

March 5, 2020

The Honorable Kumar Barve  
Chairman, House Environment & Transportation Committee  
251 House Office Building  
Annapolis MD 21401

***Re: Letter of Information – House Bill 1249 – I-495 and I-270 Public-Private Partnership – Partnership Agreement – Requirements (Maryland State Department of Transportation Promises Act of 2020)***

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 1249 but offers the following information for the Committee's consideration.

In 2017, Governor Hogan challenged MDOT to deliver an innovative solution to relieve statewide congestion. The I-495 & I-270 Public-Private Partnership (P3) Program is the largest component of the Traffic Relief Plan and is being advanced to bring transformative relief to the growing congestion that impedes economic development and diminishes quality of life in the National Capital Region (NCR).

In January of this year, Secretary Slater updated and clarified for the Board of Public Works (BPW) certain conditions of its approval of the P3 designation in June 2019. The BPW then approved the amended conditions as memorialized for the record in Item 23-GM, January 8, 2020. The Department has subsequently released a Request for Qualifications that reflects the conditions as approved by the BPW.

MDOT brings hundreds of procurements before the Board each year. These procurements enable the State to provide invaluable goods and services to Marylanders utilizing MDOT's statewide multimodal transportation system. Whether taking a bus or light rail to work, catching a flight from Baltimore-Washington Thurgood Marshall International Airport, purchasing goods imported through the Port of Baltimore, or updating your REAL ID at the MDOT Motor Vehicle Administration, citizens are benefiting from MDOT procurements. We are not aware of any instance in which the terms of a single procurement have been codified in Maryland statute in the middle of the procurement process. Taking this action would establish a concerning precedent for interfering in future procurements which would introduce a measure of uncertainty in the private sector in conducting business with the State of Maryland. Ultimately, this would have a deleterious affect the ability of state government to procure goods and services at the greatest value to the taxpayer.

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Finally, MDOT is actively engaged with the DBE/MBE Community through the Opportunity MDOT program, which promises to unlock significant opportunities for these Maryland businesses to participate in the project. The Department, under the leadership of Secretary Slater, remains committed to clear and transparent communication with all stakeholders and delivering a project that provides the greatest relief to Marylanders and commerce stuck in traffic every day.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating House Bill 1249.

Respectfully submitted,

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Maryland Department of Transportation  
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