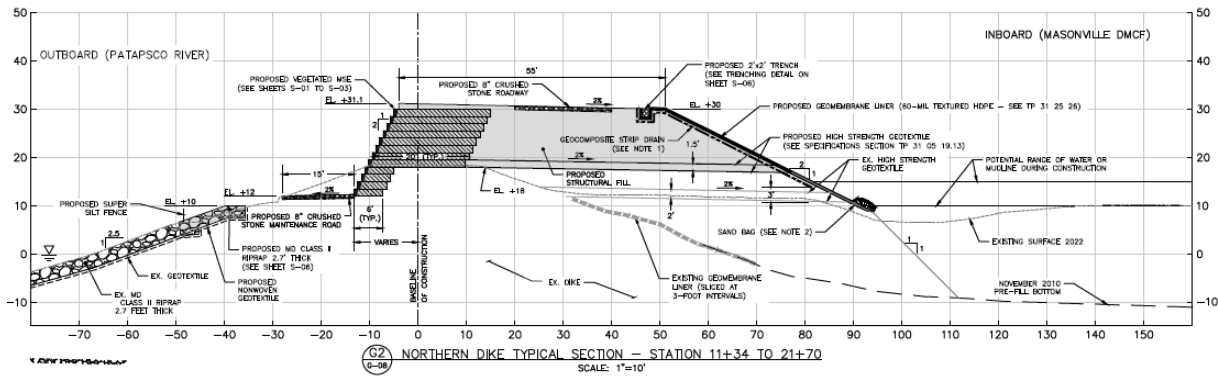


Image 2: Masonville DMCF February 2023 – Base Dike Widening Preparation for +30 Construction



Change Order approval
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Item: 5
Type: Construction over \$200,000
Group & Division Environmental Operations
MES Contract Number: 1-22-4-07-5R
Project Name: ECI Cogeneration Plant Boiler Fuel Conversion
Title/Description: Perform boiler and room modifications, install natural gas equipment purchased by MES under separate contract, and tie into the new natural gas distribution point at the north side of the plant.

Original Procurement Method: Competitive Sealed Bids

Contractor: W. M. Schlosser Company, Inc.

Original Term: 190 calendar days from NTP – November 19, 2022

Modified Term: 141 additional calendar days – November 23, 2023

Original Amount: \$9,895,000 (BOD Item 10, 3/31/2022; BPW Item 12, 5/11/2022)

Modifications to Date: CO #1 – No Cost Extension; \$0; 228 additional calendar days – July 5, 2023

Amount of this Change Order #2: \$3,266,468.77

Revised Total Contract Amount: \$13,161,468.77

Client/Fund Source:

336 MCCBL 2019 (PCA 12075)	\$533,783.82
332 MCCBL 2020 (PCA 12091)	\$859,566.25
332 MCCBL 2020 (PCA 12096)	\$273,000.00
542 MCCBL 2021 (PCA 12201)	\$8,268.79
4101-0000 MEA FY23 Anchor Customer Grant Program (Grant No. 2022-6-523S1)	\$1,181,053.00
4025-0000 DGS H00H01.02 Statewide Capital Appropriation – Business Enterprise Administration (pending transfer)	\$410,796.91

MBE Participation:

MBE Goal = 17%; actual MBE participation = 0%
(MBE participation is forecasted to begin during construction which is scheduled to start in July 2023. The Contractor remains committed to the 17% goal and is planning to use two additional MBE firms to achieve this goal.)

Remarks:

The Eastern Correctional Institution (ECI) cogeneration plant is converting both existing high-pressure boilers from firing wood chips and No. 2 fuel oil to fire natural gas and No. 2 fuel oil. The construction efforts entail modification to the internal boiler configuration and boiler room to include removal of equipment no longer required for operation; modification to existing catwalks; installation of burners, economizers, and ancillary equipment; installation and programming of boiler instrumentation and controls; and installation of piping that will safely direct natural gas from the service distribution point outside of the plant to the burner for each boiler.

Boiler equipment procured under contract 1-22-4-37-2 that will be installed per the subject contract required changes to equipment specifications following Authority Having Jurisdiction code interpretations received in September 2021. In March 2022, MES and the design team, HDR Engineering, began the technical submittal review process of these equipment changes and discovered the equipment changes necessitated an update to some design aspects of the ECI Cogeneration Plant boiler fuel conversion. The A/E upgraded the construction bid documents to the Issued For Construction (IFC) documents with the necessary design changes and delivered them to the Contractor on September 23, 2022. Contractor review of the IFC documents identified cost changes to instrumentation, new burner platforms, additional demolition, additional insulation, electrical components and extended need for temporary utility services. MES began negotiations of the equitable cost adjustment to implement the design changes in late October 2022 and were finalized in January 2023.

Given the value of the change order relative to available funding, MES submitted a request to the Department of Budget Management for additional funding late in calendar year 2022. This funding, identified above as DGS H00H01.02 Statewide Capital Appropriation, is currently subject to approval in the Legislature and expected to be available in July 2023.



Boiler #2 at ECI Cogeneration Plant (view from front – shows firebox and wood chutes)

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Item: 6

Type: Equipment Purchase over \$200,000

Group & Division: Environmental Operations

MES Contract Number: PO-0048680

Project Name: Prince George's County Organics Composting Facility

Title/Description: Rental of a CBI Grinder from GT Mid Atlantic

Procurement Method: Emergency Procurement

Bids/Proposals: GT Mid Atlantic

Awarded To: GT Mid Atlantic

Amount: \$315,180

Term: End of Fiscal Year

Client/Fund Source: Prince George's County/2548-1200

MBE Goal: 0%

Remarks:



The Organics Composting Facility has two primary grinders, one of which is scheduled for replacement by Prince George's County in FY24. This grinder has been underperforming and is accruing significant downtime, which limits processing capacity and causes material to back up on the site. The current waiting period for rental grinders is over eight months. As the site cannot operate with only one grinder, an emergency rental was completed for the CBI grinder to enable the site to continue processing material.

Change Order Approval
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Item: 7

Type: Construction over \$200,000

Group & Division: Technical & Environmental Services

MES Contract Number: 1-23-3-13-6

Project Name: MDOT State Highway Administration (SHA) Drainage Management, Remediation and Maintenance Services

Title/Description: New projects that required emergency repairs

Original Procurement Method: Assisted Contract to SHA XX1635T80

Contractor: Concrete General, Inc.

Original Term: 1 year (through December 31, 202)

Modified Term: 6 months (through June 30, 2024)

Original Amount: \$1,000,000.00

Modifications to Date: none

Amount of this Change Order #1: \$3,500,000.00

Revised Total Contract Amount: \$4,500,000.00

Client/Fund Source: MDOT SHA Contract 2-19-3-23

MBE Participation: 15%

Remarks: Emergency District 3 drainage maintenance repairs are required to repair aging stormwater infrastructure to protect the safety of Maryland motorists from roadway failure due to failed stormwater drainage. The new projects that require emergency repair include: MD 2 at Saw Mill, I-270 at Rose Hill MD, 355 at I-495, and MD 355 at Montgomery Ave.

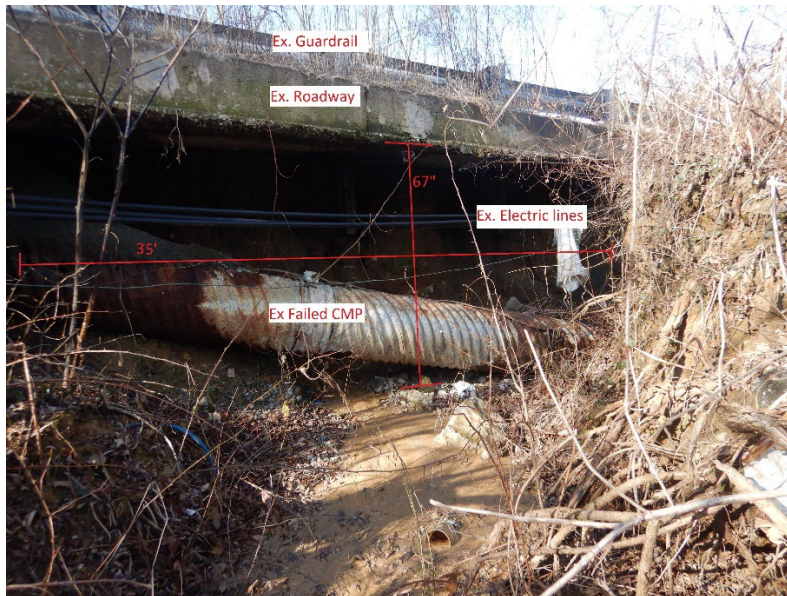
The assignment of these new sites and the extent of the repairs were not anticipated and not included in the original contract.

This change order will allow these four projects to be assigned for construction work while TES prepares a procurement to award a new contract. A time extension of 6 months is requested to allow time for project completions in case of any delays.

Emergency design and repair- I-270 at Rose Hill, failed storm drain pipe leading to embankment erosion to pavement



Emergency design and repair- MD 355 at I-495, failed storm drain pipe leading to embankment erosion under pavement



Emergency design and repair- MD 355 at Montgomery Ave, failed storm drain pipe leading to roadway flooding



Emergency design and repair- MD 2 at Saw Mill, failed storm drain pipe leading to roadway collapse – below image is CCTV of failed joint in pipe. Repair will be by tunneling a new pipe 350 ft long under MD 2 at Saw Mill Road.



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Item: 8

Type: Services over \$200,000

Group & Division: Technical and Environmental Services

MES Contract Number: To be assigned

Project Name: MES General Lab Services - Primary

Title/Description: This contract will provide full service laboratory support for MES' environmental compliance laboratory analysis needs agency wide, including but not limited to the following types of projects: water/wastewater analysis, NPDES and drinking water compliance, landfill monitoring, dredge material containment facility compliance monitoring, and remediation projects over the next five years.

Procurement Method: Assisted Contract

Bids/Proposals: NA

Awarded To: ALS Environmental

Amount: \$4,000,000

Term: 5 years

Client/Fund Source: Multiple Sources (over 200 individual projects)

MBE Goal: 15%

Remarks: This contract will provide analytical support for MES clients. The assisted contract that MES plans to piggyback did not have an MBE goal. There is only one MBE certified lab in the State of Maryland and their prices were significantly higher than the prices in the assisted contract. They were also not able to accommodate the volume of work MES generates. MES will work with ALS and this MBE lab to encourage a partnership that is committed to achieving this 15% MBE goal.