

Testimony in Support of House Bill 587 (As Amended)

Procurement – Department of Transportation and Maryland Transportation Authority
Contracts – Board of Public Works Contract Authority

Chair Guzzone, Vice Chair Rosapepe, and members of the Committee, thank you for the opportunity to present House Bill 587, as amended and passed by the House of Delegates.

House Bill 587 is a good government bill. It restores appropriate oversight by the Maryland Board of Public Works over large transportation procurements — while thoughtfully addressing the operational concerns raised by the Maryland Department of Transportation.

The impetus for this legislation was the tragic collapse of the Francis Scott Key Bridge. In the days following that disaster, I asked a simple question: who was working on the bridge, and under what procurement authority?

What I learned was concerning.

A procurement approaching \$1 billion had not come before the Board of Public Works. That procurement included a 3% MBE participation goal. And importantly, the Board — which is constitutionally charged with oversight of State spending — had no role in reviewing that decision.

Some argued that urgency required speed. But the Board of Public Works handles emergency procurements every week. That explanation did not hold.

As I dug deeper, I found that this was not an isolated situation. Major infrastructure procurements — bridges, tunnels, interchanges — often valued in the hundreds of millions of dollars — are routinely executed without Board of Public Works review.

That is not how our system was designed to function.

Now, I want to be very clear: we listened to the concerns raised by MDOT last year.

They raised concerns about workload, delays, and administrative burden.

And as a result, the bill before you today reflects a deliberate and meaningful compromise.

As amended by the House, this bill increases the threshold for contracts that must come before the Board of Public Works, thereby reducing the number of transactions subject to review and striking a balance between transparency and operational efficiency.

This is not the same bill from last year.

This is a calibrated bill.

It ensures that smaller, routine procurements remain within MDOT's control, while large, high-impact contracts — the ones that carry the greatest fiscal and policy implications — receive independent oversight.

Let's also address the fiscal argument.

Last year, a high fiscal note was used to suggest this reform would be costly and burdensome. This year, Maryland Legislative Services estimated the cost at \$270,000.

When we are talking about more than \$1.5 billion in contracts over a two-year period, that cost is negligible.

More importantly, the Board of Public Works has indicated it can manage the additional workload with existing resources.

So the question before this Committee is no longer about cost.

It is about governance.

MDOT has also pointed to existing processes — the Consolidated Transportation Program, federal oversight, NEPA review, and internal boards — as evidence of transparency.

But those processes are not substitutes for Board of Public Works oversight.

They do not provide real-time approval of contract awards, independent fiscal scrutiny, or direct accountability to the people of Maryland through their elected leadership.

The Board of Public Works exists for precisely this purpose.

It is one of the most powerful transparency tools we have in State government — a body designed to ensure that major expenditures are reviewed not just by the agency proposing them, but by independently elected officials entrusted with safeguarding taxpayer dollars.

If a \$10 million consulting contract must come before the Board of Public Works, why should a \$300 million bridge contract not?

House Bill 587, as amended, restores oversight where it matters most, respects the operational realities of MDOT, and strengthens public confidence in how we spend billions

of dollars on critical infrastructure.

This is not about slowing projects.

This is about strengthening trust, transparency, and accountability.

This is good government.

I respectfully request a favorable report.