

INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION



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Meeting Minutes June 25, 2020

Call to Order:

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

Members in Attendance:

Dr. Karen Salmon, State Superintendent of Schools, Chair
Secretary Ellington Churchill, Department of General Services
Linda Eberhart, Appointee of the Speaker of the House
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate
Secretary Robert S. McCord, Maryland Department of Planning

Members Not in Attendance:

Denise Avara, Appointee of the Governor
Edward Kasemeyer, Appointee of the President of the Senate
Dick Lombardo, Appointee of the Governor

Revisions to the Agenda:

None

Public Comment:

None

IAC Correspondence:

None

I. Consent Agenda

Motion Carried

Upon a motion by Mr. Gibbons and a second by Ms. Lawlah, the members voted unanimously to approve the consent agenda.

A. Approval of May 14, 2020 Minutes

To approve the minutes of the May 14, 2020 Interagency Commission on School Construction Meeting.

B. Approval of Contracts

To approve contract procurement as presented.

II. Reverted and Reserved Appropriations

Alex Donahue, Deputy Director of Field Operations, presented two items regarding reverted and reserved prior-year appropriations.

A. Reverted and Reserved Funding

Informational Only

Mr. Donahue gave a presentation quantifying the reverted and reserved prior-year appropriations for all LEAs. The presentation highlighted how many dollars were reverted after project costs came in under their original allocation levels, compared with how many dollars reverted because a project did not move forward as awarded. Mr. Donahue emphasized the necessity of having predictable funding sources that allow successful project delivery within schedule and budget. Furthermore, he reviewed recent approaches by the IAC to achieve fairly distributed CIP allocations, and introduced the need to move to a predictable allocation process.

B. Baltimore City Appropriations

Informational Only

Last month, the IAC staff heard concerns voiced by Baltimore City Public School System (BCPSS) that the IAC was supplanting a portion of their expected share of FY21 CIP allocations with reverted funds. In response, Mr. Donahue presented previous annual appropriations to Baltimore City, and compared them to an enrollment-proportional share. Mr. Donahue also further emphasized that the IAC has been developing approaches to proportional allocations in order to support greater predictability.

III. Facility Status Change Items

Michael Bayer, Manager of Infrastructure and Development at the Maryland Department of Planning, presented two facility status change items to the IAC.

A. Elementary School #23 – Charles County Site Approval

Motion Carried

Upon a motion from Mr. Gibbons and a second from Senator Lawlah, the IAC voted unanimously to approve the use by the Charles County Board of Education (CCBOE) of 19.3 acres of land along the north side of St. Charles Parkway, approximately 7,000 feet south of the intersection with Billingsley Road in St. Charles, Maryland (on a parcel known as Village of Wooded Glen Neighborhood 3, Tax Map 24, Parcel 149), for the construction of Elementary School #23; adhering to the actions identified in the state clearinghouse review, state identifier MD20200428-0322.

B. N/S Maryland Route 343 - Dorchester County Property Transfer

Motion Carried

Upon a motion from Mr. Gibbons and a second from Ms. Lawlah, the IAC voted unanimously to approve the transfer of 1.0 acres of vacant land on the North Side of Cambridge-Hudson Road, also known as Maryland Route 343 (Tax Map 0029, Grid 0009, Parcel 0093), in Cambridge, MD, 21613 from the Board of Education of Dorchester County to the Dorchester County Council for the purpose of disposition as surplus property.

IV. FY 2021 CIP Amendments

Arabia Davis, Funding Program Manager, and Jamie Bridges, Baltimore City Project Manager presented two FY21 CIP Amendments to the IAC.

A. Elementary School #23 - Charles County FY21 CIP Amendment

Motion Carried

After several discussions with the LEA, Ms. Davis, presented the IAC staff recommendation that planning approval for the New Elementary School #23 be granted with the understanding that the LEA will provide documentation that describes their approach to facility portfolio management and total cost of ownership.

Upon a motion from Mr. Gibbons and a second from Secretary Churchill the IAC voted unanimously to approve Charles County Public School System's (CCPS) request to amend the FY 2021 CIP status code for the New Elementary School #23 CIP project from "B status" – planning deferred due to fiscal constraints to an "A status" approval of planning.

B. Northern Building #402 Roof, Baltimore Polytechnic Institute High #403 Elevator – Baltimore City FY21 CIP Amendment

Motion Carried

Mr. Bridges reminded the members that shortly before the May IAC meeting, Baltimore City submitted a request that the roof project at Northern Building and the elevator project at Baltimore Polytechnic Institute not be allocated funding. Instead they wished to hold the funding in reserve for application to the Furley Elementary School project in the FY 22 CIP. As the two projects identified are a lower priority for the City and will not be executed, staff recommended that the FY 21 CIP allocation be revised and that these projects not receive funding. Mr. Bridges clarified that any funding that becomes available as a result of this action will be held in the account reserved for Baltimore City.

Upon a motion from Ms. Eberhart and a second from Secretary Churchill, the IAC voted unanimously to reconsider the approval of the FY 2021 CIP Allocation to Baltimore City Priority 24 Northern Building #402 Roof (PSC# 30.174) of \$4,992,000 and the allocation to Baltimore City Priority 25 Baltimore Polytechnic Institute High #403 (PSC# 30.185) Elevator of \$446,000. Allocations to these projects will be revised to \$0. Available funding will be held in the reserve account for Baltimore City consistent with §5-303(j) of the Education Article, Annotated Code of Maryland.

V. Program Adjustments

Ms. Davis presented four program adjustments to the IAC.

A. Aging Schools Program (ASP) Deadline Extension – Allegany County

Motion Carried

The IAC was asked to extend the deadlines for the George's Creek Elementary School (GCES) Boiler project funded through the FY 2019 ASP, which will allow the LEA to carry out the project with the



available and approved State funding. Ms. Davis noted in the agenda item for the IAC Members that COMAR 14.39.02.18.F (3) states “The IAC may extend the time for placing a project under contract or expending the funds under extraordinary circumstances.”

Upon a motion from Senator Lawlah and a second from Ms. Eberhart, the IAC voted unanimously

- 1) To approve ACPS request to extend the June 28, 2019 deadline for the ASP project to be under contract by 18 months.
- 2) To approve ACPS request to extend the December 3, 2019 deadline to request reimbursement for the George’s Creek Elementary School (GCES) project by 12 months.

B. Healthy School Facility Fund (HSFF) Deadline Extension – Cecil County

Motion Carried

Ms.Davis presented that Cecil County Public School Systems will be performing in-house installation for the approved HSFF projects. However, the purchase of the equipment needed will require Cecil Board of Education approval. Given current limitations, the LEA believes it is unlikely that the board meeting would occur in time to purchase materials needed to proceed with the scopes of work.

Upon a motion from Secretary McCord and a second from Mr. Gibbons, the IAC voted unanimously to approve CCPS request to extend the June 1, 2020 HSFF deadline by 60 days to have the 18 Lead and mold remediation projects encumbered.

C. Approval to Delegate Authority to Approve Certain Extension Requests to the Executive Director

Motion Carried*

The Interagency Commission on School Construction has recently received a number of requests for extensions for several of its programs, including the Aging Schools Program, the Healthy School Facility Fund, and the School Safety Grant Program, and have heard from several LEAs that they expect more delays as a result of COVID-19. As such, IAC Staff recommended that the IAC delegate authority to the Executive Director to approve project extensions, so that the turnaround time on extension requests can be reduced. Upon a recommendation from Ms. Eberhart, IAC members agreed that the staff recommended motion should be revised to include a time limit of 12 months.

Upon a motion from Mr. Gibbons and a second from Ms. Eberhart, the IAC voted unanimously to delegate authority for the next 12 months to approve project extensions to the Executive Director for projects funded through the Aging Schools Program, the Healthy School Facility Fund, or the School Safety Grant Program, so long as the extensions do not violate any legal requirement. Any granted extensions are to be reported to the Interagency Commission at their next regularly scheduled meeting.

**Ms. Eberhart suggested an amendment to the IAC staff proposed motion before the motion was made. The modified motion was voted on as seen above.*

D. Healthy School Facility Fund (HSFF) Adjustment – Washington County

Motion Carried

Washington County Public School Systems had determined that the Lead: Water Fountain replacement project at the Washington County Technical High School PSC #21.013.20 HSFF was no longer necessary as the original system had already been removed. Due to the recent bids received for the Cascade Elementary School Lead: Water Fountain project, which came in higher than anticipated, the LEA would like to apply the available HSFF to this previously approved project.

Upon a motion from Ms. Eberhart and a second from Secretary McCord, the IAC voted unanimously

- 1) To approve WCPS request to cancel and transfer \$1,400 for the Washington County Technical

High School Water Fountain Replacement Project to the LEAs HSFF statewide prior year appropriations account.

- 2) To apply \$1,400 from the HSFF prior year appropriations account to the Cascade Elementary School Water Fountain Replacement Project.

VI. Authorize and Approve Allocation for E-Rate Reimbursement

Motion Carried

Kim Spivey, Deputy Director of Administration, reminded IAC members that in accordance with COMAR 14.39.02.10, the IAC staff committed to providing a 10% match of State funds to Frederick County to complete Broadband Special Project Fiber Infrastructure Improvements for Blue Heron Elementary. She noted that the Statewide Appropriations account had funding available to provide the 10% State match and the Universal Service Administrative Company (USAC) approved the grant for the remaining 90%.

Upon a motion from Mr. Gibbons and a second from Ms. Eberhart, the IAC voted unanimously to authorize and approve the transfer of funds from the FY 2021 Reserved Appropriation account for reimbursement to Frederick County for Blue Heron Elementary (10.081.21) in the amount of \$9,500.

VII. FY2022 Cost per Square Foot for School Construction

Motion Carried

COMAR 14.39.02.06 F requires the Interagency Commission on School Construction (IAC) to establish the average Statewide per-square-foot school building cost that will apply to the capital improvement program by July of the calendar year in which applications are submitted. Based upon recent school construction bids and a review of the national building cost index, IAC staff recommended that the IAC increase the cost per sf figure to be used for the FY 2022 CIP to \$341 per sf for building only. That represents a 3.5% increase over the FY 2021 cost per sf figures.

Mr. Gibbons noted that in the private sector, prices have currently been more favorable and contracts seem to be more aggressive in the bids they are submitting than in the last few years. He urged LEAs to get as many projects moving as quickly as possible to take advantage of the favorable prices.

Upon a motion from Mr. Gibbons and a second from Senator Lawlah, the IAC voted unanimously to adopt the FY 2022 Statewide per-square-foot school building costs of \$341 per sf for building only.

Point of Privilege:

Secretary Churchill informed the IAC members that on March 13, 2020, the Department of General Services sent a memorandum to all LEAs notifying them that DGS had changed their submission requirements to allow digital submission of documents. He expressed his thanks to the LEAs that have adopted DGS's new policies and acknowledged Angela Allen, an employee of DGS who led the digital submission team and was instrumental in the change.

Adjournment:

The video-conference meeting of the Interagency Commission on School Construction adjourned at 9:45 a.m.

