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Board OKs contract for company that failed to meet minority goals

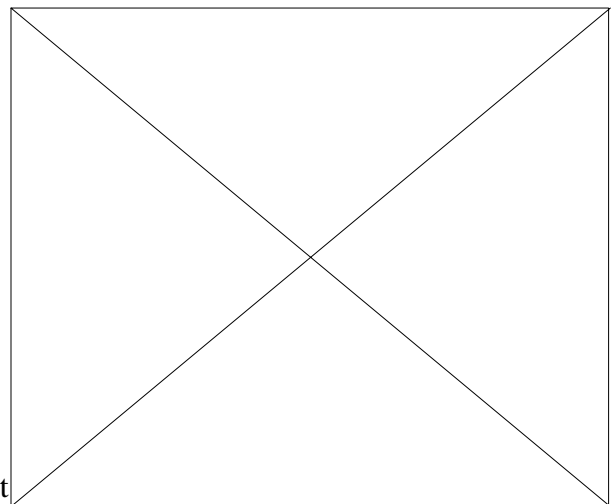
By Laura Smitherman

Sun reporter

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Over the objections of the Legislative Black Caucus and NAACP, a divided public Board of Public Works yesterday approved a \$44.8 million contract for airport shuttle service to a company that failed to meet Maryland's minority business goals.

Gov. Martin O'Malley and Treasurer Nancy K. Kopp voted to approve the contract to First Transit Inc. on the condition that the state report quarterly on its performance and efforts to bring on board minority subcontractors, while Comptroller Peter Franchot voted against the contract. The three-member board had twice delayed voting on the controversial contract to allow opponents to air concerns in recent months, but that didn't mollify critics.



"It's still somewhat of a mystery to me how they ended up with the contract," Franchot said.

The board approves state contracts after top bidders have been selected by state agencies. First Transit did not meet the original goal that minority subcontractors perform at least 30 percent of the work and last year got a waiver from the Maryland Aviation Administration to reduce that goal to 13 percent. The company runs shuttle buses to transport passengers to and from parking lots and the nearby Amtrak station at Baltimore-Washington International Thurgood Marshall Airport.

Before the meeting, U.S. Rep. Elijah E. Cummings, a Baltimore Democrat, sent a letter to the board asking it to delay acting on the contract so that questions surrounding it could be "thoroughly answered."

"It is important that we continue to send the strong message that small, minority and women-owned firms that have historically been shut out of far too many business opportunities will receive a fair chance to compete," Cummings wrote.

Transportation Secretary John D. Porcari repeatedly said yesterday that granting the waiver was a mistake but that First Transit submitted the best proposal over three other competitors when the contract was rebid. He also pointed out that the company is now exceeding a new goal of 28 percent minority participation. The three-year contract approved yesterday begins in September and includes a two-year renewal option.

Arnold M. Jolivet, managing director of the Maryland Minority Contractors Association, said his group would consider a lawsuit over the contract dispute.

Several African-American lawmakers also testified, as did Marvin L. "Doc" Cheatham Sr., president of the NAACP's Baltimore chapter, who called the First Transit contract a "disservice" to the minority community. Opponents also pointed out that First Transit had problems in the past with paying subcontractors on time.

"How do we reward someone who has significantly failed?" Cheatham said.

Del. Saqib Ali, a Montgomery County Democrat, defended First Transit, saying the company didn't realize it wasn't meeting the original minority participation goals because it miscalculated the percentage.

"I wanted you to hear from a minority legislator who supports the contract," he told the board.

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