



Wes Moore  
Governor  
Aruna Miller  
Lieutenant Governor  
Kathryn Thomson  
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February 18, 2026

The Honorable Guy Guzzone  
Chair, Budget and Taxation Committee  
3 West Miller Senate Office Building  
Annapolis, MD 21401

***Re: Letter of Information – Senate Bill 116 - Board of Public Works – Contract Review – Climate and Sustainability Information***

Dear Chair Guzzone and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following letter of information for the Committee's consideration of Senate Bill 116.

Senate Bill 116 would require the MDOT to provide specific climate and sustainability information when submitting a contract award recommendation to the Board of Public Works:

Each year MDOT seeks Board of Public Works' approval for an average of 90 Architectural and Engineering (A/E) contracts, 35 Construction contracts, 43 General Miscellaneous items, five Landlord Leases and 6 Tenant Leases. Each item would need to explain how the contract:

- Attains greenhouse gas emissions reductions or net-zero carbon goals;
- Provides for resilience adaptation to projected climate change and extreme weather events over the term or the useful life of the supplies or services;
- Advances the state's goals and leadership on climate mitigation, adaptation, resiliency, or innovation for sustainably sourced supplies or services;
- Includes supplies or services that are environmentally preferable, as defined by the Maryland Green Purchasing Committee;
- Incorporates aspects of design or construction that are consistent with the standards adopted by the Maryland Green Building Council; and
- Incorporates aspects of design or construction that are consistent with the intent of the High-Performance Building Requirements.

These explanations will increase the length of those 177 agenda items per year and the time required to prepare them. Preparing them effectively will require additional coordination between procurement officers, program staff, and Department climate experts to appropriately evaluate the nature of the contract and its impacts on the identified policy areas.

MDOT notes that certain ambiguities in both the language of the bill and the scope of contracts make it difficult for the Department to evaluate the full impact of the legislation. For example, many A/E contracts procured by MDOT are open-ended, indefinite quantity contracts. While these

contracts may offer a specific area of focus, the specific work implemented under them is not known at this time. The information able to be provided to BPW at the time of submission may be modest.

At the same time, the level of effort in performing this analysis is unclear in the legislation as drafted. Qualitative responses to these areas of focus would be less labor-intensive than the quantitative analysis that might be required to specifically estimate greenhouse gas emission reductions and progress toward net-zero emissions. In the absence of greater specificity around the expectations of this work, MDOT is concerned about performing expansive analyses in the midst of the award process.

Presently, MDOT understands that the Department of General Services and the Board of Public Works are coordinating on a policy framework to address elements of this bill. The Maryland Department of Transportation looks forward to continued collaboration with the sponsor on Senate Bill 116 and respectfully requests the Committee consider this information when deliberating Senate Bill 116.

Respectfully submitted,

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