



Board of Directors Meeting

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November 16, 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., P.E.

Dereck E. Davis
State Treasurer

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

Call to Order	Shelley Heller
Approval of Minutes – October 26, 2023	Shelley Heller
Executive Director’s Report	Charles Glass
New Business Report	Managing Directors
Financial Update	Hament Patel
Human Resources Report	Kanishk Sharma
Procurement	Winsome Condra
Procurement Items (attached)	
• Item 1: Camp Fretterd WWTP upgrades - Lee Foundation Company, Inc.	
• Item 2: Greenbrier State Park water system upgrade design – Mott MacDonald, LLC	
• Item 3: Janes Island State Park water/power upgrade design – Keystone Engineering, Inc.	
Procurement Notifications	
Group Updates	
• OPS -Steam Plant operations	Tim Ford
• EDR – Masonville Cove connector	Marni Dolinar
• WWW – Graphical compliance data	Emily Martinazzi
• TES – BWI Airport winter activities 2023/2024	Luke Page
New/Old Business	Shelley Heller
Legal Report	Sean Coleman
Closed Session	
Adjournment	Shelley Heller

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

November 16, 2023

Item: 1

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:

Lee Foundation Company Inc.	\$3,576,943.00
W.M. Schlosser Company Inc.	\$4,377,000.00

Awarded To: Lee Foundation Company Inc.

Amount: \$3,576,943.00

Term: 450 calendar days

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

MBE Goal: 20.00%

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 needs 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.

On June 8, 2023, the original bids were rejected because all bids were either non-responsive to the published requirements or substantially exceeded budgeted funds.

Upon re-advertisement of the project, three bids were received on August 2, 2023. The apparent lowest bidder was HRI Construction LLC A/K/A M2 Construction LLC ("M2"). MES received a protest on this procurement by Lee Foundation on August 17, 2023. That protest was reviewed

by the MES Procurement Officer, who dismissed it as untimely in a response dated August 24, 2023. MES received the Board of Director's approval at the August 24, 2023, meeting to award the contract to HRI Construction LLC A/K/A M2 Construction LLC. On August 30, 2023, Lee Foundation appealed the dismissal to the MES Executive Director. The designee of the MES Executive Director, as the "MES Reviewing Authority" concluded on September 15, 2023, that Lee Foundation's bid protest was timely filed and remanded to the MES Procurement Officer the issues raised by Lee Foundation in its initial bid protest. MES put its procurement process on hold until the bid protest and appeals were resolved. On September 26, 2023, the MES Procurement Officer denied Lee Foundation's bid protest. On October 5, 2023, Lee Foundation appealed the denial to the MES Reviewing Authority. On November 3, 2023, the MES Reviewing Authority sustained Lee Foundation's bid protest and concluded that the protest was improperly denied by the MES Procurement Officer. The MES Reviewing Authority stated that the implied MBE partial waiver granted to M2 was improper and was revoked. The MES Reviewing Authority directed the MES Procurement Officer to find M2's bid unresponsive due to its failure to meet the MBE participation goal of this project and directed the MES Procurement Officer to award the project to the next lowest responsive bidder, Lee Foundation Company, Inc.

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Item: 2

Type: A/E Services over \$200,000

Group & Division: Water and Wastewater Group, Engineering Division

MES Contract Number: TBD

Project Name: Greenbrier State Park

Title/Description: Greenbrier State Park Water Distribution and Collection System Upgrade Design Services

Procurement Method: A/E Short List

Bids/Proposals: N/A

Awarded To: Mott MacDonald, LLC

Amount: \$ 495,724

Term: 36 Months

Client/Fund Source: Natural Resources Development Fund 2024/POS 004

MBE Goal: 57.4%

Remarks: The A/E will provide a comprehensive field investigation, permitting, and design services for the construction of upgrades to the Greenbrier State Park Water Distribution and Collection System.



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Item: 3

Type: A/E Services over \$200,000

Group & Division: Water and Wastewater Group, Engineering Division

Contract Number: TBD

Project Name: Janes Island State Park (JISP)

Title/Description: A/E Services for the upgrade of the water main and electric power distribution systems.

Procurement Method: A/E Short List

Bids/Proposals: N/A

Awarded To: Keystone Engineering, Inc.

Amount: \$ 292,961

Term: 24 Months

Client/Fund Source: Natural Resources Development Fund (NRDF)/POS 004

MBE Goal: 36%

Remarks: The A/E will develop bid-ready construction specifications and plans and assist MES in responding to all questions from prospective bidders during the bidding phase. They will also review construction submittals/shop drawings attend progress meetings and prepare meeting minutes during the construction phase.

