

Board of Public Works

MISSION

In order to protect and enhance the State's fiscal integrity, the Board of Public Works ensures that significant State expenditures are necessary, appropriate, fiscally responsible, fair, and lawful. In reviewing and approving capital projects, procurement contracts, impacts to the State's tidal wetlands, and the acquisition, use and transfer of State assets, the Board assures Maryland citizens, legislators, government contractors, bond-rating houses, and Federal funding partners that executive decisions are made responsibly and responsively.

VISION

A State in which Maryland citizens are confident that government actions concerning the stewardship of State assets and State's tidal wetlands, and the expenditure of General, Special, Federal, and General Obligation Bond funds are taken in a prudent, open, and fiscally responsible manner.

KEY GOALS, OBJECTIVES, AND PERFORMANCE MEASURES

Goal 1. Ensure that procurement expenditures are necessary and appropriate, fiscally responsible, fair, and lawful.

- Obj. 1.1** Ensure all contract actions brought to the Board comply with procurement laws and policies.
- Obj. 1.2** Strive to ensure that control agencies provide members with timely and accurate information on contracts before the Board.
- Obj. 1.3** Ensure that control agencies are using appropriate procurement methods to achieve broad-based competition and fair and equitable treatment of all persons who deal with the State procurement system.

Performance Measures	2017 Act.	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Est.	2023 Est.
Procurement contracts submitted for approval	662	776	689	660	786	750	750
Contract modifications submitted for approval	261	179	194	160	203	200	200
Procurement contracts approved	620	718	662	631	764	670	670
Contract modifications approved	247	171	182	147	195	190	190
Procurement contracts disapproved or deferred	6	5	2	29	5	5	5
Contract modifications disapproved or deferred	14	0	0	13	1	1	1
Total dollar value of approved contracts (billions)	\$4.64	\$3.46	\$4.44	\$4.36	\$4.40	\$4.40	\$4.40
Total dollar value of approved contract modifications (billions)	\$1.36	\$0.79	\$0.80	\$1.42	\$1.20	\$1.00	\$1.00
Total dollar value of approved contract renewals (options)	N/A	N/A	N/A	N/A	\$0.37	\$0.40	\$0.40
Contracts approved by procurement method:							
Competitive sealed bid	217	221	218	197	151	220	220
Competitive sealed proposals	92	107	105	78	73	110	110
Single bid/proposal received	41	25	13	30	48	40	40
Sole source	66	113	122	95	126	140	140
Emergency or expedited	63	84	63	78	210	100	100
Other	133	86	114	183	204	100	100

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Goal 2. Ensure that procurement agencies comply with Minority Business Enterprise (MBE) laws and procedures.

Performance Measures	2017 Act.	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Est.	2023 Est.
Approved contracts with zero percent MBE participation	375	468	411	443	464	450	450
Approved contracts with MBE participation between 1 and 10 percent	51	64	70	73	47	60	60
Approved contracts with MBE participation from 10 to 29 percent	123	108	107	150	113	120	120
Approved contracts with MBE participation greater than 29 percent	91	90	86	70	79	80	80

Goal 3. Provide efficient recommendations to the Board of Public Works on applications for wetlands licenses and promptly issue licenses as approved by the Board.

Obj. 3.1 Annually meet the Board's processing time of 30 days for wetlands licenses for at least 90 percent of the cases heard.

Performance Measures	2017 Act.	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Est.	2023 Est.
License applications submitted to the Board of Public Works	109	109	119	142	126	126	126
Wetlands licenses approved	109	107	119	142	126	126	126
Percent licenses processed (Board of Public Works) within 30 days	89%	80%	74%	90%	90%	90%	90%

Goal 4. Provide administratively and environmentally sound recommendations to the Board of Public Works on applications for wetlands licenses.

Obj. 4.1 Annually strive to achieve the Board's concurrence on 95 percent of wetlands license recommendations presented.

Obj. 4.2 In cooperation with the Maryland Department of the Environment, annually create at least 15 additional acres, enhance at least 4 acres, and restore at least 0.5 acres of vegetated tidal wetlands (living shorelines) through the regulatory permitting process.

Performance Measures	2017 Act.	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Est.	2023 Est.
Percent of recommendations upheld	100%	100%	100%	100%	100%	100%	100%
Acreage of tidal wetlands created	16.7	6.3	4.3	7.1	12.4	15.0	20.0
Acreage of tidal wetlands enhanced	4.2	0.4	0.0	0.0	0.3	0.2	0.3
Acreage of tidal wetlands restored	0.6	0.0	0.0	0.0	0.0	1.0	2.0

Goal 5. Provide monetary compensation for the utilization of the State's submerged lands.

Obj. 5.1 Collect and forward license fees to the Wetlands and Waterways Program Fund, which is managed by the Maryland Department of the Environment.

Performance Measures	2017 Act.	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Est.	2023 Est.
¹ Fees collected for Wetlands & Waterways Program Fund	\$60,700	\$56,500	\$22,307	\$68,950	\$65,150	N/A	N/A

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Goal 6. Provide public outreach on issues and trends related to Maryland tidal wetlands.

Obj. 6.1 Publish a monthly wetlands blog on the Board of Public Works Wetlands website.

Obj. 6.2 Participate in wetland-related working groups.

Performance Measures	2017 Act.	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Est.	2023 Est.
Board of Public Works Wetlands blog site visits	674	716	574	357	298	500	600
Number of wetland-related working groups	N/A	N/A	3	2	2	3	3

NOTES

¹ License fees were eliminated at the end of fiscal year 2021 due to regulation changes that went into effect June 28, 2021.

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Summary of Board of Public Works

	2021 Actual	2022 Appropriation	2023 Allowance
Number of Authorized Positions	9.00	9.00	9.00
Salaries, Wages and Fringe Benefits	1,173,797	1,143,932	1,245,898
Technical and Special Fees	13,453	17,687	17,880
Operating Expenses	10,753,244	10,751,399	13,144,378
Net General Fund Expenditure	11,940,494	11,913,018	14,408,156
Total Expenditure	11,940,494	11,913,018	14,408,156

Board of Public Works

D05E01.01 Administration Office

Program Description

This program provides administrative support to the Board of Public Works by scheduling Board meetings, preparing agendas and related materials, and maintaining Board minutes and records. Staff also researches and advises Board members on a variety of subjects; reviews all procurements; investigates fraud, waste and abuse complaints; instructs agencies on best procurement practices; and facilitates interagency communication on procurement matters.

Appropriation Statement

	2021 Actual	2022 Appropriation	2023 Allowance
Number of Authorized Positions	7.00	7.00	7.00
01 Salaries, Wages and Fringe Benefits	952,097	920,568	990,234
02 Technical and Special Fees	13,453	17,180	17,180
03 Communications	766	714	863
04 Travel	0	402	418
08 Contractual Services	63,709	77,720	78,545
09 Supplies and Materials	12,799	9,726	14,938
10 Equipment - Replacement	0	135	200
13 Fixed Charges	3,349	2,627	4,422
14 Land and Structures	0	0	538
Total Operating Expenses	80,623	91,324	99,924
Total Expenditure	1,046,173	1,029,072	1,107,338
Net General Fund Expenditure	1,046,173	1,029,072	1,107,338
Total Expenditure	1,046,173	1,029,072	1,107,338

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D05E01.02 Contingent Fund

Program Description

Article III, Section 32 of the State Constitution establishes a contingent fund from which the Board of Public Works may allocate funds to supplement an agency's annual appropriation.

Appropriation Statement

	2021 Actual	2022 Appropriation	2023 Allowance
12 Grants, Subsidies, and Contributions	576,583	500,000	500,000
Total Operating Expenses	<u>576,583</u>	<u>500,000</u>	<u>500,000</u>
Total Expenditure	<u><u>576,583</u></u>	<u><u>500,000</u></u>	<u><u>500,000</u></u>
Net General Fund Expenditure	<u>576,583</u>	<u>500,000</u>	<u>500,000</u>
Total Expenditure	<u><u>576,583</u></u>	<u><u>500,000</u></u>	<u><u>500,000</u></u>

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D05E01.05 Wetlands Administration

Program Description

Any person seeking to dredge in or to place fill on State tidal wetlands must first secure a license from the Board of Public Works. The Wetlands Administration conducts public hearings, prepares written recommendations and issues licenses after approval by the Board. This program also coordinates the State Wetlands licensing program with other government agencies, landowners and the general public.

Appropriation Statement

	2021 Actual	2022 Appropriation	2023 Allowance
Number of Authorized Positions	2.00	2.00	2.00
01 Salaries, Wages and Fringe Benefits	221,700	223,364	255,664
02 Technical and Special Fees	0	507	700
03 Communications	227	375	375
04 Travel	387	1,729	1,729
08 Contractual Services	1,260	6,047	6,047
09 Supplies and Materials	588	1,926	1,926
10 Equipment - Replacement	0	389	389
13 Fixed Charges	269	518	540
Total Operating Expenses	2,731	10,984	11,006
Total Expenditure	224,431	234,855	267,370
Net General Fund Expenditure	224,431	234,855	267,370
Total Expenditure	224,431	234,855	267,370

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D05E01.10 Miscellaneous Grants to Private Non-Profit Groups

Program Description

This program provides annual grants to private non-profit groups and sponsors that have statewide implication and merit State support.

	FY 2020	FY 2021	FY 2022	FY 2023
Allocation of Grants	Actual	Actual	Estimated	Estimated
Council of State Governments	166,927	0	0	0
Historic Annapolis Foundation	789,000	710,100	710,100	880,100
Maryland Zoo in Baltimore Lease Payment	5,209,665	4,949,182	4,949,182	5,559,665
Western Maryland Scenic Railroad	250,000	225,000	112,500	137,500
West North Avenue Development Authority	0	0	250,000	0
Justice Thurgood Marshall Center	0	0	0	1,750,000
Total	<u>6,415,592</u>	<u>5,884,282</u>	<u>6,021,782</u>	<u>8,327,265</u>

Appropriation Statement

	2021	2022	2023
	Actual	Appropriation	Allowance
12 Grants, Subsidies, and Contributions	<u>5,884,282</u>	<u>6,021,782</u>	<u>8,327,265</u>
Total Operating Expenses	<u>5,884,282</u>	<u>6,021,782</u>	<u>8,327,265</u>
Total Expenditure	<u><u>5,884,282</u></u>	<u><u>6,021,782</u></u>	<u><u>8,327,265</u></u>
Net General Fund Expenditure	<u>5,884,282</u>	<u>6,021,782</u>	<u>8,327,265</u>
Total Expenditure	<u><u>5,884,282</u></u>	<u><u>6,021,782</u></u>	<u><u>8,327,265</u></u>

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D05E01.15 Payments of Judgments Against the State

Program Description

This program contains funds appropriated to pay settlements or judgments against the State or any State personnel pursuant to Title 12, Subtitle 4 of the State Government Article.

Appropriation Statement

	2021 Actual	2022 Appropriation	2023 Allowance
12 Grants, Subsidies, and Contributions	4,209,025	4,127,309	4,206,183
Total Operating Expenses	4,209,025	4,127,309	4,206,183
Total Expenditure	4,209,025	4,127,309	4,206,183
Net General Fund Expenditure	4,209,025	4,127,309	4,206,183
Total Expenditure	4,209,025	4,127,309	4,206,183

3 Year Position Summary

Classification Title	FY 2021 Positions	FY 2021 Expenditures	FY 2022 Positions	FY 2022 Appropriation	FY 2023 Positions	FY 2023 Allowance
D05 - Board of Public Works						
D05E0101 - Administration Office						
Admin Officer II	1.00	39,192	1.00	54,521	0.00	0
Admin Spec II	1.00	43,933	1.00	44,374	1.00	44,374
Administrative Mgr Senior I	1.00	108,407	1.00	109,494	1.00	109,494
Administrative Mgr Senior II	1.00	127,292	1.00	128,568	1.00	128,568
Administrator I	1.00	18,251	0.00	0	1.00	62,001
Administrator III	1.00	50,750	1.00	70,600	0.00	0
Administrator V	0.00	97,482	1.00	74,518	2.00	154,955
Prgm Mgr Senior III	1.00	133,319	1.00	134,656	1.00	134,656
Total D05E0101	7.00	618,626	7.00	616,731	7.00	634,048
D05E0105 - Wetlands Administration						
Admin Spec III	1.00	45,158	1.00	56,763	0.00	0
Administrator I	0.00	0	0.00	0	1.00	62,001
Administrator VI	1.00	97,048	1.00	98,021	1.00	98,021
Total D05E0105	2.00	142,206	2.00	154,784	2.00	160,022
Total D05 Board of Public Works	9.00	760,832	9.00	771,515	9.00	794,070