



Board of Directors Meeting

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August 24, 2023

9:30 a.m.

Agenda

Board Members

Shelley Heller
Chair

Hon. Frederic N. Smalkin
Secretary

Brendon Baatz
Treasurer

Robert L. Witt, II
Chair, HR Committee

Moalie Jose, P.E.
Chair, Audit Committee

James H. Johnson, Jr.,
Ph.D

Dereck E. Davis
State Treasurer

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

Call to Order	Shelley Heller
Inspire Awards	
Approval of Minutes – July 27, 2023	Shelley Heller
Executive Director’s Report	Charles Glass
New Business Report	Managing Directors
Financial Update	Hament Patel
Human Resources Report	Shannon Bettleyon
• Compensation Administration Guidelines	
Procurement	Hattie Crosby
Procurement Items (attached)	
• Item 1: Mobile Grinding Project – GT MidAtlantic, new horizontal grinder	
• Item 2: Harford Co. Solid Waste Management – emergency repair of gabion swale	
• Item 3: Masonville DMCF – Allen Myers, Inc, dike raising	
• Item 4: Camp Fretterd Military Reservation– HRI Construction LLC (aka M2 Construction LLC), upgrades to WWTF	
• Item 5: MES agency wide medical services – Concentra	
• Item 6: Montgomery County Yard Trim – Consolidated Commercial Service, LLC, hauling from grinding lot to compost facility	
• Item 7: ECI Co-Gen – Siemens Energy, Inc. overall of Steam Turbine Generator 1	
• Item 8: Howard Co. Floodplain mapping – WSP USA Environment & Infrastructure Inc.	
• Item 9: Brown Station Landfill – ACV Environmental Services, Inc., Household hazardous waste collection & disposal	
• Item 10: Pt Lookout State Park – Stormwater Management Solutions, LLC, sewer system improvements	
Procurement Notifications	
Legal Report	Sean Coleman

Maryland Environmental Service
Board of Director's Meeting Agenda
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Group Updates

Managing Directors

New/Old Business

Shelley Heller

Adjournment

Shelley Heller

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

August 24, 2023

Item: 1

Type: Equipment Purchase over \$200,000

Group & Division: Environmental Operations Group

MES Contract Number: TBD

Project Name: Mobile Grinding Project

Title/Description: Purchase of a CBI 5800BT Horizontal Grinder

Procurement Method: Intergovernmental Cooperative Purchasing Program (Sourcewell)
Sourcewell Contract 030923-TER, MES Sourcewell ID No. 5305

Bids/Proposals: GT Mid Atlantic - \$606,056.38

Awarded To: GT Mid Atlantic

Amount: \$606,056.38

Term: One (1) time purchase

Client/Fund Source: Mobile Grinding; 2561-1200

MBE Goal: N/A

Remarks: This unit is necessary to replace the Peterson 4710B horizontal grinder that is nearing the end of the average lifespan of the engine. The new grinder will increase productivity and decrease maintenance costs for the mobile grinding operation. The original grinder will be used as a trade in with an estimated value of \$330,000.



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Item: 2

Type: Construction over \$200,000

Group & Division: Environmental Operations – Solid Waste Management

MES Contract Number: TBD

Project Name: Harford County Solid Waste Management Services

Title/Description: Repair and Replacement of 1,000-feet of Gabion Swale

Procurement Method: Emergency Procurement

Bids/Proposals:

Lems Contracting, Inc	\$373,000.00
Wicho & Sons, LLC	\$375,880.95
ECLS	\$719,329.00

Awarded To: Lems Contracting, LLC

Amount: \$373,000

Term: 3 months

Client/Fund Source: Harford County/3482-1211

MBE Goal: MBE Goal – 6%

Remarks: The gabion stormwater swale between Cells A-J and N1/N2 at the Harford Waste Disposal Center failed due to the heavy rainstorms this summer. This is the primary swale that runs between the cells at HWDC. The wire metal grid that contained the gabion stone degraded and disintegrated to varying degrees over 1000 feet of swale. The affected swale is no longer functioning as a stormwater control and erosion will continue unabated. This is a severe issue for the landfill and threatens compliance with Harford County and Maryland Department of the Environment permits.



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Item: 3

Type: Construction over \$200,000

Group & Division: Environmental Dredging and Restoration

MES Contract Number: 1-24-5-05-5

Project Name: Masonville Dredged Material Containment Facility Dike Raising to Elevation +30

Title/Description: Competitive sealed bid to establish a contract with a qualified construction firm to perform the Masonville Dike Raising from existing elevation of +18 to elevation of +30.

Procurement Method: Competitive Sealed Bid

Bids/Proposals:

Allan Myers Md, Inc.:	\$25,575,000.00
DXI Construction, Inc.:	\$30,690,139.00
Bowen & Kron Enterprises, Inc.:	\$32,851,955.00

Awarded To: Allan Myers Md, Inc.

Amount: \$25,575,000.00

Term: 915 days

Client/Fund Source: MPA – Masonville Dredging and Construction Services MOU

MBE Goal: 29%

Remarks: Contractor has indicated intent to meet the 29% in the MBE forms provided with the bid documents. MES review of the MBE compliance documents is pending Contractor required submittals. Work will include raising existing dikes from elevation +18 MLLW to +30 MLLW, construction of stormdrain and BMP improvements to adjacent Masonville Marine Terminal to ensure stability to the +30 MLLW Dike and future dike raisings. Contract includes Optional Add-On Work, that would provide a surcharge placed adjacent to DMCF within the Kurt Iron Slip (KIS) to gain

necessary compaction for future installation of a storm drain and other improvements, eliminating discharge of KIS Storm Water run off into the existing DMCF. The storm drain project is not included in this contract.



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Item: 4

Type: Construction over \$200,000

Group & Division: Water/Wastewater, Engineering Division

MES Contract Number: 1-23-2-29-5R

Project Name: Camp Fretterd Wastewater Treatment Plant Improvements

Title/Description: Upgrades to the wastewater treatment facility at Camp Fretterd Military Reservation

Procurement Method: Competitive Sealed Bid

Bids/Proposals:

HRI Construction LLC aka M2 Construction LLC	\$3,490,200.00
Lee Foundation Company Inc.	\$3,576,943.00
W.M. Schlosser Company Inc.	\$4,377,000.00

Awarded To: HRI Construction LLC

Amount: \$3,490,200.00

Term: 450 calendar days

Client/Fund Source: Special Funds: FY 2023 PAYGO Funds (PCA #12245)

MBE Goal: 20.13%

Remarks: The Maryland Military Department (MMD) is currently planning an expansion of the Upper Campus within the boundaries of the Camp Fretterd Military Reservation to include a new Marine Corps Reserve Center (MCRC), and Maryland Department of Emergency Management (MDEM) building expansion. The existing wastewater treatment plant cannot accommodate the proposed new facilities at Camp Fretterd and need to be upgraded. Proposed upgrades include the construction of a new equalization tank, expansion of the existing treatment building, process controls, and upgrades to the electrical service.

This project was rebid. The original bids were rejected since all bids were either non-responsive to the published requirements or substantially exceeded budgeted funds. On August 17, 2023, Lee Foundation submitted a bid protest to MES of the award to M2. Lee Foundation's protest is currently being reviewed by the MES Procurement Officer and a decision on the protest will be made soon.

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Item: 5

Type: Services over \$200,000

Group & Division Administration, Safety and Environmental Compliance, & Human Resources

MES Contract Number: 1-23-1-07-08

Project Name: Maryland Environmental Service Statewide Medical Services

Title/Description: Provide Medical Services for employee physicals and medical clearances required for employee job duties.

Procurement Method: Competitive Sealed Bid

Bids/Proposals: Occupational Health Centers of Southwest PA, dba Concentra Medical Centers: \$238,652
Acuity International, LLC: \$357,701

Awarded To: Occupational Health Centers of Southwest PA, dba Concentra Medical Centers

Amount: \$238,652

Term: Two-year term (8/2023 - 8/2025; option to renew for up to four additional years.

Client/Fund Source: Various MES Overhead Budgets

MBE Goal: 5%

Remarks: Concentra revising forms to include MBE subcontractors, approved as lowest bid.

Change Order approval

**PROCUREMENTS, CONTRACTS, PURCHASE ORDERS,
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August 24, 2023

Item: 6

Type: Services over \$200,000

Group & Division: Environmental Operations

MES Contract Number: 1-21-4-38-5R

Project Name: Montgomery County Yard Trim Hauling

Title/Description: Yard trim and leaf hauling from the Montgomery County Grinding Operation in Derwood to the Montgomery County Yard Trim Compost Facility in Dickerson.

Original Procurement Method: Competitive Sealed Bid

Contractor: Consolidated Commercial Services, LLC

Original Term: The original term of the contract was for two years (8/21/21-8/21/23), with an option to renew for three additional one-year terms.

Modified Term: Third and final year of the three additional one-year terms.

Original Amount: \$582,525 (BOD Item 1, 8/26/21)

Modifications to Date: \$ 17,475.76 CO#1 May 3, 2022
\$680,000.00 CO#2 (BOD Item 7, 9/29/22)

Amount of this Change Order #3: \$735,000

Revised Total Contract Amount: \$2,015,000.75

Client/Fund Source: Montgomery County Yard Trim Compost Facility (MCYTFC)
IGA No. 2-16-4-68. FY2023 Operating Budget: 2554-1200-6223

MBE Participation: 30% MBE Goal; 22% achieved

Remarks: This funding will allow the contractor to provide services for year three of the contract term. MES anticipates that more than 70% of the yard trim loads will be transported by truck based on historic trends within Montgomery County.

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BOD August 2023

Item: 7

Type: Services - Equipment Repair

Group & Division: Environmental Operations

MES Contract Number: TBD

Project Name: Eastern Correctional Institution - Cogeneration Plant

Title/Description: Overhaul of Steam Turbine Generator (STG) #1

Procurement Method: Sole Source Contract

Bids/Proposals: Siemens Energy, Inc.

Awarded To: Siemens Energy, Inc.

Amount: \$1,215,860.23 (1,125,796.51 plus 8% contingency)

Term: December 2024

Client/Fund Source: Dept of Public Safety and Correctional Services (MES Contract 11-29-88)/ ECI Turbine Project Reserve Fund

MBE Goal: 0%

Remarks: Siemens Energy, Inc. (formerly Dresser Rand Company), is the OEM of the turbines on the (2) 1.942 MW steam turbine generators (STG) at Eastern Correctional Institution (ECI). The overhaul frequency for these units is every 5 years. Both units are past due for overhauls as delays in the natural gas conversion project have carried over to the turbine overhauls. This recommended award is to the OEM to overhaul STG #1 at ECI beginning in or near April 2024.

The funding source for the project is the *ECI Turbine Project Reserve Fund*, which has a balance of \$1,500,000. Funds from this source may not be expended until the project is approved by the MES Board of Directors and the Secretary of the Department of Budget and Management. BOD Resolution No. 13-03-01R.

The projected schedule for the overhaul of STG #2 is April 2025.



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Item: 8

Type: Services over \$200,000

Group & Division Technical and Environmental Services

MES Contract Number: TBD

Project Name: Howard County Floodplain Mapping, Preliminary Issuance, and Post-Preliminary Production

Title/Description: Provide floodplain mapping assistance within Howard County, MD in support of MDE's National Flood Insurance Program requirements.

Procurement Method: GIS & Associated Services Shortlist

Bids/Proposals: NA

Awarded To: WSP USA Environment & Infrastructure Inc.

Amount: \$433,082

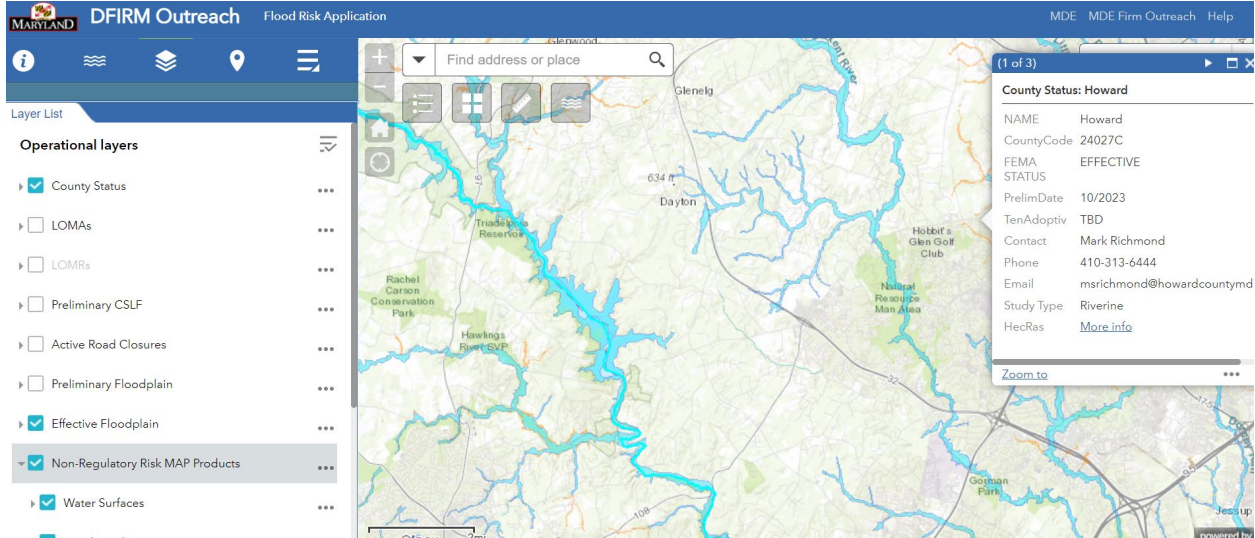
Term: Notice to Proceed through 12/31/2024

Client/Fund Source: MDE BPO # UOOB9400008

MBE Goal: 16.2%

Remarks: This contract will provide the Water Science Administration Stormwater, Dam Safety and Floodplain Management (SDF) Program with Floodplain Mapping, Preliminary Issuance, and Post Preliminary Production tasks for Howard County, MD, and Incorporated Areas. This work is part of an ongoing effort to update floodplain related data throughout the State.

Such data is used to update the md floodmaps Flood Risk Application, which acts as an outreach tool to inform the public of floodplain extents and impacts.



Change Order approval
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Item: 9

Type: Services over \$200,000

Group & Division: Environmental Operations

MES Contract Number: 1-21-4-54-8

Project Name: Household Hazardous Waste (HHW) Collections and Disposal at Brown Station Road Sanitary Landfill (BSRSL)

Title/Description: Provide services to pack, haul and dispose collected HHW

Original Procurement Method: Request for Proposals (RFP)

Contractor: ACV Environmental Services, Inc.

Original Term: NTP to August 31, 2023, with three (3) additional one (1) year extensions

Modified Term: Option Year 1: through August 31, 2024

Original Amount: \$2,527,354.96 (BOD 8/26/21, Item #6 for \$2,400,000)

Modifications to Date: \$0.00

Amount of this Renewal 1: \$1,263,677.48

Revised Total Contract Amount: \$3,791,032.44

Client/Fund Source: Prince George's Co/Contract Management Services (IGA 2-21-4-53)

MBE Participation: Goal = 18%, Participation to date = 2.4% (*see remarks)

Remarks: Prince George's County opened the HHW lot in 2000 at the Brown Station Rd Sanitary landfill. It is open and free of charge to County residents who need to dispose harmful household waste such as: car batteries, automotive fluids and fuels, electronics, cleaning agents, oil-based paints, household batteries, and solvents among other materials. The HHW lot operates weekly, Thursday to Saturday. The contractor provides staff to support operations and is responsible for the proper handling and disposal of the material stream collected. Services

include technical identification of waste items, creation of shipping documents, safe control of vehicle traffic, off-loading of vehicles, waste bulking, waste disposal, site set up, and overall event execution. During Option Year 1, ACV will continue to provide these services through Fiscal Year 2024.

* ACV has experienced challenges meeting the MBE participation goal to date. Their original plan included an MBE firm to provide temporary labor, however, per ACV, the MBE experienced labor shortages and failed to supply the amount of labor needed to meet participation goals. Further, ACV indicated a lack of available MBE companies suited to meet the needs of the contracted services and difficult market conditions added to the challenge of incorporating other vendors. As a result, in February 2023, MES notified ACV of non-compliance with MBE requirements and requested corrective actions to comply. ACV submitted a Corrective Action Plan (CAP) incorporating new MBE companies to supply materials, labor, electronics recycling, and equipment rentals. The plan projected MBE participation at 15.5% by December 31, 2023 and 20.4% by December 31, 2024, upon Option Year 1 extension. MES accepted the CAP on March 27, 2023. As of July 21, ACV has indicated new MBE vendors have been incorporated and increased participation is expected to be reflected in the July 2023 invoice to be submitted in August.

MES is recommending exercising Option Year 1 through August 31, 2024 and allow ACV time to improve their participation performance as noted in their CAP. In parallel, MES will prepare to advertise the services for FY25 so there is no gap in service for the County should ACV fail to comply with MBE requirements and the Option Year 2 is not exercised. MES will make the determination to bid in January 2024 based on ACV's MBE participation through December 2023, which is expected to be at 15% by then.



Change Order approval

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Item: 10
Type: Construction over \$200,000
Group & Division: Water and Wastewater Group, Engineering Services Division
MES Contract Number: 1-23-2-15-5
Project Name: Point Lookout State Park Water and Sewer System Improvements
Title/Description: This change order is for the disposal of unsuitable backfill, purchase and placement of suitable backfill materials and to change the method of installation of water and sewer through the confederate cemetery from open cut to directional drilling.

Original Procurement Method: Competitive Sealed Bid

Contractor: Stormwater Management Solutions, LLC

Original Term: 730 days

Modified Term: 730 days

Original Amount: \$8,999,999.00 (BOD Item 12, approved 1/26/22)

Modifications to Date: N/A

Amount of this Change Order: \$3,118,942.87

Revised Total Contract Amount: \$12,118,941.87

Client/Fund Source: Natural Resources Development Fund of FY 22 POS/Item 004
(PCA 12233 - \$2,850,000)
Natural Resources Development Fund of FY 24 POS/Item 004
(PCA 12269 - \$268,942.87)

MBE Participation: Goal: 19% currently 3%*

Remarks: The project consists of the replacement and/or rehabilitation of the water and sanitary sewer system piping network within the park.

This project will include the upgrading of the accompanying wastewater pump stations. These project upgrades are needed to eliminate problems associated with water main breaks and flooding of pump stations during storm events.

Due to unforeseen soil conditions, much of the soil removed from the trenches is not suitable to be re-utilized as a structural fill material. As a result, proper backfill material needs to be purchased and the unsuitable material removed and disposed of. In addition, this change order proposes directional drilling under a historically significant Confederate Cemetery as opposed to excavating through it. An approximate \$100K reduction in project cost could be realized by elimination of the fee for archaeological monitoring required for the open cut. Also, the unknown nature of open cut through the cemetery could cause extended delays in construction if artifacts were found.

* The majority of the MBE subcontractor services consists of materials hauling and paving. Due to the sequence of construction most of these services have not been required to date. It is anticipated that the MBE services will be required in the coming months and subsequent payout to the MBEs will align with the 19% goal.