



# IAC MEETING AGENDA

## Thursday, November 9, 2023

Virtual Meeting  
9:00 a.m.

Live and archived streams of IAC meetings are available at <https://mdschoolconstruction.org>  
Please visit <https://mdschoolconstruction.org> to sign up for public comment.

### Introduction

- Meeting called to order
- Roll Call
- Revisions to the Agenda
- Public Comment

		Presenter	Page
1	Executive Director's Report	Alex Donahue, Executive Director	
2	Consent Agenda	Alex Donahue, Executive Director	
	A. October 12, 2023 Minutes		2*
	B. Contract Awards		5*
	C. Revisions to Previously Approved Contracts		28*
	D. Project Allocation Reversions		29*
	E. Easements		30*
	F. Site Approval - Prince George's County Public Schools - Fairwood Elementary School		31*
	Informational		
	G. School Closure - Baltimore County Public Schools - Campfield Early Childhood Center		32
3	Rescission of Section 107 of IAC Administrative Procedures Guide	Cassandra Viscarra, Deputy Director for Administration	33*
4	Built to Learn Funding Request - Kent County Public Schools - Kent Middle School Replacement	Arabia Davis, Funding Programs Manager; Lisa Vaughn, Capital Projects Manager	37*
5	Acceptance of Late FY 2025 CIP Submissions	Arabia Davis, Funding Programs Manager	39*
6	Capital Improvement Program Rescission/Amendment Requests - Washington County Public Schools	Sheron Johnson, Funding Programs Assistant; Lisa Vaughn, Capital Projects Manager	40*
7	FY 2024 Capital Improvement Program Rescission Request - Baltimore City Public Schools - Mt. Washington Modular Addition	Tatyana Tate, Funding Programs & Finance Assistant; Eugene Shanholtz, Lead Capital Projects Manager	45*
8	FY 2023 Aging School Program Schedule Adjustment	Arabia Davis, Funding Programs Manager	48*
9	Disposal of State-Owned Relocatable Unit #38391 and Approval of Funding for Demolition - St. Mary's County Public Schools	Tom Lockman, Chief Financial Officer; Eugene Shanholtz, Lead Capital Projects Manager	49*

### Announcements

\*Action Item



## **DRAFT Meeting Minutes – October, 12 2023**

### **Call to Order:**

Chair Kasemeyer called the video-conference meeting of the Interagency Commission on School Construction to order at 9:00 a.m.

### **Members in Attendance:**

Edward Kasemeyer, Appointee of the President of the Senate, Chair  
Secretary Atif Chaudhry, Maryland Department of General Services  
Linda Eberhart, Appointee of the Speaker of the House, Vice-chair  
Jill Lemke as Designee for Secretary Rebecca Flora, Maryland Department of Planning  
Michael Darenberg, Appointee of the Governor  
Gloria Lawlah, Appointee of the President of the Senate

### **Members Not in Attendance:**

Brian Gibbons, Appointee of the Speaker of the House  
Dr. Sylvia Lawson, Acting State Superintendent of Schools

### **Revisions to the Agenda:**

There were no revisions to the agenda.

### **Public Comment:**

None.

### **IAC Correspondence:**

None.

#### **1. Executive Director's Report – [Informational Only]**

Alex Donahue, IAC Executive Director, provided an update on the IAC's transition to independent status, the IAC's ongoing office move, the initial LEA submissions for the FY 2025 CIP, and Maryland's success and reputation nationally with the National Council on School Facilities for the innovative and proactive practices of the IAC.

#### **2. Consent Agenda – [Motion Carried]**

Upon a motion by Ms. Lawlah, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve the consent agenda.

##### **A. September 14, 2023 Minutes**

To approve the draft September 14, 2023 IAC Meeting Minutes, as presented.

##### **B. Contract Awards**

To approve contract procurement as noted below.

##### **C. Revisions to Previously Approved Contracts**

To approve the revisions to previously approved contract awards for Wicomico - Mardela Middle/High School (PSC 22.018.22/23) and Dorchester - Maple Elementary (PSC 09.010.22) to

accurately reflect the adjustments to the State and local participation in the contract amounts and/or corrections to project allocation information.

**D. FY 2024 Healthy School Facility Fund Project Correction**

To approve a correction to the project title and detailed description to reflect the inclusion of HVAC work in the Green Valley Elementary School HSFF project.

**E. School Closure - Baltimore County Public Schools - Golden Ring Middle School [Informational Only]**

**3. COMAR Revisions to Adopt GAB Square Footage Add-Ons and SRC Calculation Changes – [Motion Carried]**

Executive Director Donahue and Capital Projects Supervisor Melissa Wilfong presented the proposed Add-Ons for Career and Technology Education, communities with a concentration of poverty over 55%, and communities with a high percentage of English language learners. Staff also recommended proposed changes to the State Rated Capacity determination of the number of teaching stations in gymnasiums of varying sizes and for certain physical education rooms with equipment.

Upon a motion by Vice-chair Eberhart, seconded by Ms. Lemke, the IAC voted unanimously to

1. To approve amendments to COMAR 14.39.02 to enact a new COMAR 14.39.02.01 which incorporates the IAC's Gross Area Baselines by reference and to amend COMAR 14.39.02.06 Maximum State Construction Allocation to include gross area baseline square footage add-ons for school projects for Concentration of Poverty, English Learner, and Career and Technical Education (CTE);
2. To approve amendments to COMAR 14.39.02.04 State Rated Capacity to clarify the number of teaching stations included in gymnasiums of varying sizes and to, upon application to the IAC or its designee, allow the exclusion of one physical education classroom up to 2,500 net square feet that contains specialized equipment that cannot be stored or relocated;
3. To adopt the IAC CTE square footage Add-On Size Category listing as presented in this item and to direct staff to publish the listing to the IAC website; and
4. To renumber the provisions of COMAR 14.39.02 as needed to accommodate the amendments proposed herein.

**4. Adoption of Final 14.39.02.05 COMAR Revisions – [Motion Carried]**

The IAC previously approved the proposed COMAR 14.39.02.05 revisions for publication at their meeting on July 13, 2023. After publication in the Maryland Register said revisions were open to public comment for 30 days. Deputy Director for Administration Cassandra Viscarra addressed concerns raised in a public comment letter from Baltimore City Public Schools. Deputy Director Viscarra addressed Baltimore City Public School's concerns regarding the calculation of add-ons for facilities housing multiple programs, which is currently being worked on by MSDE and IAC Staff. Deputy Director Viscarra also indicated that of the other requests in the letter, due to Maryland law, the IAC is unable to either apply a district wide CPG rate or manually adjust Baltimore City's State Share to 95% or higher. IAC staff recommended the final adoption of the proposed actions on regulations as published in the August 25, 2023 Maryland Register.

Upon a motion by Mr. Darenberg, seconded by Vice-chair Eberhart, the IAC voted unanimously to adopt the final COMAR Revisions as published in the August 25, 2023 Maryland Register (Volume 50, Issue 17, Page 1011).

**5. Revisions to Executive Director Evaluation Form and Policy Approved in April 2023 – [Motion Carried]**

Vice-chair Eberhart presented minor revisions to the Executive Director Performance Evaluation Policy Form and the FY 2023 Executive Director Evaluation Form which was approved previously at the April 20, 2023 IAC Meeting. These revisions included the changing of the use of “shall” on page 2 to “may choose to”, and altering phrasing on item 10 to read “...provide feedback on the subcommittee evaluation to the evaluation subcommittee”, replacing the phrase “...to complete and return the evaluation form directly to the Committee Chair or a designated third party.”

Upon a motion by Vice-chair Eberhart, seconded by Ms. Lemke, the IAC voted unanimously to approve amendments as presented to the IAC Executive Director Evaluation Form and Policy originally approved by the IAC at their April 20, 2023 meeting.

**6. Executive Session**

Upon a motion by Mr. Darenberg, seconded by Vice-chair Eberhart, the IAC voted unanimously to meet in Executive Session to discuss a personnel matter at 9:30 a.m, and noted that the meeting would adjourn upon conclusion of the Executive Session.

**Announcements:**

There were no announcements.

**Adjournment:**

At the conclusion of the Executive Session, upon a motion by Mr. Darenberg, with a second by Vice-Chair Eberhart, the IAC voted unanimously to adjourn the meeting at 9:55 a.m.



**Item 2.B. Contract Awards**

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**Motion:**

To approve contract procurement as noted below.

The IAC staff has reviewed the contract procurement for the following State approved projects and recommends IAC approval.

	<u>Bid Opening</u>	<u>Total Contract</u>	<u>State Funds</u>	<u>Local Funds</u>
<b><u>Baltimore County</u></b>				
1.	Martin Boulevard ES PSC #03.142.22 HSFF Systemic Renovation - Chiller Replacement	<b>\$751,486</b>	\$428,347	\$323,139
	1 - Excel Mechanical Contractors, LLC	04/24/2023	\$751,486	
<b><u>Caroline County</u></b>				
2.	Ridgely ES PSC #05.006.18/20/22/23 ASP Systemic Renovation - Playground Replacement	<b>\$199,945</b>	\$103,910	\$96,035
	1 - Game Time c/o Cunningham Recreation	12/08/2022	\$199,945	
<b><u>Dorchester County</u></b>				
3.	Choptank ES PSC #09.016.22 HSFF Systemic Renovation - Roof / HVAC Replacement	<b>\$2,736,034</b>	\$2,055,010	\$681,024
	1 - Whiting-Turning Contractors and Engineers	07/24/2023	\$2,736,034	
<b><u>Garrett County</u></b>				
4.	Southern MS PSC #11.008.24 SPEC F Renovation of PreK-6 - Construction Management (CM) portion	<b>\$1,009,940</b>	\$886,698	\$123,242
	1 - Howard Shockey and Sons, Inc.	08/10/2023	\$1,009,940	

		<u>Bid Opening</u>	<u>Total Contract</u>	<u>State Funds</u>	<u>Local Funds</u>
<b><u>Prince George's County</u></b>					
5.	Crossland HS PSC #16.033.23 ASP Systemic Renovation - Bleacher / Press-Box Replacement 1 - TJ Distributors, Inc.	04/12/2023	\$1,203,120 \$1,203,120	\$1,103,120	\$100,000
<b><u>Wicomaico County</u></b>					
6.	Wicomaico MS PSC #22.015.23 ASP Systemic Renovation - 1st Level Floor Replacement 1 - Value Carpet One	03/22/2023	\$210,293 \$210,293	\$106,627	\$103,666
<b><u>Worcester County</u></b>					
7.	Stephen Decatur HS PSC #23.004.21 SSGP Systemic Renovation - School Cameras 1 - ARK System, Inc.	09/09/2021	\$199,868 \$199,868	\$199,868	\$0
<b><u>Baltimore City</u></b>					
8.	#236 Hamilton PK-8 PSC #30.096.22 HSFF Systemic Renovation - Roof Replacement 1 - Ruff Roofing & Sheet Metal, Inc.	03/16/2023	\$1,465,074 \$1,465,074	\$960,000	\$505,074
<b>Summary Totals</b>					
<b>Total Projects: 8</b>	<b>Total Contracts: 8</b>		<b>\$7,775,760</b>	<b>\$5,843,580</b>	<b>\$1,932,180</b>

## APPROVAL OF CONTRACTS

LEA: Baltimore County

PSC No. 03.142.22 HSFF

Project Name: Martin Boulevard ES

Bid Opening: 4/24/2023

Project Type: Systemic Renovation

Scope of Work: Chiller Replacement

Basis for Award of Contract: Base Bid & Alt.1

Basis of Funding: 57% of eligible base bid + Alt.1 up to maximum state approved allocation.

Local Funds: \$323,139

State Funds: \$428,347

Total Contract: \$751,486

### State Contingency for Change Orders:

Transfer State Funds:	Account No.	Amount
Decrease Project Amount:		<u>\$0</u>
Increase Contingency Amount:		<u>\$0</u>
Decrease Contingency Amount:		<u>\$0</u>
Increase Project Amount:		<u>\$0</u>

<u>Contract #</u>	<u>Contractor</u>	<u>Total Contract</u>
1	Excel Mechanical Contractors, LLC	<u>\$751,486</u>
		<u><b>\$751,486</b></u>

Notes: (1) Replace chiller (1999). Removal and replacement of chillers, air handlers and other associated work

(2) Prevailing wage rates do apply to contract.

IAC Approval Date:

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**Contract Name:**  
**Contract #:**

Martin Boulevard Elementary School – Chiller Replacement  
 GDA-309-23

<i>Bidders</i>					
	<b>Excel Mechanical Contractors, LLC</b>	<b>Denver-Elek, Inc.</b>	<b>Combustion Air Corporation</b>	<b>Patapsco Mechanical, LLC</b>	<b>Fresh Air Concepts, LLC</b>
<b>Base Bid</b>	\$694,110	\$681,300	\$745,136	\$785,750	\$820,000
<b>Alternate No. 1:</b> Replacement of AHU-1	\$57,376	\$82,500	\$89,566	\$79,164	\$53,000
<b>Total</b>	<b>\$751,486</b>	<b>\$763,800</b>	<b>\$834,702</b>	<b>\$864,914</b>	<b>\$873,000</b>

<i>Bidders</i>				
	<b>MD Mechanical Systems</b>	<b>Chilmar Corporation</b>	<b>ASN General Contracting, Inc.</b>	<b>BMC Services, LLC</b>
<b>Base Bid</b>	\$806,625	\$829,396	\$880,000	\$884,000
<b>Alternate No. 1:</b> Replacement of AHU-1	\$83,075	\$64,396	\$18,000	\$86,400
<b>Total</b>	<b>\$889,700</b>	<b>\$893,792</b>	<b>\$898,000</b>	<b>\$970,400</b>



## APPROVAL OF CONTRACTS

LEA: Caroline County

PSC No. 05.006.18/20/22/23 ASP

Project Name: Ridgely ES

Bid Opening: 12/08/2022

Project Type: Systemic Renovation

Scope of Work: Playground Replacement

Basis for Award of Contract: Proposal

Basis of Funding: 88% of eligible proposal up to maximum state approved allocation.

Local Funds: \$96,035

State Funds: \$103,910

Total Contract: \$199,945

### State Contingency for Change Orders:

Transfer State Funds:	Account No.	Amount
Decrease Project Amount:		<u>\$0</u>
Increase Contingency Amount:		<u>\$0</u>
Decrease Contingency Amount:		<u>\$0</u>
Increase Project Amount:		<u>\$0</u>

<u>Contract #</u>	<u>Contractor</u>	<u>Total Contract</u>
1	Game Time c/o Cunningham Recreation	<u>\$199,945</u>
		<u><b>\$199,945</b></u>

Notes: (1) Replace playground equipment.

(2) Prevailing wage rates do not apply to contract.

IAC Approval Date:

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GameTime c/o Cunningham Recreation  
 PO Box 240981  
 Charlotte, NC 28224  
 800.438.2780  
 704.525.7356 FAX

12/08/2022  
 Quote #  
 158265-01-03

## Ridgely Elementary School (Updated 12.8.22)

BOE of Caroline County  
 Attn: Chuck Petrick  
 204 Franklin St.  
 Denton, MD 21629  
 Phone: 410-479-1210 Ext. 111  
 Fax: 410-479-2741  
 petrick.charles@ccpsstaff.org

Ship to Zip 21813

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - Powerscape Modular Structure for Ages 5-12 (per drawing) [Deck:Pvc:_____] [Basic:_____] [Fabric 1:_____] [Deck:Pvc:_____] [Accent:_____] [Roto Plastic:_____] [Basic:_____] [Accent 2:_____] [Tube:_____] [HDPE:_____] [Roto Plastic:_____] [2 Color HDPE:_____]	\$86,508.00	\$86,508.00
		(2) 80000 -- 49" Sq Punched Steel Deck		
		(6) 80001 -- 49"Tri Punched Steel Deck		
		(1) 80192 -- Sunblox Umbrella Canopy		
		(1) 80657 -- Access Attachment 4'		
		(1) 81468 -- Shoriz Ladder Link		
		(1) 81664 -- Single Thunderring		
		(1) 81670 -- Crunch Bar		
		(1) 90030 -- 4' Transfer Platform W/Barrier		
		(1) 90105 -- 3'-6"/4' Schooner Climber		
		(1) 90193 -- 2-6"/3' Single Curved Zip Slide		
		(3) 90268 -- 10' Upright, Alum		
		(7) 90269 -- 11' Upright, Alum		
		(4) 90270 -- 12' Upright, Alum		
		(1) 90366 -- Sloped Funnel Climber W/Barrier		
		(1) 90396 -- 2' Rung Kickplate		
		(1) 90509 -- 5' Double Zip Slide, Std Dk		
		(1) 90568 -- Suspension Bridge (Barrier)		
		(1) 90772 -- 6' Wildertube Quick 'S' Reverse		
		(1) 90868 -- Splitter 6'		
		(1) 90882 -- 360 Spiral Slide 5' w/roto hood		
		(1) 91100 -- 5'-6"/6'-6" Double Bubble Climber		
		(1) 91139 -- Entryway - Barrier		



GameTime c/o Cunningham Recreation  
 PO Box 240981  
 Charlotte, NC 28224  
 800.438.2780  
 704.525.7356 FAX

12/08/2022  
 Quote #  
 158265-01-03

## Ridgely Elementary School (Updated 12.8.22)

Quantity	Part #	Description	Unit Price	Amount
		(1) 91208 -- Climber Entryway - Guardrail		
		(3) 91209 -- Climber Entryway - Barrier		
		(1) 91321 -- Erratic Climber 4'0"-5'0"		
		(1) 91565 -- Face Creator Panel		
		(2) G90268 -- 10' Upright, Galv		
		(1) G90270 -- 12' Upright, Galv		
1	3256	GameTime - Cantata Chimes [Basic: _____] [HDPE 2: _____]	\$6,475.00	\$6,475.00
1	TILE	GT-Impax - Interlocking Tile Safety Surfacing- <b>Includes:</b> - (536) 2'x2' tiles, 3.25" thick for a 7' critical fall height - (47) beveled edge tiles - (4) outside corner tiles - (1) ADA ramp tile - (98) U locks - (42) tubes isotec glue	\$28,979.00	\$28,979.00
1	INSTALL	MISC - Removal and Off-Site Disposal of Existing Play Structure- * Includes removal and disposal of concrete footings	\$10,190.00	\$10,190.00
1	INSTALL	MISC - Removal and Disposal of Existing PIP Surfacing	\$4,015.00	\$4,015.00
1	INSTALL	MISC - Removal of Existing Curbing- * To be stockpiled on site for customer disposal	\$450.00	\$450.00
1	INSTALL	MISC - Excavation of Site - * Spoils to be used for backfilling or spread on site	\$4,300.00	\$4,300.00
1	INSTALL	MISC - Installation of Play Equipment- * Includes rental of lift equipment for shade install	\$27,690.00	\$27,690.00
1	INSTALL	MISC - Installation of Tile Surfacing	\$6,585.00	\$6,585.00
1	INSTALL	MISC - Provision and Installation of Concrete Pad- * Including 6'x6' area for ADA ramp tile	\$37,760.00	\$37,760.00
1	178749	GameTime - Owner's Kit	\$84.00	\$84.00
Contract: OMNIA #2017001134			<b>Sub Total</b>	\$213,036.00
			<b>Discount</b>	(\$20,956.17)
			<b>Freight</b>	\$7,865.43
			<b>Total</b>	<b>\$199,945.26</b>

### Comments

\* Site must be clear, level, free of obstructions, and accessible. Site should permit installation equipment access. Purchaser shall be responsible for unknown conditions such as buried utilities, tree stumps, bedrock or any concealed materials or conditions that may result in additional costs.

## APPROVAL OF CONTRACTS

LEA: Dorchester County

PSC No. 09.016.22 HSFF

Project Name: Choptank ES

Bid Opening: 7/24/2023

Project Type: Systemic Renovation

Scope of Work: Roof / HVAC Replacement

Basis for Award of Contract: Base bid + Alts. 2,3 & 4.

Basis of Funding: 82% of eligible base bid + Alts. 2,3 & 4 up to maximum state approved allocation.

Local Funds: \$681,024

State Funds: \$2,055,010

Total Contract: \$2,736,034

### State Contingency for Change Orders:

Transfer State Funds:	Account No.	Amount
Decrease Project Amount:		<u>\$0</u>
Increase Contingency Amount:		<u>\$0</u>
Decrease Contingency Amount:		<u>\$0</u>
Increase Project Amount:		<u>\$0</u>

<u>Contract #</u>	<u>Contractor</u>	<u>Total Contract</u>
1	Whiting-Turning Contractors and Engineers	<u>\$2,736,034</u>
		<u><b>\$2,736,034</b></u>

Notes: (1) Replace Roof (1997) and HVAC (1997). This scope of work is equipment centric, with the bulk of the contract value being the equipment itself.

(2) The Davis-Bacon Act wage rates for federally funded projects apply to this contract.

IAC Approval Date:

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**CES Rooftop Equipment Replacement (PSC09.016) Bid Tabulation**

Bidder	Base Bid	Alternate 1 (Modern Controls)	Alternate 2 Kitchen Ventilation System	Alternate 3 Kitchen Walk-In Box/Refrigerations System	Alternate 4- Additional Ceiling Demolition/Replacement	Informational Pricing Roof Work	Recommended Award	Comment
Bancroft, Salisbury, MD.	\$2,467,613.00	\$0.00	\$144,689.00	\$58,090.00	\$281,740.00	\$108,548.00	\$2,952,132.00	
Whiting-Turner Contractors and Engineers, Salisbury, MD.	<input checked="" type="checkbox"/> \$2,341,524.00	\$57,560.00	<input checked="" type="checkbox"/> \$144,510.00	<input checked="" type="checkbox"/> \$28,457.00	<input checked="" type="checkbox"/> \$221,543.00	\$107,548.00	<input checked="" type="checkbox"/> \$2,736,034.00	
	\$2,335,935	\$5,000	\$134,475	\$20,400	\$318,073			
<b>Budget Remaining Per 5/31/23 Capital Report</b>		<b>\$3,021,402</b>						

## **APPROVAL OF CONTRACTS**

**LEA:** Garrett County

**PSC No.** 11.008.24 SPECIF

**Project Name:** Southern MS

**Bid Opening:** 8/10/2023

**Project Type:** Renovation of PreK-6

**Scope of Work:** Construction Management (CM) portion

**Basis for Award of Contract:** Base Bid

**Basis of Funding:** 90% of eligible base bid up to maximum state approved allocation.

**Local Funds:** \$123,242

**State Funds:** \$886,698

**Total Contract:** \$1,009,940

### **State Contingency for Change Orders:**

<b>Transfer State Funds:</b>	<b>Account No.</b>	<b>Amount</b>
<b>Decrease Project Amount:</b>		<u>\$0</u>
<b>Increase Contingency Amount:</b>		<u>\$0</u>
<b>Decrease Contingency Amount:</b>		<u>\$0</u>
<b>Increase Project Amount:</b>		<u>\$0</u>

<b><u>Contract #</u></b>	<b><u>Contractor</u></b>	<b><u>Total Contract</u></b>
1	Howard Shockey and Sons, Inc.	<u>\$1,009,940</u>
		<b><u>\$1,009,940</u></b>

**Notes:** (1) Construction management portion of renovation and modernization project.

(2) Prevailing wage rates do not apply to contract.

**IAC Approval Date:**

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**Southern Elementary Construction Management Services**  
**Bid Package# - 2024-002**  
**Date - August 10, 2023**

**BID TABULATION**

Bidder	Responsiveness - 10%		Qualifications & Expertise- 25%		Quality- 25%		Cost- 40%		Total Score	Pre-Construction	Construction	Total Bid
Shockey	10	1	10	2.5	10	2.5	10	4	10	\$51,889	\$958,051	\$1,009,940.00
Dustin Construction- Did Not Bid												

Certified True and Correct.

Richard Wesolowski                      8/10/2023  
 SIGNED    DATE

## **APPROVAL OF CONTRACTS**

**LEA:** Prince George's County

**PSC No.** 16.033.23 ASP

**Project Name:** Crossland HS

**Bid Opening:** 4/12/2023

**Project Type:** Systemic Renovation

**Scope of Work:** Bleacher / Press-Box Replacement

**Basis for Award of Contract:** Base Bid

**Basis of Funding:** 100% of eligible base bid up to maximum state approved allocation.

**Local Funds:** \$100,000

**State Funds:** \$1,103,120

**Total Contract:** \$1,203,120

### **State Contingency for Change Orders:**

<b>Transfer State Funds:</b>	<b>Account No.</b>	<b>Amount</b>
<b>Decrease Project Amount:</b>		<u>\$0</u>
<b>Increase Contingency Amount:</b>		<u>\$0</u>
<b>Decrease Contingency Amount:</b>		<u>\$0</u>
<b>Increase Project Amount:</b>		<u>\$0</u>

<b><u>Contract #</u></b>	<b><u>Contractor</u></b>	<b><u>Total Contract</u></b>
1	TJ Distributors, Inc.	<u>\$1,203,120</u>
		<b><u>\$1,203,120</u></b>

**Notes:** (1) To replace the stadium bleachers and press box.

(2) Prevailing wage rates do apply to contract.

(3) Ineligible Contingency Allowance of (\$100,000).

**IAC Approval Date:**

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**Bid Analysis**

Bid Opening Date: April 12, 2023

Baltimore County Public Schools Rider: KSH-309-19  
PGCPS Task Order: DCP054A-23

Scope of Work: Construction Services for Bleacher Replacement

Bidder: TJ Distributors, Inc.

Total Contract  
**\$1,203,120.00**

Basis for award of contract:

<u>Base Bid</u>	<u>Alternates</u>	<u>Perf. &amp; Payment Bonds</u>
\$1,203,120.00	\$0.00	\$ (info. Only)

**EVALUATION OF STATE CONSTRUCTION COSTS**

1	Contingency Allowance (included in base bid)	\$100,000.00
	Other Ineligible costs: A/E fees, FF&E, etc.	\$0.00
	Construction cost after deducting ineligible item	<b>\$1,103,120.00</b>

2	Percentage based on authorized scope	
	Stadium Replacement	100%
	Construction costs on authorized Scope:	<b>\$1,103,120.00</b>

3	State and County Shared Formula:	73%/27%
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State Shared Construction Cost:

State at **73%** Approved

State Construction Cost - \$805,277.60

Note, Maximum State Approved: **\$1,209,426.00**

***Revert to Prince George's County Contingency Fund \$404,148.40***

County Shared Construction Cost:

\$1,203,120.00 - \$805,277.60 **\$397,842.40**

(+) Change Order Contingency at 5% \$60,156.00

County Total: **\$457,998.40**

  
Shayla Taylor (Oct 4, 2023 14:04 EDT)

Signature of LEA Representative

## APPROVAL OF CONTRACTS

LEA: Wicomoico County

PSC No. 22.015.23 ASP

Project Name: Wicomico MS

Bid Opening: 3/22/2023

Project Type: Systemic Renovation

Scope of Work: 1st Level Floor Replacement

Basis for Award of Contract: Base Bid

Basis of Funding: 100% of eligible base bid up to maximum state approved allocation.

Local Funds: \$103,666

State Funds: \$106,627

Total Contract: \$210,293

### State Contingency for Change Orders:

Transfer State Funds:	Account No.	Amount
Decrease Project Amount:		<u>\$0</u>
Increase Contingency Amount:		<u>\$0</u>
Decrease Contingency Amount:		<u>\$0</u>
Increase Project Amount:		<u>\$0</u>

<u>Contract #</u>	<u>Contractor</u>	<u>Total Contract</u>
1	Value Carpet One	<u>\$210,293</u>
		<u><b>\$210,293</b></u>

Notes: (1) To replace floors on the first level.

(2) Prevailing wage rates do not apply to contract.

IAC Approval Date:

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IFB 36000-212  
First Floor Flooring Replacement  
**Wicomico Middle School**

This contract is for replacement of First Floor flooring at Wicomico Middle School. The contractor will provide and install all flooring per the bidding documents. This is a Summer 2023 Project.

**Lump Sum Base Bid**

Colossal Contractors, Inc.	\$348,600.00
EARN Contractors, Inc.	\$355,350.00
<b>Value Carpet One</b>	<b>\$210,293.00</b>

The bid was advertised on eMaryland Marketplace Advantage, Bid Locker and WCPS websites.  
162 - Vendors notified on eMaryland Marketplace Advantage

It is recommended that the award for First Floor Flooring Replacement be made to Value Carpet One as the evaluated low responsive and responsible bidder.

Source of Funds: State Funds (Aging Schools)  
General Funds

Contract Value: \$210,293.00

**APPROVAL OF CONTRACTS**

LEA: Worcester County

PSC No. 23.004.21 SSGP

Project Name: Stephen Decatur HS

Bid Opening: 9/09/2021

Project Type: Systemic Renovation

Scope of Work: School Cameras

Basis for Award of Contract: Proposal

Basis of Funding: 100% of eligible proposal up to maximum state approved allocation.

Local Funds: \$0

State Funds: \$199,868

Total Contract: \$199,868

**State Contingency for Change Orders:**

Transfer State Funds:	Account No.	Amount
Decrease Project Amount:		<u>\$0</u>
Increase Contingency Amount:		<u>\$0</u>
Decrease Contingency Amount:		<u>\$0</u>
Increase Project Amount:		<u>\$0</u>

<u>Contract #</u>	<u>Contractor</u>	<u>Total Contract</u>
1	ARK System, Inc.	<u>\$199,868</u>
		<u><b>\$199,868</b></u>

Notes: (1) Surveillance and Security Technology - Install security cameras and access control system.

(2) Prevailing wage rates do not apply to contract.

IAC Approval Date:

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# PROPOSAL

Fire, Security, Data & Sound System Integration

9176 Red Branch Road • Columbia, Maryland 21045 • (410) 997-0188 • (301) 621-5736 • FAX: (410) 997-1191

Date: 9-9-21

Worcester County Public Schools  
6720 Worcester Highway  
Newark, Md. 21841

Attention: Mr. Sam Slacum

Phone Number: 410-632-5007

E-mail [spslacum@worcesterk12.org](mailto:spslacum@worcesterk12.org)

**RE: Stephen Decatur High School  
Provision and Installation of Access Control and CCTV Video**

ARK Systems, Inc. proposes:

ARK Systems, Inc. would like to thank you for the opportunity to submit a proposal for the Installation of Enterprise Access Control and CCTV at Stephen Decatur High School. This proposal is inclusive of cameras, and access control.

The camera system has been designed and shall be installed to provide exterior situational awareness of the entire perimeter. The Interior cameras shall provide views of ingress and egress points, the front lobby, office area, and places of gathering to include the cafeteria/auditorium, and gym. The major materials to be included are as shown below, for the access and CCTV systems. The device locations shall be installed at the approximate location shown on the supplied drawings. This proposal includes the installation of (94) Ninety Four Imagers of various resolutions.

All costing below shall reflect pre-determined pricing structure as awarded to ARK from The Board of Education of Wicomico County IFB-93900-187 Video Surveillance Systems JOC, and IFB-93900-186 Access Control Systems JOC. Pricing Information contained in included attachments.

**CCTV System Major Components Bill of Materials:**

<u>Description</u>	<u>QTY</u>
2X5MP H5A DUAL HEAD CAMERA	4
8.0MP H5A FISHEYE	1
12.0MP FISHEYE	11
3X5MP WDR	18
4X5MP WDR	3
2.0MP IN CEILING DOME	2
4.0MP IN CEILING DOME	3
4.0 PENDANT DOME	4
WORKSTATION	1
FISHEYE ADAPTER	12
PENDANT WALL MOUNT	11
IN CEILING ADAPTER	2
IN CEILING DOME	2
DROP CEILING PANEL	4
IR RING	15

# PROPOSAL

CORNER MOUNT	15
WALL MOUNT	15
OUTDOOR DOME COVER	15
OUTDOOR PENDANT	15
PoE INJECTOR 60W	15
ENTERPRISE CAMER CHANNEL	47
NVR 96TB WINDOWS 2016	2
MONITORS 32"	1
MONITOR 43"	1

## Access Control System Major Components Bill of Materials:

<u>Description</u>	<u>QTY</u>
8 door reader license (to be installed on the Server located in the BOE Building)	1
Card Reader	5
MR52 Controller	1
1502 Controller	2
Door Strike or Mag Lock, Locking Device	5

ARK Systems proposes to provide, install and commission the necessary cabling, power supplies, locks, patch panels, patch cords, equipment cabinets, and UPS device for power conditioning, required for the operation of the CCTV and Access Control Systems.

WCPS Board of Education shall be responsible to provide a necessary network IP addresses for the newly installed switches, controllers, cameras, and Access and Video Servers, for connection to the owners Internet, for remote viewing and management.

ARK has included in this proposal (1) One Client station. A Client Station shall be installed in the principal's office.

This proposal does not include connection or integration of any of the existing cameras or access control that may exist. This is a complete new Enterprise solution.

The access control server can be expanded to include all new controllers and readers that are installed on the Board of Education's network. The initial card reader license included will connect (16) Sixteen readers, (5) Five are being utilized for this first Installation. This proposal includes an additional 8 door licenses.

A 32" monitors shall be installed at Client Station, and the 43" shall be installed in the office area as a public view monitor.

This bid proposal is conditioned on the following assumptions, exclusions and attached terms and conditions notwithstanding anything contrary in the request for proposals or the plans and specifications for the project:

### Assumptions

- All work, including testing, to be performed Monday through Friday from 7:00 AM - 3:30 PM unless otherwise indicated on the bid proposal. This may include noisemaking activities, such as hammer drilling, sounding of audible devices, etc.
- ARK Systems shall have access to the elevator and loading docks during normal working hours for material handling.

### Exclusions

- Patching and painting

# PROPOSAL

- Inspection fees or additional work required by local officials during permit review and final inspection
- Floor plan drawings
- Special finishes
- Professional engineer's stamp
- Fire or security watch services
- Bonds
- Insurance beyond coverage within ARK Systems' Certificate of Insurance
- Asbestos removal
- Extraordinary EPA, safety, or hazardous requirements.

# PROPOSAL

## Terms and Conditions

1. **Contract Documents.** No terms and conditions or other document that Owner includes by reference in the contract shall be binding on ARK Systems, Inc unless a copy of any such terms and conditions or document has been furnished to ARK Systems, Inc prior to execution of the contract, and unless expressly accepted in a writing signed by ARK Systems, Inc.
2. **Warranty.** Notwithstanding any higher standard stated elsewhere, ARK Systems, Inc. work shall be executed in substantial compliance with the Contract Documents, in a good and workmanlike manner and free of defect not inherent in the design or specified materials. This warranty excludes any remedy for damages or defects caused by ordinary wear and tear, improper or insufficient maintenance, abuse, or modifications performed by others. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES WHETHER EXPRESS OR IMPLIED, AND ALL SUCH WARRANTIES ARE HEREBY EXPRESSLY DISCLAIMED, INCLUDING THE IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE AND MERCHANTABILITY. This warranty shall not be extended by corrective work performed by ARK Systems, Inc. This and any other contractor warranties arising out of ARK Systems, Inc. work shall be for a period of one year from the date of substantial completion of ARK Systems, Inc work or substantial use of Contractor's material, or the issuance of a certificate of occupancy, whichever comes first, unless otherwise specifically agreed in a writing signed by ARK Systems, Inc.
3. **Design Delegation.** Any design services provided by ARK Systems, Inc will be reviewed by the Architect/Engineer (If applicable) responsible for the overall project to assure that the design will be acceptable when integrated with the entire work. Owner is entitled to rely on the accuracy and completeness of design services or certifications provided by ARK Systems, Inc only to the extent that design responsibility for a particular part of the Work is specifically delegated to ARK Systems, Inc. by agreement in writing and all design and performance criteria are furnished to ARK Systems, Inc by the Owner.
4. **Project Schedule.** Any modification of the project schedule differing from the bid schedule shall allow ARK Systems, Inc a reasonable time to complete work in an efficient manner. ARK Systems, Inc shall be entitled to an equitable adjustment in the price of the work, including but not limited to any increased costs of labor, supervision, equipment or materials, and reasonable overhead and profit, for any change of schedule, acceleration, out of sequence work or delays not caused by ARK Systems, Inc., its sub-subcontractors, their employees or others for whose acts they may be liable. ARK Systems, Inc shall not be required to commence or continue work unless sufficient areas are ready to ensure continuous work.
5. **Contractor Claims.** ARK Systems, Inc shall be entitled to an equitable adjustment of the schedule and of its compensation, including reasonable overhead and profit, for any extra work it performs pursuant to written or verbal instructions of Owner, provided that ARK Systems, Inc gives the Owner advance, written notice stating the date, circumstances, and source of the instructions, and that ARK Systems, Inc regards the instructions as a change to the Scope of Work. Under no circumstances does ARK Systems, Inc waive its right to payment for extra work performed by ARK Systems, Inc pursuant to instructions from the Owner.
6. **Retainage.** All retainage withheld from ARK Systems, Inc progress payments shall be released within 30 days after substantial completion of work, less the reasonable value of uncompleted work. Owner shall pay ARK Systems, Inc from the amount withheld for uncompleted work on a monthly basis as each item of work is completed.
7. **Payment.** No provision of this Contract shall serve to deny ARK Systems, Inc entitlement to full payment each calendar month for properly performed work or suitably stored materials. Interest shall become due and payable on any subcontractor billing that remains unpaid after the payment due date. The rate of interest shall be per the terms of ARK Systems, Inc credit policy. Should ARK Systems, Inc payment be delayed because Owner fails to make timely payment of amounts certified and approved or because Owner declines to approve or certify payment for reasons not the fault of or directly related to ARK Systems, Inc. work, then ARK Systems, Inc may suspend work after notice to Owner of the intent to suspend and the date of intended suspension. Should work be thereafter suspended for at least 21 days, ARK Systems, Inc may terminate this Contract upon written notice of termination to Owner. If work is suspended and afterward resumed remobilization charges will apply (if applicable).
8. **Temporary Site Facilities.** Owner shall supply all temporary site facilities and utilities without cost to ARK Systems, Inc unless specifically agreed in writing.
9. **Contractor Waivers.** Any form or contract language wherein ARK Systems, Inc. purports to release the Owner or Design Professional is hereby qualified by the following language whether or not ARK Systems, Inc specifically adds the language: "This release shall apply only to work for which payment has been received in full by ARK Systems, Inc shall not apply to retention; shall not apply to unbilled changes, to claims which have been asserted in writing or which have not yet become known to ARK Systems, Inc.; and shall be conditional upon receipt of funds to ARK Systems, Inc account."
10. **Hold Harmless Restriction.** Any indemnification or hold harmless obligation of ARK Systems, Inc shall extend only to claims relating to bodily injury and property damage and then only to that part or proportion of any claim, damage, loss or defect that results from the negligence or intentional act of ARK Systems, Inc., its sub-subcontractors, their employees or others for whose acts they may be liable. ARK Systems, Inc shall not have a duty to defend
11. **Suspension of Work.** In the event of a suspension of work by the Owner, or by ARK Systems, Inc in accordance with paragraph 7, above, Owner's liability to ARK Systems, Inc is for payment in full for all Work performed to the date of suspension, demobilization and remobilization costs resulting from the suspension, and an equitable adjustment of the schedule..
12. **Termination of Contract.** In the event of any termination by the Owner which is not justified by a default of ARK Systems, Inc., or termination by ARK Systems, Inc, ARK Systems, Inc shall be entitled to payment from the Owner for all costs incurred by ARK Systems, Inc. for which ARK Systems, Inc. has not received payment, including, but not limited to, reasonable overhead, profit, expenses and damages, including attorneys' fees and interest, including profit on unperformed work.
13. **Lien and Bond Rights Preserved.** Notwithstanding any provision to the contrary, ARK Systems, Inc may take all steps reasonably necessary to preserve and enforce its lien and bond rights.
14. **Governing Law and Venue Restriction.** Any dispute shall be governed by the law of the state of Maryland. The federal or state courts in the state of Maryland shall have exclusive jurisdiction and venue, and any arbitration shall be conducted within the state of Maryland.
15. **Attorneys' Fees and Costs.** Should either party employ an attorney to institute litigation or arbitration to enforce any provision of this Contract or to collect damages or debt under this Contract, the prevailing party shall be entitled to recover their actual attorneys' fees, costs and expenses incurred, without regard to any court schedule of fees
16. **Consequential Damages.** Owner shall make no demand for liquidated damages or actual damages for delays in excess of the amount paid by the Owner for unexcused delays actually caused by ARK Systems, Inc. Owner expressly waives all claims for consequential damages it may have against ARK Systems, Inc, including without limitation damages for principal office expenses, loss of financing, loss of business and reputation, and loss of use.
17. **Backcharge Claims.** No backcharge or claim of the Owner for services shall be valid except by an agreement in writing by ARK Systems, Inc before the work is executed, except in the case of ARK Systems, Inc failure to meet any requirement of the Contract. In such event, the Owner shall notify ARK Systems, Inc. of such default, in writing, and allow ARK Systems, Inc reasonable time to correct any deficiency before incurring any costs chargeable to ARK Systems, Inc. No backcharge shall be valid unless billing is rendered no later than the 15<sup>th</sup> day of the month following the charge being incurred. Furthermore, any payments withheld under a claim of ARK Systems, Inc default shall be reasonably calculated to cover the anticipated liability and all remaining payment amounts not in dispute shall be promptly paid.
18. **Floor Plan Drawings.** In the event the proposed project specifications and ARK Systems, Inc proposal indicate floor plans are required, the owner/ contractor shall provide ARK Systems, Inc with CAD files for all affected areas of the building for our use in drawing preparation.



# PROPOSAL

WE PROPOSE to furnish the above referenced scope of work complete in accordance with specifications and subject to conditions found on agreement, for the sum of:

Stephen Decatur High School

—One Hundred Ninety Nine Thousand Eight Hundred Sixty Eight Dollars----- \$ 199,868.00

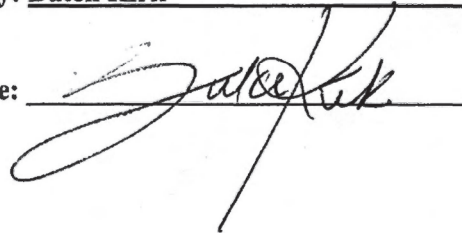
**PAYMENT TO BE MADE AS FOLLOWS: NET THIRTY (30) DAYS UPON RECEIPT OF INVOICE**

**NOTE: PROGRESSIVE BILLING SHALL APPLY TO INVOICING.**

**ARK SYSTEMS, INC.**

By: Butch Kirk

Signature: \_\_\_\_\_



ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: 12/14/21

Purchase Order No.: 157994

Company: WCPS

By: [Signature]

Printed Name: San Slawson

**Note:** This proposal may be withdrawn by us if not accepted within thirty (30) days.

## APPROVAL OF CONTRACTS

LEA: Baltimore City

PSC No. 30.096.22 HSFF

Project Name: #236 Hamilton PK-8

Bid Opening: 3/16/2023

Project Type: Systemic Renovation

Scope of Work: Roof Replacement

Basis for Award of Contract: Base Bid

Basis of Funding: 96% of eligible base bid up to maximum state approved allocation.

Local Funds: \$505,074

State Funds: \$960,000

Total Contract: \$1,465,074

### State Contingency for Change Orders:

Transfer State Funds:	Account No.	Amount
Decrease Project Amount:		<u>\$0</u>
Increase Contingency Amount:		<u>\$0</u>
Decrease Contingency Amount:		<u>\$0</u>
Increase Project Amount:		<u>\$0</u>

<u>Contract #</u>	<u>Contractor</u>	<u>Total Contract</u>
1	Ruff Roofing & Sheet Metal, Inc.	<u>\$1,465,074</u>
		<u><b>\$1,465,074</b></u>

Notes: (1) Replace the (1991) 19,640 sf built-up roof.

(2) Prevailing wage rates apply to contract.

IAC Approval Date:

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**BALTIMORE CITY PUBLIC SCHOOLS**  
**IFB-23049**  
**ROOF REPLACEMENT AT HAMILTON PreK-8 School #236**  
**BID DUE DATE: THURSDAY, MARCH 16, 2023 12:00 P.M. LOCAL TIME**

	<b>Responding Vendor</b>	<b>Item 1</b>	<b>Item 2</b>	<b>Item 3</b>	<b>Grand Total</b>
1	Allstate Contractor	\$2,812,102.00	\$2,000.00	\$100,000.00	\$2,914,102.00
2	Autumn Contracting	\$2,297,500.00	\$15,000.00	\$200,000.00	\$2,512,500.00
3	<b>Ruff Roofing &amp; Sheetmetal, Inc.</b>	<b>\$1,465,074.00</b>	\$32,500.00	\$54,150.00	\$1,465,074.00
4	Cole Roofing	\$2,479,200.00	\$16,800.00	\$18,000.00	\$2,514,000.00
5	St. Marys Roofing & Home Improvement, LLC	\$1,741,884.00	\$20,000.00	\$1,000.00	\$1,762,884.00
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

Bids Opened By: Patricia Graff

Date 3/16/2023

Bids Recorded By: Suzanne Addinton

Date 3/16/2023

## Item 2.C. Revisions to Previously Approved Contracts

---

### **Motion:**

To approve the revisions to previously approved contract awards as presented to accurately reflect the adjustments to the State and local participation in the contract amounts and/or corrections to project allocation information.

### **Background Information:**

December 8, 2022; July 13, 2023

Calvert - Plum Point Middle

PSC 04.017.23 SR

Project Type: HVAC

Contractor: W.L. Gary Company, Inc.

Change State funds from \$2,674,800 to \$2,144,800

Change Local funds from \$1,155,200 to \$1,685,200

Note: This revision is needed to update State and local participation to accurately reflect the total prior year and FY 2024 CIP funding for this contract.

January 12, 2023

Wicomico - Wicomico High

PSC 22.009.23 HSFF

Project Type: Systemic Renovation - Roof Replacement

Contractor: SGK Contracting

Change State funds from \$6,006,000 to \$8,329,782

Change Local funds from \$2,474,000 to \$150,218

Note: This revision is needed to increase State participation due to \$2,323,782 in additional funding being provided for this project in the FY 2024 CIP. This revision is not intended to reflect Pass-Through Grant funding for this project previously approved by the IAC on October 13, 2022.

**Item 2.D. Project Allocation Reversions**


---

**Motion:**

To approve the reversion of the amounts presented to the appropriate reserve accounts.

**Background Information:**

The presented Baltimore City Public Schools projects are ready to be closed out or have balances that were requested for reversion following contract approval. IAC staff recommend approval of the reversion of the unexpended balances.

<b>Project Name</b>	<b>Project Type</b>	<b>PSC #</b>	<b>Amount</b>
#130 Booker T. Washington	Windows/Doors	30.168.14 SR	\$18,447
#450 Frederick Douglass High	Elevator	30.111.14 SR	\$3,870
#215 Highlandtown PK-8	Windows	30.072.15/16 SR	\$443,920
#220 Morrell Park PK-8	Elevator	30.149.24 SR	\$18,892
#225 Westport Elementary	Elevator	30.082.23 SR	\$322,003
<b>Total</b>			<b>\$807,132</b>

**Item 2.E. Easements**


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**Motion:**

To approve the conveyance of the easements as presented.

**Background Information:**

The table below lists easements granting the holder access and use of the designated acreage.

<b>LEA</b>	<b>PSC #</b>	<b>School</b>	<b>Type of Easement</b>	<b>Total Site Acreage</b>	<b>Easement Acreage</b>
Montgomery County	15.046	Northwood High	Utility Easement and Right-of-Way for Washington Suburban Sanitary Commission	29.3714	0.0489

## Item 2.F. Site Approval - Prince George's County Public Schools - Fairwood Elementary School

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### **Motion:**

To approve the use by the Prince George's County Public Schools (PGCPS) of 13250 Fairwood Parkway in Bowie, Maryland 20720 for the construction of Fairwood Elementary School, a new facility that will be a replacement facility of Woodmore Elementary (PSC 16.150); adhering to the actions identified in the state clearinghouse review, state identifier 20230714-0609.

### **Background Information:**

PGCPS is requesting site approval from the IAC for the future construction of Fairwood Elementary School. The site is presently a greenfield site owned by the Prince George's County Board of Education (PGCBOE) which does not have any existing structures on the land. PGCPS intends to build a new elementary school on this site serving students from PK to 5th grade with a capacity of 627 students. This project is included in Phase 2 of PGCPS's Blueprint Schools public-private partnership. The facility is proposed to serve the student population of Woodmore Elementary, as well as a portion of the Glenn Dale Elementary population. The anticipated construction completion date is July 2027.

The site was initially purchased by PGCBOE on May 27, 2005. The site was approved by the PGCBOE on May 18, 2006 and by Prince George's County on August 2, 2007. State Clearinghouse review was completed in August 2023.

### **Land Use and Infrastructure**

- This site is located within the county's Priority Funding Area (PFA).
- Current zoning is Mixed Use; adjacent areas are zoned as residential townhouses and single family homes.
- Access to the site will be provided from Fairwood Parkway and will allow separation of cars, buses, and pedestrian traffic. School bus loading and unloading will occur in a dedicated portion of the parking lot.
- There are no currently existing hookups for public water, sewer, natural gas, or electrical service. PGCBOE has indicated that the plans for these hookups will be provided by the future developer.

### **Environmental and Natural Settings**

- The site is not located within a 100-year floodplain.
- The project will be constructed on a site with slopes exceeding 25% and will require a sediment control permit from Prince George's Soil Conservation District (PGSCD).
- No known rare, threatened, or endangered species of plant or animals or habitats are expected to be disturbed by construction of this facility.

**Item 2.G. School Closure - Baltimore County Public Schools - Campfield Early Childhood Center**

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**Motion:**

This item is informational and does not require IAC action.

**Background Information:**

Baltimore County Public Schools (BCPS) Campfield Early Childhood Center (PSC 03.136) will no longer be used for primary grades as of September 1, 2026. It will remain in the BCPS inventory; the future use of the facility has yet to be determined.



### Item 3. Rescission of Section 107 of IAC Administrative Procedures Guide

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#### **Motion:**

To rescind Section 107 *Sustainable Community Projects* of the Public School Construction Program Administrative Procedures Guide (APG) and to direct IAC Staff to draft a replacement policy in consultation with the Maryland Department of Housing and Community Development (DHCD) for presentation to the IAC for approval at an upcoming meeting.

#### **Background Information:**

The APG indicates in Section 107 that the IAC has authority to fund certain major school construction projects in areas which are formally designated for revitalization efforts under the Sustainable Communities Program. To qualify for consideration under the policy, potential projects must meet the following criteria:

1. Be located in a designated sustainable community approved by DHCD;
2. Have projected enrollments for the subject and adjacent schools at the time of school opening that will be less than 50% of the State Rated Capacity; and
3. Be located in a Priority Funding Area.

In addition, for a project to qualify under the policy, the following requirements must be met:

1. The LEA must have in place strategies to improve utilization at the project school, such as educational changes, redistricting, school closures, or similar;
2. The LEA must demonstrate that the project school plays an integral part in the sustainable community; and
3. The County must demonstrate how they are using land use controls to complement the Sustainable community Plan to direct growth to targeted growth areas.

IAC staff understand the intent of the program, but believe that the existing policy does not appropriately take into account the fiscal sustainability of the entire LEA portfolio and should be rescinded while IAC staff work with appropriate stakeholders to develop a new Sustainable Communities Policy that better supports the needs of the LEAs while also considering affordability within the limited resources both of local jurisdictions and of the State.

In the time that the IAC's Sustainable Communities Program has been in place (since 2014), there has only been one instance of funds being allocated to a Local Education Agency pursuant to Section 107.

## 107 - SUSTAINABLE COMMUNITY PROJECTS

### 107.1 GENERAL

- A. The Sustainable Communities Program was established within the Maryland Department of Housing and Community Development (DHCD) by the Maryland General Assembly per the Sustainable Communities Act of 2010. Sustainable Communities (SC) is a place-based community revitalization designation offering a comprehensive package of State resources. Municipal and county governments wishing to participate identify local areas in need of revitalization and create a comprehensive revitalization strategy or "Action Plan" guiding investment in accordance with the principles of sustainability with the aim to increase economic, transportation and housing choices, and improve environmental quality and health outcomes, among other locally identified goals. Designation applications are reviewed by an interagency panel led by DHCD and are then approved by the Governor's Smart Growth Subcabinet. Once approved, newly designated Sustainable Communities will retain their designation for a period of five years.
- B. Because the decision to invest in existing schools is critical to the continued success and vitality of Maryland's communities and municipalities, the IAC adopted this Sustainable Communities Policy to facilitate certain major school construction projects in areas formally designated for State and local revitalization efforts under the Sustainable Communities Program.

### 107.3 APPLICABILITY.

- A. This section applies to a new school, replacement school, major renovation, or addition school construction project that is:
1. Located in a Sustainable Community within a Priority Funding Area;
  2. In which the projected enrollments for the subject and adjacent schools at the opening of the school will be less than 50% of the State Rated Capacity, and in which the seven-year combined enrollments for the subject and adjacent schools do not indicate a trend toward full utilization of the capacity.
- B. A list of approved Sustainable Communities and interactive maps are posted on the Maryland Department of Housing and Community Development website.

### 107.4 PROCEDURAL STEPS

- A. Planning Approval
1. Criteria for Planning Approval:
    - a. School is located in a Priority Funding Area.
    - b. School is located in a State approved Sustainable Community.
    - c. The Sustainable Community Plan for the area in which the project school is located identifies strategies related to attracting residential growth.
    - d. There is no other school building in the same Sustainable Community that has been approved as a Sustainable Community project and which has received funding in the

past five years. (Note: Additional projects located in a Sustainable Community but not seeking the Sustainable Community project approval are still eligible under standard eligibility procedures).

- e. The LEA must have in place strategies to improve capacity at the project school, i.e. educational changes, redistricting, school closures, etc.
  - f. The project school plays an integral part in the Sustainable Community at large.
  - g. County and (where applicable) Municipality land use controls complement the strategies of the Sustainable Community Plan by directing and supporting growth to targeted growth areas and away from rural areas.
2. The IAC will also consider:
    - a. The total number of Sustainable Communities projects in any jurisdiction and the status of the enrollments in the SC schools in determining additional approvals.
    - b. All LEA CIP priorities when considering planning or funding approval for SC projects.
  3. A Sustainable Community project school will continue to be considered as an adjacent school for other school project requests of its type under standard eligibility procedures.
  4. Gross Area Allowance Eligibility.
    - a. If a Sustainable Community based replacement or renovation project, which is projected to have less than 50% enrollment when it opens, is approved in a local annual CIP, the eligibility of the project and the State funding will be based upon the Gross Area Allowance that is associated with one-half of the 7<sup>th</sup> year projected enrollment for that school alone.
- B. Funding approval
1. Criteria for Funding Approval: Same as Criteria for Planning Approval.
  2. First year funding must be obtained within the same five (5) year Sustainable Community designation period in which planning approval was given.
- C. CIP submission requirements
1. IAC/PSCP Form 102.1 Request for Approval of Planning or Form 102.2 Request for Approval of Funding.
  2. A written request for consideration of the project as a Sustainable Communities project.
  3. A map showing the location of the project school within the Sustainable Community area.
  4. The date of State designation of the Sustainable Community Area.
  5. A copy of the strategies from the Sustainable Community Plan in which the project is located which are targeted towards residential growth.
  6. A written explanation as to how the school project and the Sustainable Community complement one another.

7. Evidence of LEA strategies to improve capacity at the project school, i.e., educational changes, redistricting, school closures, etc.
8. Evidence that that the project school is integral to the SC community at large by documentation of its use by the community.
9. Evidence that County and (where applicable) Municipality land use controls complement the strategies of the Sustainable Community Plan by directing and supporting growth to targeted growth areas and away from rural areas. This could include information from Comprehensive Plans, Area Plans, Functional Plans, and Zoning and Subdivision regulations, Septic Tier maps.
10. Evidence that the project is supported as part of the overall LEA facilities needs assessment for the jurisdiction.

**107.5 LEA EDUCATIONAL FACILITIES MASTER PLAN REPORTING REQUIREMENTS**

- A. Beginning the first July after first year funding and for each Sustainable Communities project, the LEA shall report on the following in its annual Educational Facilities Master Plan:
  1. The Sustainable Community benchmark quarterly reports as required by DHCD.
  2. Progress of educational strategies to improved capacity.
  3. Evidence of continued use of the school by the community.
  4. Any changes in land use policy that may impact the goals of the Sustainable Community.

**107.6 POLICY REVIEW**

- A. This policy shall be reviewed annually by the IAC.
- B. IAC staff will track and report on the following:
  1. Total number of Sustainable Communities by jurisdiction.
  2. Changes in project school and in jurisdictional enrollment projections over time.
  3. Total funding dollars allocated to Sustainable Community schools and schools at full capacity by jurisdiction.
  4. Other as required.

**Item 4. Built to Learn Funding Request - Kent County Public Schools - Kent Middle School Replacement**

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**Motion:**

To approve Kent County Public Schools' (KCPS) Built to Learn (BTL) request for partial funding of design services for the Kent Middle School (PSC 14.003) replacement project totaling \$1,569,659. Funding factors are considered preliminary until the IAC approves the project for construction funding at a later date.

**Background Information:**

The BTL Act of 2020 became effective February 12, 2021. The Act authorizes the Maryland Stadium Authority (MSA) to sell revenue bonds to fund up to \$2.2 billion in school construction projects approved on a rolling basis by the IAC. Currently, based upon information from MSA, the IAC will base its approval on total estimated available funding of \$1.7 billion until such time as the MSA informs the IAC that its estimate of availability based upon available debt service payments to support the bonds has changed.

Kent County Public Schools is requesting design funding for a replacement project at Kent Middle School. The preliminary project scope includes the replacement of the existing facility to accommodate 536 students. Based on the LEA's requested scope and the State cost share of 50% for this project, the maximum State design allocation at this time is estimated to be \$1,830,000, against which the LEA is requesting to apply the entirety of their Built to Learn funding availability, totaling \$1,569,659. The LEA anticipates requesting the balance of design funding totaling \$260,341 through the FY 2025 Capital Improvement Program (CIP) and first time construction funding through a future CIP.

IAC staff recommend approval of the project as presented for design funding through the BTL program.



**STATE OF MARYLAND - CAPITAL IMPROVEMENT PROGRAM / BUILT TO LEARN  
COMPUTATION SUPPLEMENTAL WORKSHEET FOR ESTIMATING THE STATE ALLOCATION FOR FY 2025**

LEA Entry  
IAC Entry

PSC No.: 14.003'  
Project Type: Replacement  
GROSS AREA BASELINE in GSF

**Kent**  
Kent County Middle

Priority #	1
CIP or CIP/BTL	CIP/BTL
Request Type	Design
Basis for Applied Funding Factors:	Estimate
Date of First Construction Funding:	
Bid Date (Actual Only):	
LEA State Share	50%
Concentration of Poverty Add-on	0%
Maintenance Add-on	0%
Net Zero Energy Add-on	0%
Project State Share	50%

Educ. Type	Eligible Enrollment		GSF per student	=	Total GSF
PreK-3		x	137.42	=	
PreK-4		x	137.42	=	
Elementary (K-5)		x	137.42	=	
Middle	506	x	147.00	=	74,382
High		x	165.00	=	
Special ED Elem		x		=	
Special ED Middle	30	x	33.00	=	990
Special ED High		x		=	
					<b>75,372</b>

Existing Facility GSF	-	Adjusted Eligible GSF*	-
Demolition of Existing GSF	-		
Revised Existing Facility GSF	-		
Eligible New GSF	75,372		

Enrollment Case # (if applicable)  
Amounts Rounded to Nearest 1,000

NEW GSF				Construction Cost	Cost State Share
A. Eligible New GSF	75,372	x	404.00	30,500,000	15,225,000
B. Cooperative-Use Space (GSF)	750	x	404.00	303,000	152,000
C. CTE Program-Based GSF Add-on		x	404.00		
D. Concentration of Poverty/EL Add-on		x	404.00		
E. GAB Variance (if applicable)		x	404.00		
<b>F. Facility Addition Subtotal (A+B+C+D+E)</b>	<b>76,122</b>			<b>30,753,000</b>	<b>15,377,000</b>
G. Site Development (0.19*F)		x	19%	5,843,000	2,922,000
<b>H. Facility Addition &amp; Site Subtotal (F+G)</b>				<b>36,596,000</b>	<b>18,299,000</b>
I. Design Cost (0.1*H)		x	10%	3,660,000	1,830,000
J. Furniture, Fixtures and Equipment (0.05*F)		x	5%	1,538,000	769,000
<b>K. Total Costs for new space (H+I+J)</b>				<b>41,794,000</b>	<b>20,898,000</b>

RENOVATED GSF	Age of Structure	Construction Year	GSF to be Renovated	Cost per GSF	Percentage to be Covered	Cost	Construction Cost	Cost State Share
	40 & older			404.00	100%			
	31-39			404.00	75%			
	26-30			404.00	75%			
	21-25			404.00	65%			
	16-20			404.00	50%			
	0-15			404.00	0%			
L. Eligible Structure Renovation								
M. Cooperative-Use Space (GSF)				404.00				
N. CTE Program-Based GSF Add-on				404.00				
O. Concentration of Poverty/EL Add-on				404.00				
P. GAB Variance (if applicable)				404.00				
<b>Q. Facility Reno Subtotal (L+M+N+O+P)</b>								
R. Site Development (0.1*Q)					5%			
<b>S. Facility Renovation &amp; Site Subtotal (Q+R)</b>								
T. Design Cost (0.1*S)					10%			
U. Furniture, Fixtures and Equipment (0.05*Q)					5%			
<b>V. Total Cost for Renovated Space (S+T+U)</b>								

<b>TOTAL COST</b>	41,794,000	<b>20,898,000</b>
Less Prior State Funds for Related Projects		
<b>MAXIMUM STATE ALLOCATION</b>		<b>20,898,000</b>
Less CIP allocations for the Project		
<b>ADJUSTED MAXIMUM STATE ALLOCATION</b>		
Less CIP allocations for the Project		
Less other State funding program allocations for the project		(1,569,659)
<b>BALANCE</b>		<b>19,328,341</b>

**Additional Notes:** The "Net State Funding" on this worksheet is an estimate of the maximum State allocation for this project, but may be reduced based on the costs of the approved contract(s), ineligible items, and change orders.  
Existing facility is 78785 sf. Project consists of an addition of 75372 sf and renovation of 0 sf

## Item 5. Acceptance of Late FY 2025 CIP Submissions

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### **Motion:**

To accept a late Capital Improvement Program (CIP) submission from Garrett County and the late submission of the Board of Education letters of support for Allegany, Anne Arundel, Calvert, Charles, Dorchester, Frederick, Kent, Washington, and Worcester Counties.

### **Background Information:**

On July 13, 2023, the IAC approved the adoption of the October 4, 2023 deadline for the initial submission of the CIP and requirement that written local government support for CIP project submissions be provided for the FY 2025 CIP. To date, written support from the Board of Education has not been submitted for Baltimore City, Baltimore County, Carroll County, Howard County, Montgomery County, Prince George's County, Queen Anne's County, and Somerset County.

IAC staff are working with the Local Education Agencies to obtain the required documentation and support of approval of the extensions.

**Item 6. Capital Improvement Program Rescission/Amendment Requests - Washington County Public Schools**

**Motion:**

1. To approve the rescission of four Washington County Public Schools (WCPS) FY 2024 Capital Improvement Program (CIP) projects as presented in Table 1 of this item totaling \$1,470,686 and to transfer the funds to the LEA's reserve account; and,
2. To increase, in accordance with COMAR 14.39.02.07, project allocations for four FY 2023 Washington County CIP Projects as presented in Table 2.

**Background Information:**

On September 29, 2023, IAC staff received notification from WCPS that four projects awarded funding in FY 2023 came in over budget by \$1,227,034 due to increased costs for equipment, raw materials, manufacturing, transportation, and labor/wage rates. The LEA is requesting approval to rescind four projects funded through the FY 2024 CIP totaling \$1,470,686 in order to make available funding for the increased costs of the FY 2023 CIP projects.

The County believes that the proposed actions are fiscally responsible and the best way forward to make sure the FY 2023 CIP projects come to fruition. The county intends to request funding approval through the FY 2026 Healthy School Facility Fund Program and a future CIP for the canceled FY 2024 CIP projects.

**Table 1 - Requested Rescissions**

<b>PSC</b>	<b>School Name</b>	<b>Project Type</b>	<b>Amount of Award</b>
21.016	Marshall Street Center	Electrical Replacement	\$239,486
21.027	Boonsboro Elementary	Door Replacement	\$379,680
21.036	Smithsburg Elementary	Chiller Replacement	\$387,000
21.037	Lincolnshire Elementary	Chiller Replacement	\$464,520
<b>Total to be applied to LEA Reserve Account</b>			<b>\$1,470,686</b>



**Table 2 - Requested Allocations**

<b>PSC</b>	<b>School Name</b>	<b>Project Type</b>	<b>Amount of Award</b>	<b>Additional State Share Requested</b>	<b>Total Revised Award (79%) State Share</b>
21.032	Emma K. Doub Elementary	Electrical Replacement	\$277,000	\$249,887	\$526,887
21.010	Boonsboro Middle	Electrical Replacement	\$428,000	\$617,960	\$1,045,960
21.029	Williamsport Elementary	Boiler Replacement	\$301,000	\$134,132	\$435,132
21.025	Hancock Middle	Boiler Replacement	\$608,000	\$225,055	\$833,055
<b>Total</b>			<b>\$1,614,000</b>	<b>\$1,227,034</b>	<b>\$2,841,034</b>

IAC staff recommends approval of these requests.

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September 29, 2023

Alex Donahue  
Executive Director  
Interagency Commission on School Construction  
200 West Baltimore Street  
Baltimore, MD 21201

Re: COMAR 14.39.02.07 – Changes to the Maximum State Construction Allocation – Washington County Public Schools  
FY 2023 Capital Improvement Program

Mr. Donahue:

This letter is written to formally request the Interagency Commission on School Construction (IAC) to consider increasing the maximum state construction allocation on four (4) FY 2023 Capital Improvement Program (CIP) Systemic Renovation projects for Washington County Public Schools (WCPS), consistent with COMAR 14.39.02.07.

Between the dates of September 19, 2023, and September 27, 2023, competitive bids were received on the following approved FY 2023 Systemic Renovation projects:

- 21.032.23 SR Emma K. Doub Elementary School Electrical Replacement
- 21.010.23 SR Boonsboro Middle School Electrical Replacement
- 21.029.23 SR Williamsport Elementary School Boiler Replacement
- 21.025.23 SR Hancock Middle/Senior High School Boiler Replacement

These FY 2023 CIP projects were originally estimated in Summer/Fall of 2021, approved by the IAC in Spring of 2022 with funding made available in July 2022. The four (4) designs were started and completed this past year, and in all cases, the final construction document estimates provided by the design professionals were reasonably close to the original estimates. During WCPS review, all four (4) estimates from the design professionals were noted to be below the \$1,000,000 threshold that initiates the requirement of a formal Department of General Services (DGS) review. The designs were reviewed internally, consistent with the original proposed project scopes from the CIP, and were bid within all COMAR requirements. The low bid prices received on each of these four (4) projects exceeded both the original estimate and design professional estimate. WCPS has provided the Bid Documents, Bid Tabs, and design estimates for all four (4) of these projects at the following Google Drive link:

[https://drive.google.com/drive/folders/1WwcpT7MmRI8ZvKfl\\_hXH9IPiky8zc2nK?usp=sharing](https://drive.google.com/drive/folders/1WwcpT7MmRI8ZvKfl_hXH9IPiky8zc2nK?usp=sharing)

Based on discussions with the design professionals, contractors, industry representatives, and other Local Education Authorities (LEA's), the cost of electrical and select mechanical equipment has increased substantially in the past year. The increase in raw material costs (copper, etc.), manufacturing costs, transportation costs, labor/wage rate issues, and

inflation have all resulted in higher bid prices received than were anticipated when funding requests were made and subsequently approved by the IAC. Had higher than estimated (and funded) bids been received for only one (1) project of the four (4) WCPS may have assumed that it, or the design professional, just mis-calculated the cost of that particular project. With all four (4) different projects exceeding the estimates, WCPS believes the received bids reflect the current volatile market conditions noted above. Unfortunately, without additional state funding, WCPS will not be able to award these projects. The following table identifies the approved State FY 2023 CIP funding, the low bid received (planned for award), the actual eligible State funding (79% of the low bid received), and the additional State Funding needed (in green):

PSC #	Projects in Need of Funding	State FY23 CIP Funding	Low Bid Planned Award	Eligible State Funding (79% of Low Bid)	Additional State Funding Needed
21.032.23 SR	Emma K Doub ES Electrical Replacement	\$ 277,000	\$ 666,946	\$ 526,887	\$ 249,887
21.010.23 SR	Boonsboro MS Electrical Replacement	\$ 428,000	\$ 1,324,000	\$ 1,045,960	\$ 617,960
21.029.23 SR	Williamsport ES Boiler Replacement	\$ 301,000	\$ 550,800	\$ 435,132	\$ 134,132
21.025.23 SR	Hancock MS Boiler Replacement	\$ 608,000	\$ 1,054,500	\$ 833,055	\$ 225,055
		\$ 1,614,000	\$ 3,596,246	\$ 2,841,034	\$ 1,227,034

As shown, an additional \$1,227,034 in State funding is being requested.

To accommodate this additional request for State funding, WCPS has identified four (4) projects from the FY 2024 CIP that it is requesting to be rescinded, with those funds being reallocated to the four (4) FY 2023 projects identified above. If unlimited State and Local funding was available, WCPS would prefer to move forward on all of these projects. WCPS does not intend to “give up” on the FY2024 projects whose funding WCPS is asking to be rescinded and reallocated, and will seek funding for these needed projects in future year CIP requests or other funding initiatives (i.e. Health School Facility Funds, ASP, etc.).

PSC #	FY 24 State CIP Projects to rescind as Funding Source	Proposed FY24 Rescinded State CIP Funding
21.016.24 SR	Marshall Street Center Electrical Replacement	\$ 239,486
21.027.24 SR	Boonsboro ES Window/Door Replacement	\$ 379,680
21.036.24 SR	Smithsburg ES Chiller Replacement	\$ 387,000
21.037.24 SR	Lincolnshire ES Chiller Replacement	\$ 464,520
		\$ 1,470,686

As shown (in green), the cumulative FY2024 allocation for these projects is \$1,470,686. If this request is approved by the IAC, the \$243,652 (\$1,470,686 - \$1,227,034) balance can be held in reserve for future project needs.

The decision to make this request of the IAC is not taken lightly, but WCPS believes it is the best path forward at this time to support these important projects. The submitted bid prices are contractually good for sixty (60) days, from time of bid opening. If the requested rescission and reallocation of State funding cannot be secured to award the four (4) FY 2023 projects, they will not be able to be accomplished at this time. Based on the need, and known current bid prices, WCPS feels this request and approach is the most fiscally responsible way to accomplish the replacement of these important building systems in need of immediate attention.

Thank you for you and your staff's time and thoughtful review of this difficult situation. Additionally, WCPS thanks you for your ongoing support of our mission at Washington County Public Schools to construct and maintain the best possible learning environments for our students.

Sincerely,



Robert H. Rollins, III, Director  
Department of Facilities Planning & Development

cc: Dr. David Sovine, WCPS Superintendent  
Jeffrey Proulx, WCPS Chief Operating Officer  
Melissa Wilfong, IAC Capital Projects Supervisor  
Eugene Shanholtz, Lead Capital Projects Manager  
Lisa Vaughn, Capital Projects Manager  
Chad Criswell, WCPS Senior Project Manager and Planning Supervisor

**Item 7. FY 2024 Capital Improvement Program Rescission Request - Baltimore City Public Schools - Mt. Washington Modular Addition**

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**Motion:**

To approve the rescission of \$5,376,000 awarded to the Baltimore City's Public Schools (City Schools) FY 2024 Capital Improvement Program (CIP) for the #221 Mt. Washington School (PSC 30.268) Modular Addition project and transfer the reverted funds to the LEA's Reserve Appropriations Account.

**Background Information:**

On October 6, 2023, City Schools requested a rescission of the FY 2024 CIP #221 Mt. Washington School Modular Addition project as the project has been completed utilizing funds from the Elementary and Secondary School Emergency Relief (ESSER) Program administered by the Maryland State Department of Education.

City Schools requests that the available funds be redistributed from their reserve fund account to the Northeast Middle School limited renovation project (PSC 30.137), which was submitted by the LEA as a FY 2025 CIP request. Applications of LEA Reserve funding will be approved by the IAC in the final FY 2025 CIP approval, which is anticipated to be approved at the May 2024 IAC meeting.

IAC staff recommend approval of this request.

# BALTIMORE CITY PUBLIC SCHOOLS

**Brandon M. Scott**  
Mayor, City of Baltimore

**Johnette A. Richardson**  
Chair, Baltimore City Board  
of School Commissioners

**Dr. Sonja Brookins Santelises**  
Chief Executive Officer

October 6, 2023

Mr. Alex Donahue, JD  
Executive Director, Interagency Commission on School Construction  
200 West Baltimore Street, Suite 200  
Baltimore, MD 21021

**RE: Baltimore City Public Schools FY24 Capital Improvement Program (CIP) Amendment**

Dear Executive Director Donahue:

The purpose of this memorandum is to request the below rescission and amendment to Baltimore City Public Schools' (City Schools) FY24 CIP submission. Please find details and justifications below.

## **Rescission**

1. The Mt. Washington School #221 / Modular Addition / PSC #30.268.24 / \$5,376,000
  - Justification: This project was completed using ESSER funds, therefore, the CIP funding is no longer needed. Please deposit the rescinded funds into the City Schools reserve account for assignment to other projects.

## **Amendment**

City Schools requests that reserve appropriation funds be allocated to the following project:

1. Allocate \$5,376,000 to the Northeast Middle #49 (PSC #30.137.25) Limited Renovation project.

Should you have any questions or concerns, please contact me. Thank you for your consideration in this matter.

Respectfully Submitted,



Cynthia Smith, P.E., PMP, ALEP  
Executive Director – Facilities Planning, Design, and Construction  
Baltimore City Public Schools

CC:

Dr. Lynette Washington, COO

Melissa Wilfong, IAC  
Gene Shanholtz, IAC  
Maureen Gershberg

## Item 8. FY 2023 Aging School Program Schedule Adjustment

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### **Motion:**

To approve an adjustment to the FY 2023 Aging Schools Program (ASP) reimbursement submission deadline from December 1, 2023, to February 1, 2024.

### **Background Information:**

Citing a delay in the delivery of materials and the contractor's work schedule, Anne Arundel and Baltimore Counties requested an extension to the ASP reimbursement deadline for a number of projects. IAC staff believe that other LEAs are likely to experience similar material and other work delays, and recommend modifying the FY 2023 ASP Reimbursement Submission Deadline from December 1, 2023 to February 1, 2024.



**Item 9. Disposal of State-Owned Relocatable Unit #38391 and Approval of Funding for Demolition - St. Mary's County Public Schools**

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**Motion:**

To approve the disposal of State-Owned Relocatable Unit #38391 stationed at the George Washington Carver Elementary School in St. Mary's County Public Schools (SMCPS) for purposes of demolition and to, upon approval of the disposal by the Department of General Services (DGS), provide funding totaling \$6,668 for the demolition from the Statewide reserve account.

**Background Information:**

On September 28, 2023, the IAC received correspondence from SMCPS that the air quality in the State relocatable Unit 38391, which was purchased by the State in 1987, located at George Washington Carver Elementary School (PSC 18.032) was in poor condition. To thoroughly investigate this claim, SMCPS contracted KCI Technologies to perform an airborne mold spore trap sampling and swab sampling of suspected mold was completed on August 19, 2023. The results of the survey confirmed that the various total spore concentrations were highly elevated for indoor conditioned/filtered air due to mold spores that were associated with soil and/or plant decaying debris, woody decay, and water intrusion. High levels of *Stachybotrys* were also noted. Additional surveys were completed which indicated that the mold impacted drywall, insulation, and wood building materials are likely the source of elevated concentrations of airborne mold spores within the interior space. The water intrusion stains indicate that there appear to be building envelope issues stemming from the roof.

SMCPS has obtained proposals to explore the cost for remediation, restoration, and demolition, and has come to the conclusion that given the extensive amount of mold impacted materials and the cost to refurbish, that demolition is the best course of action with a total cost of \$11,497.

Approval of this disposal by the IAC will initiate the process for final disposition that is required by the Department of General Services (DGS). Once the disposal for purposes of demolition is approved by DGS, IAC staff will notify SMCPS that it is authorized to proceed with demolition and will be required to notify IAC staff once demolition has been completed.

IAC staff recognize that this State-owned relocatable has exceeded its expected useful life, and recommend approval of this request to dispose.

**Comments of Brunswick High School New Build Committee  
Interagency Commission on School Construction (IAC)  
Nov. 9, 2023**

These written comments supplement the oral public comment provided by Hope Bonanno at the November 9, 2023, IAC meeting.

**Brief Background of Brunswick High School (BHS) New Build Project**

The community efforts to secure a much needed replacement for BHS began in early 2019 with residents participating in multiple meetings to discuss preparation of the feasibility study to evaluate the needs at BHS. These meetings took place from roughly January - March 2019. These early efforts culminated at the June 12, 2019 Frederick County Board of Education (BOE) meeting where the residents of Brunswick turned out in large numbers to advocate for a replacement of BHS. At that meeting, the BOE approved a replacement of BHS. A description of the meeting can be found here

([https://www.fredericknewspost.com/news/school-board-votes-for-brand-new-brunswick-high-school/article\\_ce2b258e-14fc-5d21-9a19-ad7d8899d079.html](https://www.fredericknewspost.com/news/school-board-votes-for-brand-new-brunswick-high-school/article_ce2b258e-14fc-5d21-9a19-ad7d8899d079.html)).



A beyond-capacity-crowd descended on the Frederick County Board of Education meeting Wednesday evening to voice concern about several issues, most notably the Brunswick High School feasibility study. [Buy Now](#)

Photo from article: "School board votes for brand-new Brunswick High School" Frederick New Post, June 12, 2019 (available at [https://www.fredericknewspost.com/news/school-board-votes-for-brand-new-brunswick-high-school/article\\_ce2b258e-14fc-5d21-9a19-ad7d8899d079.html](https://www.fredericknewspost.com/news/school-board-votes-for-brand-new-brunswick-high-school/article_ce2b258e-14fc-5d21-9a19-ad7d8899d079.html))

Unfortunately, a year later, the BOE made a decision in approving its 2020 Educational Facilities Master Plan (EFMP) to delay replacement of BHS until approximately 2033 (the 2020 EFMP pushed the design phase for BHS to 2029, with construction scheduled to begin in 2030).<sup>1</sup> In-person attendance at the meeting was not possible due to the COVID-19 pandemic. However, many members of the public submitted written comments to the BOE opposing the proposed design and construction schedule.

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<sup>1</sup> See *Meeting Minutes, Board of Education Meeting* (Weds. June 24, 2020).

**Comments of Brunswick High School New Build Committee  
Interagency Commission on School Construction (IAC)  
Nov. 9, 2023**

Advocacy to reprioritize the BHS replacement was restarted with the City's creation of the BHS New Build Committee in January 2023.<sup>2</sup> BHS New Build Committee and concerned Brunswick Community members gave public comment at every Board of Education meeting from January 2023- June 2023 outlining safety, security, and educational equity concerns at BHS. Some of these meetings were attended standing-room-only, in large part due to Brunswick community members in attendance. Commenters included current and former students, parents, concerned residents, former BOE members, Brunswick City Mayor Nathan Brown, and several members of the Brunswick City Council. The BHS New Build Committee has also interacted with our County Executive, Frederick County Council, as well as engaging representatives in the Maryland General Assembly (Senate and House of Delegates). The Committee has also arranged several tours of BHS, which were attended by local, county, and state officials.

As a result of the Committee and community's advocacy efforts, at its June 14, 2023 meeting, the BOE voted to approve a 2023 EFMP and 6-year CIP that reprioritized BHS for funding in FY 2025 and a projected opening date of August 2028.<sup>3</sup> Our understanding is that FCPS submitted the annual CIP funding request to the IAC in October.

IAC approval of state funds is a vital step in making replacement of BHS a near-term reality. The Brunswick community and, more recently the BHS New Build Committee, has been advocating for an equitable, safe, secure and pedagogically sound environment for our students and staff for over four years. We respectfully request that the IAC approve the FY2025 funding request submitted by Frederick County for the replacement of BHS.

The condition of BHS, as described in the County's 2019 Feasibility Study is outlined below.

**Condition of BHS (Facility)**

The information below describes just some of the major conditions that were detailed in the 2019 Feasibility Study and that still need to be addressed.<sup>4</sup>

**Roof, Stairways, Windows, Sidewalks:** BHS Feasibility Study details the needs for roof replacement, window replacements, sidewalk replacements, stairway replacement and construction of additional stairways, and better insulation for energy efficiency and comfort - currently the building does not meet the current energy code.

Specifically, the 2019 Feasibility Study had this to say about the internal staircases at BHS:

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<sup>2</sup> See *Meeting Minutes, City of Brunswick Mayor and Council* (January 24, 2023).

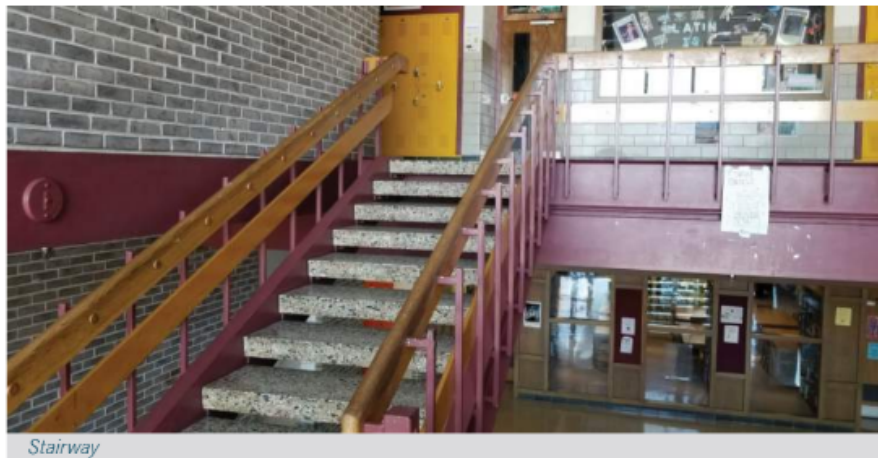
<sup>3</sup> See *Garnet & Gold Gazette, Expedited Replacement of Brunswick High Included in Facilities Plan Approved By Board*, Jacob Winter, June 29, 2023 (available at <https://bhsgazette.org/6767/news/expedited-replacement-of-brunswick-high-included-in-facilities-plan-approved-by-board/>).

<sup>4</sup> See BHS Feasibility Study, at pgs. 28-78.

**Comments of Brunswick High School New Build Committee  
Interagency Commission on School Construction (IAC)  
Nov. 9, 2023**

These stairways are **unrated and do not comply with current building codes**. The allowable occupancy of the second floor would require **three 1-hour rated stairways with at least two of them exiting directly to the exterior**.<sup>5</sup>

Most of the classroom space at BHS is on the second floor and we understand that there are as many as 400 students and staff on the second floor of BHS at any given time. This situation is allowed to continue, despite the fact that BHS is one staircase short of meeting current building codes and neither of the existing staircases are 1-hour rated or exit to the exterior. This means that in the event of a fire those staircases will be just as susceptible to fire damage and smoke as the rest of the building. So, they may not be available or passable when our children and staff need them during a fire emergency.



Staircases in Brunswick High School

The study also revealed significant evidence of **water infiltration** due to leaks in the building's roof (observed throughout the site); exposure of the structural steel exterior walls to the weather

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<sup>5</sup> Id. at pg. 45 (emphasis added).

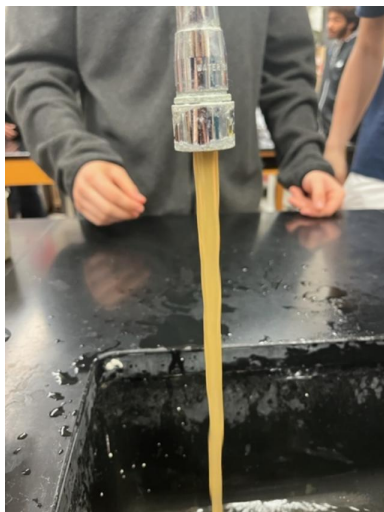
**Comments of Brunswick High School New Build Committee  
Interagency Commission on School Construction (IAC)  
Nov. 9, 2023**

(which makes exterior walls difficult to waterproof); water filtering from exterior brick into the building. Because of this water infiltration, which was noted throughout the building, “**existing mold and mildew are a major concern.**”<sup>6</sup>



Picture of saturated ceiling tile that fell during instruction.

According to the study, the piping system is original to the building and was recommended to be replaced as well as brought up to current codes.<sup>7</sup>



Pictures taken by students of water in the classrooms.

<sup>6</sup> BHS Feasibility Study, at pg. 63 (emphasis added).

<sup>7</sup> BHS Feasibility Study, at pg. 71.

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**Failure to Comply with the Americans with Disabilities Act (ADA):** According to the Feasibility Study, there are also numerous areas throughout the school that are non-compliant with current ADA. The study states:

“Specific renovations to the Brunswick High School over the years have addressed some accessibility issues, however full compliance with current ADA requirements is not provided throughout the facility. Existing non-compliant conditions include:

- There is no accessible route from the main school building to the CTE/Arts building.
- All toilet rooms do not fully meet current ADA requirements. Fixture type and mounting heights, accessories, and clearances require correction in most locations.
- Door maneuvering clearances at entrances to classrooms, toilet rooms, locker rooms, etc. do not comply with current ADA requirements and require corrections in most locations.
- There are many building exits which do not have an accessible route to the sidewalk upon exiting the building.
- Not all drinking fountain locations around the building are ADA compliant.



Non-ADA Compliant areas at Brunswick High School

- The auditorium stage does not have an accessible route from the audience area without leaving the auditorium space. Additionally, the orchestra pit and the auditorium control booth do not have a compliant route for access by disabled students and staff. The instrumental/vocal music classroom has a tiered floor and does not allow access for disabled students to get to the front of the classroom.

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- Shower facilities in the locker room areas do not have ADA compliant shower fixtures.
- The open riser stairs are no longer compliant and, if kept, would need to be corrected.”<sup>8</sup>

**Non-Compliant Security Systems:** The security systems are at maximum capacity and need to be replaced to comply with the current FCPS standards. Specifically, the study states:

- There is no lock down system in the building.
- Additional security cameras are needed in areas of assembly (i.e., cafeteria, gymnasium, etc.).
- There is no campus alert/mass notification system or visual display messaging system located in the building.
- There is no building wide Security Alarm system, only local individual alarm systems.
- Access control card readers are located only at selected entrances. . . . Card readers need to be added at loading dock entry doors and most exterior doors.<sup>9</sup>

**Condition of BHS (Educational Assessment)**

The BHS Feasibility Study included the following observations as a result of the educational assessment of the existing space:

“In addition to many required spaces being undersized or missing from the existing building, many of these spaces do not meet the needs of the educational specifications in terms of location, program adjacencies, and storage.

- Many learning spaces are interior and do not have access to views or natural daylighting
- Many instructional areas are dispersed through the building creating challenging relationships between spaces
- The media center is interior and does not have access to views or natural daylighting
- Health Suite is located in the Physical Education block, remotely located from the front entrance and administration suite
- Many Technology Education and Art spaces are located in the separate CTE/Mechanical block and are accessed via exterior circulation, resulting in access and security compromises
- Music rooms are split on either side of the auditorium resulting in disconnected spaces and programs

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<sup>8</sup> BHS Feasibility Study, at pg. 56.

<sup>9</sup> BHS Feasibility Study, at pg. 77.

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Spaces from the Educational Specifications missing from the existing building include:

- Transitional Education Classroom
- Wrestling Room
- TV Studio
- Media Center Storage
- Collaborative Learning Areas
- Chorus Classroom
- Scene Shop
- Dressing Rooms
- Instrument Rooms
- Online Learning Lab
- Career Center”<sup>10</sup>

**History of Projects at Brunswick High School**<sup>11</sup>

PROJECT UPGRADE SUMMARY	YEAR	STATE	LOCAL
Original Building	1963	ENA	ENA
Year Occupied	1965	--	--
Stadium Press Box	1977	ENA	ENA
Vocational Agricultural Shop Addition	1979	ENA	ENA
Vocational Agricultural Addition/Renovation	1982	ENA	ENA
Fire Sprinkler	1989	ENA	ENA
Auditorium Renovations	1990	ENA	ENA
Stadium Bleachers	1991	--	\$7,395
Gymnasium Addition	1992	--	\$2,693,776
Concession Stand + Restrooms	1993	--	\$422,658
Partial Roof Replacement	1998	\$195,000	\$286,581
Tennis Court Restoration	1999	--	\$87,745
Track Resurfacing	2001	--	\$35,280
Boiler Replacement	2002	\$275,000	\$215,546
Technology Cabling/Voice-Data Network	2003	\$284,750	\$101,416
Gymnasium Roof	2005	--	\$199,691
Replace Chillers/Cooling Tower Replacement	2009	\$387,000	\$255,482
HVAC Piping Replacement	2011	\$354,167	\$195,141
Security Vestibule	2013	\$25,287	\$25,580
Unit Ventilator Replacement	2015	\$581,000	\$609,985
Stadium Lighting	2016	--	\$220,106
Tennis Court Replacement	2017	--	\$440,000
Parking Improvements	2017	--	\$1,260,000
Performance Upgrades	2019	--	ONGOING

- BHS is the oldest high school in Frederick County and the last major addition was the 1992 gymnasium project.

<sup>10</sup> BHS Feasibility Study, at pg. 79.

<sup>11</sup> BHS Feasibility Study, at pg. 38.



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**Socioeconomics in Brunswick**

Periodically, the United Way publishes an ALICE (Asset Limited, Income Constrained, Employed) report, which is focused on households with incomes that are above the Federal Poverty Level but below the basic cost of living. The 2023 ALICE report states:

- Approximately 36% of households in Frederick County earn incomes that fall below the ALICE threshold (i.e., earn incomes either below the Federal poverty level or below the ALICE household survival budget).
- For Brunswick, **nearly 40%** of households earn incomes that fall below the ALICE threshold. This puts Brunswick in the bottom quarter of Frederick County communities included in the ALICE study (along with Thurmont, Frederick City, and Emmitsburg).<sup>12</sup>

**Frederick County Communities (Sampling)**



Community	Total Households	ALICE Households	Community	Total Households	ALICE Households
Urbana	3,895	15%	Jefferson	878	34%
Green Valley	4,123	16%	Ballenger Creek	8,711	38%
Adamstown	718	18%	Brunswick City	2,851	39%
Linganore	3,752	24%	Thurmont	2,448	44%
Braddock Heights	1,053	25%	City of Frederick	33,907	45%
Spring Ridge	2,086	27%	Emmitsburg	1,006	52%
Walkersville	2,412	31%			



Source: [www.unitedforalice.org](http://www.unitedforalice.org)

<sup>12</sup> United Way of Frederick County, 2023 ALICE Report Maryland Report (available at <https://www.unitedwayfrederick.org/challenge-ALICE>).