

MINUTES**REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President
Honorable Stephanie Rawlings-Blake, Mayor - **ABSENT**
Honorable Joan M. Pratt, Comptroller and Secretary
George A. Nilson, City Solicitor
Rudy Chow, Director of Public Works
David E. Ralph, Deputy City Solicitor
S. Dale Thompson, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk
Harry Black, Director of Finance

The meeting was called to order by the President.

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Stephanie Rawlings-Blake, in her absence during the meeting, designated Mr. Harry Black, Director of Finance, to represent the Mayor and exercise her power at this Board meeting.

President: "I would direct the Board members attention to the memorandum from my office dated July 14, 2014, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

City Solicitor: "MOVE the approval of all of the items on the routine agenda."

Comptroller: "Second."

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President: "All those in favor say AYE. All opposed NAY. The Motion carries. The routine agenda items have been adopted. In the interest of promoting the order and efficiency of these hearings, persons who are disruptive to the hearing will be asked to leave the Hearing Room immediately."

MINUTES

Department of Recreation and Parks - Amendment No. 1 to
Donation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to Donation Agreement with the Cal Ripken, Sr. Foundation, Inc. (Foundation).

AMOUNT OF MONEY AND SOURCE:

The City will not expend any funds for this project.

BACKGROUND/EXPLANATION:

On April 9, 2014, the Board approved a Donation Agreement between the Department of Recreation and Parks and the Cal Ripken, Sr. Foundation, Inc. for the construction of a synthetic combination football/soccer field at Latrobe Park.

Pursuant to Amendment No. 1, the Foundation wishes to donate the additional service of demolishing the Latrobe Park Field House for the estimated total of \$55,000.00, at the Foundation's sole cost and expense. The demolition of the Latrobe Park Field House was approved by CHAP and supported by Locust Point Civic Association. All other terms and conditions remain unchanged.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Donation Agreement with the Cal Ripken, Sr. Foundation, Inc.

MINUTES

Mayor's Office on Criminal Justice - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Award Agreement with the Governor's Office of Crime Control and Prevention (GOCCP). The period of the Grant Award Agreement is April 1, 2014 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$2,240.00 - 5000-596414-2252-213000-600000

BACKGROUND/EXPLANATION:

The Department has received a grant award from the GOCCP for the "Death Notification Project." This project provides funding for training of law enforcement in death notifications to families of homicide victims.

The agreement is late because the grant award package was recently received.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Grant Award Agreement with the Governor's Office of Crime Control and Prevention.

MINUTES

Police Department - Acceptance of Grant Award Letter of Intent

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Grant Award Letter of Intent from the Governor's Office of Crime Control and Prevention (GOCCP). The period of the award is July 1, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$37,816.00 - 5000-596515-2013-212900-600000

BACKGROUND/EXPLANATION:

The GOCCP has submitted a Letter of Intent to the Department, in the amount of \$37,816.00, for Baltimore's "Domestic Violence Ex-parte/Protective Order Entry and Service Initiative" program.

The program is designed to increase the efficiency and effectiveness of ex parte/protective order entry service and to reduce the high occurrence of domestic violence in Baltimore City. This is achieved through the services of contractual administrative assistants who provide data entry and coordination of the overall operation of the program, while police officers work on an overtime basis to increase the number of orders served.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of a Grant Award Letter of Intent from the Governor's Office of Crime Control and Prevention.

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Police Department - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a Grant Adjustment Notice (GAN) from the Governor's Office of Crime Control and Prevention (GOCCP). The GAN extends the period of the award through December 31, 2014.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 4000-474514-2041-688000-600000

BACKGROUND/EXPLANATION:

On November 27, 2013, the Board approved acceptance of a grant award from the GOCCP, in the amount of \$37,500.00 for the period November 1, 2013 through July 31, 2014, for the "Crime Victim Advocate" Program.

The "Crime Victim Advocate" Program is designed to provide crisis counseling, safety planning, and resource identification to adult victims of domestic violence. The advocate will also accompany victims to court to offer support throughout court proceedings. This GAN will extend the period of the award through December 31, 2014.

All other terms and conditions of the original award remain unchanged.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board is requested to approve acceptance of a Grant Adjustment Notice from the Governor's Office of Crime Control and Prevention.

MINUTESLaw Department - Settlement Agreement and Release

The Board is requested to approve the Settlement Agreements and Releases for the following claims:

1. Forde v Officer Kimberly Darden, et al. \$26,500.00

Funds are available in account no. 1001-000000-2041-195500-603070.

2. Bolaji Obe and Akinola Adesanya v \$62,000.00
Det. McSpadden et al.

Funds are available in account no. 1001-000000-2041-195500-603070.

The Settlement Agreements and Releases have been reviewed and approved by the Settlement Committee of the Law Department.

UPON MOTION duly made and seconded, the Board approved the Settlement Agreement and Release.

MINUTES

Department of Law - Lien Abatement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the abatement of the liens on the 1415 North Broadway property.

AMOUNT OF MONEY AND SOURCE:

\$16,781.98 - amount to be abated; no funds are to be expended

BACKGROUND/EXPLANATION:

The request to approve and authorize abatement or the demolition bill in order to settle a lawsuit brought by Broadway Management, LLC. The property (1415 North Broadway) was demolished by the City and the Plaintiff was billed for the demolition cost. No City funds will be expended. The Deputy Housing Commissioner, Michael Braverman, does not oppose abatement of this bill.

On the night of April 16, 2011, a DHCD inspector received an emergency 311 call regarding a vacant property at 1417 North Broadway (1417). The front of that building was reported to be collapsing, and this was weakening the structure of 1415, as well as another vacant property on the other side at 1419 North Broadway (1419).

The condition of the building at 1417 North Broadway created the need for demolition of Plaintiff's property. During the demolition of the 1417 property by Phipps Construction Contractors, Inc. (Phipps), the subcontractor of the City's on-call contractor, P&J Contracting Company, Inc. (P&J), the Plaintiff's property became unstable creating an emergency and requiring the City to order immediate demolition of Plaintiff's property at 1415 North Broadway. Following the demolition, the City issued a bill to the Plaintiff, in the amount of \$13,020.00. With accrual of interest and penalties, this bill has increased to \$16,781.98, as of May 7, 2014.

MINUTESDepartment of Law - cont'd

The Plaintiff sued the City, Commissioner Graziano and Defendants P&J and Phipps in Trespass and Negligence, seeking an award of damages of \$75,000.00, an injunction, and an order quieting title to the property. Pursuant to its indemnification agreement, P&J has offered to resolve this matter with payment of \$50,000.00, if the City abates this demolition bill.

This request seeks approval to settle the above matter by abating a demolition bill that was issued to the property owner after the property was demolished.

UPON MOTION duly made and seconded, the Board approved and authorized the abatement of the liens on the 1415 North Broadway property.

MINUTES

Department of Audits - Audit Report and Related Audit Digest

The Board is requested to **NOTE** receipt of the following Audit Report and Related Audit Digest:

1. Audit of The War Memorial Commission for Fiscal Year Ended June 30, 2012.

President: The first item on the non-routine agenda can be found on Page 8, Department of Audits, Audit Report, and Related Audit Digest. Will the parties please come forward? Will the parties please come forward?"

Ms. Gail Adams: "Good morning."

President: "Good morning."

Ms. Gail Adams: "Madam Comptroller, Mr. President and Mr. Black and other members of the Board of Estimates, I'm presenting you the audit of the War Memorial Commission for Fiscal Year '12. The Department of Audits."

Deputy Comptroller: "State your name."

Ms. Gail Adams: "Oh, Gail Adams, Deputy City Auditor. So sorry. The Department of Audits, the Department of Audits performed its annual audit of the net expenditures charged to the War Memorial Commission and reported to the State of Maryland. The State requires that the audit, annual audit, and provides 50 percent of the funding of the Commission's reported expenditures. Total expenditures for Fiscal Year '12 were \$290,643.00."

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Our audit reported, our audit report, concluded that the financial statements were presented fairly in all material respects in conformity with generally accepted accounting principles. In addition to our audit report, we prepare a separate report required by both generally accepted auditing standards and Government Auditing Standards, which addresses the Commission's compliance with certain laws and regulations, and in internal control over financial reporting relating to financial statements. The Commission had one significant deficiency in internal control over its financial reporting in Fiscal Year '12. A significant deficiency is a control deficiency that adversely affects the Commission's ability to initiate, authorize, record, process or report financial data reliable, reliably in accordance with generally accepted auditing accounting principles, such that there is a possibility that an immaterial misstatement of the financial statements would not be prevented or detected by the Commission's internal control. The significant deficiency is as follows: the War Memorial Commission did not have adequate controls to insure that the time or attendance records, the sign-in and sign-out sheets, the daily sheets, agreed to time recorded in the E-time system. We examined several pay periods during the audit period and determined that the time recorded on the daily attendance

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records um, agreed to the time recorded in E-time and found instances where the attendance records did not agree with E-time. Um, they were things such as the times did not agree or there were several occurrences where employees were marked present in E-time system, but there was no evidence in the attendance record that they were present. We recommend that management review daily attendance sheets to assure the hours worked and agree with what is in E-time. Now during this time that this audit was under the tenure of uh, Doug Hendley, who retired, uh, I think, June 2012? So, the response is from the Department of General Services, who assumed the operations of the War Memorial Commission in July 2012. The building employees were brought directly under the Facilities Maintenance Division. The process by which DGS records the work time of the employees is identical to all DGS employees in accordance with the regulations the agreement with AFSCME Local 44. This finding was therefore corrected upon DGS assuming the responsibility of the building. The significant deficiency -- deficiency described above is not considered to be a material weakness. A material weakness is a significant deficiency that results in a possibility that a material misstatement of the financial statements would not be prevented or detected by the Commission's internal control. As part of obtaining reassurance,

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reasonable reassurance, about whether the Commission's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, non-compliance with which would have a direct and material effect on the determination of financial statement amounts. The results of our tests disclose no instances of non-compliance or other matters that are required to be reported under Government Auditing Standards. That concludes my report."

President: "Any questions?"

Jackson Gilman-Forlini: "Good morning Mr. President, members of the Board. Uh, my name is Jackson Gilman-Forlini and I'm the manager of the War Memorial and on behalf of the Department of General Services. We accept the terms of the audit, and um, we only wish to say that the findings have been corrected as is stated in the report."

President: "Thank you the audit has been noted. Thank you."

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the Audit Report and Related Audit Digest of the War Memorial Commission for Fiscal Year Ended June 30, 2012.

MINUTESHealth Department - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve the ratification of service and approve and authorize an expenditure of funds to pay Sandtown Winchester Senior Center.

AMOUNT OF MONEY AND SOURCE:

	<u>Date</u>	<u>Invoice No.</u>
\$ 582.54	02/01/2011	1934343-2420-1
399.75	03/01/2011	1945453-2420-5
399.75	04/01/2011	1954725-2420-4
399.75	05/01/2011	1963909-2420-3
399.75	06/01/2011	1973204-2420-7
407.75	08/01/2011	1993406-2420-4
407.75	09/01/2011	2002714-2420-8
407.75	10/01/2011	2012276-2420-6
407.75	11/01/2011	2021697-2420-2
407.75	12/01/2011	2032084-2420-0
407.75	01/01/2012	2041580-2420-6
436.29	04/01/2012	2070843-2420-2
941.80	09/24/2010	Lowe's (Light Bulbs)
595.00	12/14/2011	Al Bahr & Sons (Bathroom Repairs)
\$6,601.13	-	1001-000000-3024-268700-603026

BACKGROUND/EXPLANATION:

The Department is requesting the Board to authorize payment for services provided by the Sandtown Winchester Senior Center. The request is late because of a misunderstanding between the Sandtown Winchester Senior Center and the Health Department of who was responsible for paying expenses incurred by the Sandtown Winchester Senior Center.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the ratification of service and approved and authorized an expenditure of funds to pay Sandtown Winchester Senior Center.

MINUTESHealth Department - Employee Expense Reports**ACTION REQUESTED OF B/E:**

The Board is requested to approve the various expense reports for following employees.

1. **VENETIA THOMAS** **\$ 62.97**

Account: 1001-000000-3100-295900-604003
December 2013 - Uniforms

2. **BRENDA McGLONE-THATCH** **\$167.58**

Account: 1001-000000-3100-295900-603002 \$ 22.04
1001-000000-3100-295900-604003 \$145.54
December 2013 - Uniforms and Mileage

3. **ANGELA BOYD** **\$ 53.50**

Account: 1001-000000-3100-295900-603002 \$ 43.51
1001-000000-3100-295900-604003 \$ 9.99
December 2013 - Uniforms and Mileage

4. **NANCY WOODHEAD** **\$124.98**

Account: 1001-000000-3100-295900-604003
February 2014 - Uniforms

5. **DENISE SMITH WILLIAMS** **\$ 35.15**

Account: 1001-000000-3100-295900-604003 \$ 22.50
1001-000000-3100-295900-603002 \$ 5.65
1001-000000-3100-295900-603003 \$ 7.00
November 2013 - Uniforms, Parking,
and Mileage

6. **VALERIE TOMLIN** **\$150.85**

Account: 1001-000000-3100-295900-604003
March 2013 - Uniforms

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Health Department - cont'd

7. **MARGARET SINGLETON** **\$ 40.48**

Account: 1001-000000-3100-295900-604003
January 2014 - Uniforms

8. **AASYA AMATUS-SALAAM** **\$ 82.94**

Account: 1001-000000-3100-295900-604003
December 2013 - Uniforms

9. **PAMELA GROSS** **\$128.91**

Account: 1001-000000-3100-295900-604003
November 2013 - Uniforms

10. **LUANN DILLARD** **\$ 59.23**

Account: 1001-000000-3100-295900-604003 \$ 20.24
1001-000000-3100-295900-603002 \$ 38.99
November 2013 - Uniforms and Mileage

11. **CHARMAGNE THOMPSON** **\$ 99.33**

Account: 1001-000000-3100-295900-603002 \$ 59.33
1001-000000-3100-295900-604003 \$ 40.00
December 2013 - Uniforms and Mileage

12. **SUSAN ABUGO** **\$ 29.69**

Account: 1001-000000-3100-295900-603002 \$ 14.69
1001-000000-3100-295900-603003 \$ 15.00
November 2013 - Mileage and Parking

13. **CYNTHIA BURKS** **\$ 36.95**

Account: 1001-000000-3100-295900-603002 \$ 16.95
1001-000000-3100-295900-603003 \$ 20.00
November 2013 - Mileage and Parking

MINUTES

Health Department - cont'd

14. **KAREN PAYNE** \$ 20.00

Account: 1001-000000-3100-295900-603003
November 2013 - Parking

15. **APRIL MANSON** \$ 30.00

Account: 1001-000000-3100-295900-603003
November 2013 - Parking

16. **LINDA STAFFORD** \$ 15.00

Account: 1001-000000-3100-295900-603003
November 2013 - Parking

17. **SHIRLEY RUCKER** \$ 14.00

Account: 1001-000000-3100-295900-603003
November 2013 - Parking

18. **DRUE HODGETTS** \$ 6.78

Account: 1001-000000-3100-295900-603002
December 2013 - Mileage

19. **DRUE HODGETTS** \$ 14.95

Account: 1001-000000-3100-295900-603002
January 2014 - Mileage

20. **VIVIAN FOSTER** \$ 41.25

Account: 1001-000000-3100-295900-603002
December 2013 - Mileage

21. **IEASHIA BRANCH** \$ 51.98

Account: 1001-000000-3100-295900-603002
December 2013 - Mileage

MINUTES

Health Department - cont'd

22. **SHAWAN JOHNSON** **\$ 37.29**

Account: 1001-000000-3100-295900-603002
December 2013 - Mileage

23. **TIFFANY SYE** **\$ 36.73**

Account: 1001-000000-3100-295900-603002
November 2013 - Mileage

24. **TIFFANY SYE** **\$ 15.82**

Account: 1001-000000-3100-295900-603002
December 2013 - Mileage

25. **CECELIA WILLIAMS** **\$ 8.48**

Account: 1001-000000-3100-295900-603002
November 2013 - Mileage

26. **BARBARA KADIN** **\$181.14**

Account: 1001-000000-3100-295900-604003 \$174.92
1001-000000-3100-295900-603002 \$ 6.22
January 2014 - Mileage and Uniforms

27. **MONIQUE NKERE** **\$ 32.60**

Account: 1001-000000-3100-295900-603002 \$ 2.60
1001-000000-3100-295900-603003 \$ 30.00
November 2013 - Mileage and Parking

The above-listed individuals submitted their expense statements within the required time frame. However, the expense statements were misplaced and therefore not processed in a timely manner. Due to several vacancies in the Administration of the Bureau of School Health (BSH), the process for ensuring that expense statements were submitted timely was not able to be followed. The BSH has instituted measures to ensure that expense statements are processed in a timely manner.

MINUTESHealth Department - cont'd

28. **WILMA JEWEL BROWN** **\$140.51**

Account: 5000-532814-3044-273300-603002	\$ 56.90
January 2014 - Mileage	
5000-532814-3044-273300-603002	\$ 32.16
February 2014 - Mileage	
5000-532814-3044-273300-603002	\$ 51.45
March 2014 - Mileage	

Ms. Brown neglected to submit her expense statements on time due to work schedule demands for multi-programs that require field visits and follow up with written or computer documentation. Ms. Brown has been advised that she must make an effort to submit statements timely to avoid not following the process.

The Department apologizes for the lateness of this request.

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the abovementioned expense reports for following employees.

MINUTESHealth Department - Agreements

The Board is requested to approve and authorize execution of the various Agreements.

AGREEMENTSRETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

1.	N.M. CARROLL MANOR, INC.	\$	0.00
2.	UNITED PRESBYTERIAN MINISTRIES OF MARYLAND, INC./WESTMINSTER HOUSE APARTMENTS	\$	0.00

SENIOR COMPANION PROGRAM

3.	LOCHEARN NURSING HOME, LLC	\$	0.00
4.	KESWICK MULTI-CARE CENTER, INC.	\$	0.00
5.	CANTON HARBOR HEALTHCARE, CENTER, INC.	\$	0.00
6.	CHARLES STREET HEALTHCARE, LLC	\$	0.00
7.	SANDTOWN-WINCHESTER NURSING HOME, LLC	\$	0.00
8.	FUTURE CARE - CHARLES VILLAGE, LLC	\$	0.00

The above-listed organizations will serve as Volunteer Stations for the RSVP or Senior Companion Program as indicated. Through a grant from the Corporation for National and Community Service, the Department sponsors the RSVP and the Senior Companion Program. The volunteers under the RSVP perform volunteer work in non-profit and private organizations. The Senior Companions assist special needs clients who want to remain in their homes. While the Senior Companions are on duty, the grant provides for their life insurance, transportation and other benefits. The period of the Agreement is July 1, 2014 through June 30, 2015.

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Health Dept. - cont'd

MBE/WBE PARTICIPATION:

N/A

9. **THE JOHNS HOPKINS UNIVERSITY, BLOOMBERG SCHOOL OF PUBLIC HEALTH (JHBSPH)** \$ 24,600.00

Account: 4000-499615-3080-294200-603051

The JHBSPH will provide a Preventive Medicine Fellow to work with and receive mentoring from the Deputy Commissioner, Division of Health Promotion & Disease Prevention and/or the Assistant Commissioner, Division of Maternal and Child Health. The period of the Agreement is July 1, 2014 through June 30, 2015.

10. **THE JOHNS HOPKINS UNIVERSITY, SCHOOL OF MEDICINE (JHSM)** \$ 40,853.00

Account: 1001-000000-3100-295900-603051

The JHSM will provide a consultant for the Bureau of School Health's Vision Screening Program. The consultant will be responsible for providing services at a minimum of two days a week. The consultant will assist the Bureau of School Health in updating current protocols for screening students enrolled in Pre-K to first grade with possible vision problems, so that they may be referred for appropriate diagnosis and treatment. The consultant will also assist with the development of an algorithm for the Baltimore City Public Schools Electronic Health Record which will automatically prioritize students most at risk for amblyopia and require follow-up. The period of the Agreement is April 1, 2014 through December 31, 2014.

The Agreement is late because budget information delayed processing.

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Health Dept. - cont'd

11. **JOHNS HOPKINS UNIVERSITY** **\$ 33,537.00**
(JHU)

Account: 4000-424514-3023-599656-603051

The JHU will provide services to enhance client adherence with medication taking and keeping medical appointments, provide LINK adherence to 62 new clients entering the program, provide 1,800 nurse-based education sessions, provide 2,600 peer navigation visits and collect existing outcome measures to 75 clients. The period of the Agreement is January 1, 2014 through June 30, 2014.

The Agreement is late because supplemental funds were received late in the grant year from the State of Maryland. Additional time was required for the provider allocation process and budget preparation.

12. **SINAI HOSPITAL OF BALTIMORE, INC.** **\$ 80,000.00**

Account: 4000-499014-3023-513201-603051

Sinai Hospital of Baltimore, Inc. will complete at least 2,667 HIV tests during the project period, ensure the provision of confirmatory HIV testing for all patients with reactive rapid HIV tests, ensure the provision of HIV test results to all patients with particular attention paid to reaching patients with HIV-positive test results, actively re-link previously diagnosed patients who are currently not in medical care, insure that all HIV-positive and high-risk HIV negative pregnant women who do not report being in prenatal care are actively linked to prenatal care. The period of the Agreement is January 1, 2014 through December 31, 2014.

The Agreement is late because of a delay in obtaining an acceptable budget and scope of services.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

13. **BALTIMORE ANIMAL RESCUE AND CARE** **\$1,182,265.00**
SHELTER, INC. (BARCS)

Account: 1001-000000-2401-271300-603051

Under this Agreement BARCS will assume responsibility to operate the Animal Shelter, located at 301 Stockholm Street. BARCS will follow the requirements of the Health Article of the Baltimore City Code and the rules and regulations adopted by the Commissioner of Health.

BARCS will provide humane care to animals and administer the application process for licenses within Baltimore City and collect applicable license fees. The organization will coordinate with the Bureau of Animal Control for its enforcement of animal control and protection laws within Baltimore City, provide services as outlined in the budget and provide reports as requested by the Commissioner of Health. The period of the Agreement is July 1, 2014 through June 30, 2015, with four 1-year renewal options.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the abovementioned Agreements. The President **ABSTAINED** on item nos. 9, 10 and 11.

MINUTESHealth Department - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the purchase of gift cards for snacks and refreshments for distribution to clients that participate in program activities.

AMOUNT OF MONEY AND SOURCE:

\$	500.00	-	25 Walmart gift cards @ \$20.00 each
	1,000.00	-	20 Walmart gift cards @ \$50.00 each
	1,200.00	-	150 AMC gift cards @ \$8.00 each
	2,500.00	-	125 Shoppers gift cards @ \$20.00 each
	1,000.00	-	20 Shoppers gift cards @ \$50.00 each
	4,000.00	-	200 Target gift cards @ \$20.00 each
	3,000.00	-	300 Target gift cards @ \$10.00 each
	<u>\$13,200.00</u>		

Funds are available in the following accounts:

\$	7,000.00	-	4000-494414-3030-279200-604015
\$	6,200.00	-	5000-520114-3030-702900-604051

BACKGROUND/EXPLANATION:

The Bureau of Adolescent & Reproductive Health (ARH) runs several successful community outreach programs through its Health Education and Outreach (HEO) component. The HEO is charged with recruiting clients for the clinic and implementing two new-funded community-based programs. Recruitment for clients consists of 'in-reach' activities such as snacks for client appreciation events, which are purchased by staff utilizing the Sam's Walmart cards, and AMC movie passes for clients of the successful 'Bring a Friend' campaign. Incentives for the community-based programs include Sam's Club/Walmart, Target, and Shoppers cards.

An estimated 300 adolescents and adults are expected to benefit from the clinic activities and incentives. Funding is available from the State of Maryland Department of Health and Mental Hygiene grants of Healthy Teens and Young Adults and Personal Responsibility Education Program.

MINUTESHealth Dept. - cont'd

The Department adopted a consolidated policy for the purchase, distribution and documentation of all incentive cares. The central tenets of this policy account for: 1) a single means of procuring all incentive cards through the Board of Estimates; 2) the documentation of each incentive card and its recipient; 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards and; 4) periodic internal audits of programs; activity vis-à-vis the internal policy which will be shared with the Department of Audits.

This policy has been reviewed by both the Solicitor's Office and by the Department of Audits. Consistent with the original Board of Estimates approval, all requests for payment for the incentive cards are subject to the Department of Audits approval.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the purchase of gift cards for snacks and refreshments for distribution to clients that participate in program activities.

MINUTES

Health Department - Ratification of Invoice and
Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify the services for Saber Corporation and approve and authorize an Expenditure of Funds to pay Saber Corporation for services rendered. The period of the services was June 1, 2013 through May 31, 2014.

AMOUNT OF MONEY AND SOURCE:

\$18,720.00 - 4000-433514-3024-295900-605003

BACKGROUND/EXPLANATION:

The Office of Aging and CARE Services is mandated by the Maryland Department of Aging to use the Agency Information Manager (AIM) system for Federal National Aging Program Information Systems' reporting. The Saber Corporation monitors the AIM web-based client services database.

This request is late because the Department did not receive the renewal maintenance agreement in time to process a Purchase Order through the Citibuy System. The Department apologizes for the lateness.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the ratification for services for Saber Corporation and approved and authorized an Expenditure of Funds to pay Saber Corporation for services rendered.

MINUTES

Health Department - Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Amendment to Agreement with the Baltimore City Board of School Commissioners, Baltimore City Public School System (BCPSS). The Amendment to Agreement extends the period of the agreement through September 30, 2014.

AMOUNT OF MONEY AND SOURCE:

No additional funding is associated with this action.

BACKGROUND/EXPLANATION:

On February 12, 2014, the Board approved the original agreement with the BCPSS to provide services for the Baltimore Infants and Toddlers Program, in the amount of \$94,000.00, for the period July 1, 2013 through June 30, 2014.

The Department requested and received approval from the Maryland State Department of Education to extend the period of the original agreement through September 30, 2014. This extension will reflect the actual grant award period and allow for the provision of services during the summer months of July through September.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to Agreement with the Baltimore City Board of School Commissioners, Baltimore City Public School System.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2602 - 2604

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

Mr. Harry Black, acting on behalf of the Mayor

ABSTAINED on item no. 1

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Mayoralty-Related/Department of Planning</u>		
1. \$ 150,000.00	9904-902152-9129	9904-901152-9127
23 rd Eco. Dev. Loan	Baltimore City Heritage Area - Reserve	Baltimore City Heritage Area - Active

This transfer will provide funds to Baltimore National Heritage Area for local support to heritage tourism capital projects in order to make sites more visitor-ready and friendly. To be eligible, projects must be consistent with the recommendations of the Baltimore City Heritage Area Management Plan.

Department of Transportation

2. \$1,207,946.98	9962-903521-9563	9962-908065-9562
Other	Constr. Reserve - Conduit Manhole Reconstruction	Boston Street - Conduit

This transfer will fund the costs for the expense related to design and construction for the project of Boston Street-Conduit.

Department of General Services

3. \$ 75,044.94	9916-904845-9194	9916-902959-9197
General Funds	Capital Constr. & Maintenance - Reserve	Cherry Hill MPC Cooling Tower - Active

The cooling tower at the Cherry Hill MPC is worn from aging and has had repeated issues with major leaking problems. Adjustments to the tower were attempted after various inspections. However, these adjustments were unable to alleviate the leaking problem. The tower has since been deemed defective and in need of replacement.

MINUTES**TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>			
4.	\$ 29,148.82	9910-903354-9600	9910-906575-9601
	22 nd EDF	Constr. Res. W. Balto. Ind. & Coml. Dev.	E. Balto. Ind. & Coml. Dev.
	2,475.00	9910-904115-9600	9910-906835-9603
	22 nd EDF	Constr. Res. West Side Initiative	Westside Project Initiative
	10,058.00	9910-906993-9600	9910-909460-9601
	23 rd EDF	Constr. Res. Inner Harbor Area	Inner Harbor
	2,625.00	9910-913990-9600	9910-902879-9601
	23 rd EDF	Constr. Reserve Commercial Revitalization	Commercial Revitalization
	34,941.18	9910-920994-9600	9910-906575-9601
	23 rd EDF	Constr. Res. Citywide Ind. Dev.	E. Balto. Ind. & Coml. Dev.
	4,484.00	9910-917016-9600	9910-904354-9601
	24 th EDF	Constr. Reserve Holabird Ind. Park	W. Balto. Ind. & Coml. Dev.
	252.00	9910-917016-9600	9910-906575-9601
	24 th EDF	Constr. Reserve Holabird Ind. Park	E. Balto. Ind. & Coml. Dev.
	\$ 83,984.00		

This transfer will provide funds to reimburse Baltimore Development Corporation for eligible capital expenses for the month ending May 31, 2014.

MINUTES**TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>			
5.	\$2,769,830.20	9995-927989-9587	
	40 th CDBG	Loan Repayment - Reserve	
	\$ 892,918.00	-----	9995-923080-9593 Public Housing 108
	1,876,912.20	-----	9995-922410-9593 East Baltimore Development Initiative 108
	<u>\$2,769,830.20</u>		

This transfer will provide appropriation authority for repayment on HUD Section 108 loans for fiscal year 2015.

MINUTES

Office of the Labor Commissioner - Fraternal Order of Police
Baltimore City Lodge No. 3
Wage Scales for FY 2015

ACTION REQUESTED OF B/E:

The Board is requested to **NOTE** the Wage Scales for FY 2015 for the Baltimore City Lodge No. 3, Fraternal Order of Police, Inc. (FOP) Units I and II.

AMOUNT OF MONEY AND SOURCE:

Effective July 1, 2014, employees represented by the two FOP Units will receive a 5% across the board wage increase.

In addition, effective July 1, 2014, employees who have completed seven years of service, but less than 15 will receive an additional 3% wage increase. Employees who have completed 15 years of service will receive an additional 6% wage increase.

BACKGROUND/EXPLANATION:

In accordance with the Municipal Employees Relations Ordinance, negotiations with the FOP Units I and II have concluded and resulted in multi-agreements covering Fiscal Years 2014-2016. To facilitate the July 1, 2014 wage increases, the Board is requested to approve the wage scales before the Memoranda of Understanding are submitted for notation.

UPON MOTION duly made and seconded, the Board **NOTED** the Wage Scales for FY 2015 for the Baltimore City Lodge No. 3, Fraternal Order of Police, Inc. Units I and II.

MINUTES

Department of Transportation - Ratification of Services Performed
& General Release of Claims and
Indemnification

ACTION REQUESTED OF B/E:

The Board is requested to ratify services performed and authorize payment in the amount \$485,483.36, to P. Flanigan & Sons, Inc. in connection with TR10324, Baltimore City Downtown Infrastructure Improvement Project, and to ratify the time period for which services were provided covering July 8, 2011 through May 10, 2012. The Board is also requested to approve and authorize execution of the General Release of Claims and Indemnification with P. Flanigan & Sons, Inc.

AMOUNT OF MONEY AND SOURCE:

\$485,483.36 - 9950-905819-95406-900020-702064

BACKGROUND/EXPLANATION:

On Wednesday, July 28, 2010, the Board awarded TR10324, Baltimore Downtown Infrastructure Improvements, with a duration of 340 consecutive calendar days, resulting in an expiration date of July 8, 2011. During the course of construction for the Grand Prix, various red line revisions were necessary to adequately complete construction and further necessitated an increase in the quantity of existing bid items and to comply with strict requirements in order for the activities to proceed as planned. Due to an administrative error, formal approval was not requested. The Department apologizes for this oversight. Final review of construction documents revealed the need for additional funding to close out the contract and pay the contractor for verified completed work.

The General Release of Claims and Indemnification (Release) resolves all claims and indemnifies the City. The Releases also authorizes the payment of the retainage to P. Flanigan & Sons, Inc. as provided in TR10324.

DBE PARTICIPATION:

The contractor exceeded the established 30% DBE goal, which was verified by the Department of Transportation.

MINUTES

Department of Transportation - cont'd

APPROVED FOR FUNDS BY FINANCE**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$485,483.36	9950-903550-9509	9950-905819-9506-2
GF(HUR)	Construction Reserve	Contingencies
	Neighborhood Street	Downtown Infrastructure
	Reconstruction	Improvements

This Transfer will fund the cost associated with project TR 10324 E. Baltimore Downtown Infrastructure Improvements in the amount of \$485,483.36.

UPON MOTION duly made and seconded, the Board approved the ratification of services performed and authorized payment in the amount \$485,483.36, to P. Flanigan & Sons, Inc. in connection with TR10324, Baltimore City Downtown Infrastructure Improvement Project, and ratified the time period for which services were provided covering July 8, 2011 through May 10, 2012. The Board further approved and authorized execution of the General Release of Claims and Indemnification with P. Flanigan & Sons, Inc. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The Comptroller voted **NO**.

MINUTES

Baltimore City Fire Department (BCFD) - Firehouse Expo
Training Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Firehouse Expo Training Agreement with Cygnus Business Media, Inc. (Cygnus).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

Under this agreement Cygnus will conduct a training session on July 15 and 16, 2014 that will be put on by members of the BCFD for conference attendees. The attendees will be made up of fire fighters from other jurisdictions. The BCFD will receive excess conference registration fees up to the BCFD's costs for the training sessions. Firehouse Magazine and Cygnus will hold their 27th Annual Firehouse Expo in the Baltimore City. With the exception of several years, every Firehouse Expo has been held in Baltimore City. As reported by the Baltimore Area Convention and Visitors Association, the Firehouse Expo accounts for approximately \$15.1 million dollars in direct spending with more than 16,000 attendees. It is the third largest show of this demographic in country.

In recent years, in an effort to bolster training opportunities for attendees, the managers of the Firehouse Expo have forged working relations with surrounding fire departments to explore mutually beneficial opportunities that would include training for the local departments. This proposed agreement will allow the Firehouse Expo to offer training sessions on City property using certified BCFD trainers. Members of the BCFD and its local mutual aid fire departments will also be able to attend this training. This agreement provides indemnification to the City and lays out requirements for site safety. Individual participants are required to sign the City's standard waiver of liability as a condition of participation in the program.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Firehouse Expo Training Agreement with Cygnus Business Media, Inc.

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,
the Board approved the
Extra Work Orders and Transfers of Funds
listed on the following pages:

2610 - 2611

All of the EWOs had been reviewed and approved
by the

Department of Audits, CORC,
and MWBOO, unless otherwise indicated.

The Transfers of Funds were approved
SUBJECT to receipt of favorable reports
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

MINUTES**EXTRA WORK ORDERS**

Contract	Prev. Apprvd.		Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>

Department of Transportation

1. EWO #008, \$25,749.39 - TR 10314, Parcel 'D' Inner Harbor
Improvements Phase III
- | | | | | |
|-----------------|---------------|--------------------------|---|---|
| \$ 4,126,171.00 | \$ 368,908.64 | Joseph B. Fay
Company | - | - |
|-----------------|---------------|--------------------------|---|---|

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 58,018.35	9950-904176-9528	
FED	Construction Reserve	
	Jones Falls Inner	
	Harbor Trail	
14,504.59	9950-906139-9528	
	Construction Reserve	
	Pennsylvania Ave.	
	Main Street Improve-	
	ment	
<u>\$ 72,522.94</u>	-----	9950-904327-9527-2
		Contingencies
		Inner Harbor East-
		Phase III

This Transfer will fund the cost associated with the change order #7, #8, and #9 to project TR 10314, Parcel 'D' Inner Harbor Improvements Phase III with Joseph B. Fay Company in the amount of \$65,929.94.

3. EWO #003, \$ 0.00 - TR 10004, Repairs to Various Bridges & Safety Improvements Along I-83: Gay Street to 41st Street
- | | | | |
|-----------------|---------------|-------------------------|------|
| \$ 4,986,355.65 | \$ 349,041.12 | Orfanos Contractors, 60 | - |
| | | Inc. | days |
4. EWO #002, (\$ 945.00)- TR 13006, Resurfacing Highways at Various Locations Citywide Emergency JOC IV
- | | | | |
|-----------------|-------------|----------------------|---|
| \$ 1,841,000.00 | (\$ 300.00) | M. Luis Construction | - |
| | | Co., Inc. | - |

MINUTES**EXTRA WORK ORDERS**

Contract	Prev. Apprvd.	Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext. Compl.</u>

Department of Transportation - cont'd

5. EWO #002, \$49,106.77 - Project 743, Reconstruction of Annapolis Road/Waterview Avenue Interchange at MD 295 Russell Street
- | | | | | |
|---------------|---------------|--------------------------------|---|---|
| \$ 699,229.62 | \$ 115,440.09 | Jacobs Engineering Group, Inc. | - | - |
|---------------|---------------|--------------------------------|---|---|

6. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$105,480.09	9950-901824-9509	9950-901882-9508-3
MVR	Construction Reserve	Design & Study
	Maisel Street	Annapolis Road Bridge
	Pedestrian Bridge	

This transfer will cover the deficit and fund the costs associated with the expense related to Change Order No. 2, Project No. 743, Reconstruction of Annapolis Road/Waterview Avenue Interchange at MD 295 Russell Street with Jacobs Engineering Group, Inc. in the amount of \$49,106.77.

Department of General Services

7. EWO #014, \$80,542.56 - GS 12810, Enoch Pratt Free Library, Library #22 Roof Replacement
- | | | | | |
|---------------|---------------|--------------------------------|---|----|
| \$ 192,400.00 | \$ 193,930.50 | Bob Andrews Construction, Inc. | 0 | 99 |
|---------------|---------------|--------------------------------|---|----|

Bureau of Water & Wastewater

8. EWO #024, \$ 0.00 - SC 8526, Sludge Digester Facilities at the Back River Wastewater Treatment Plant
- | | | | | |
|------------------|---------------|------------------------------------|------|---|
| \$ 38,667,000.00 | \$ 377,514.88 | Ulliman Schutte Construction, LLC. | 90 | - |
| | | | Days | |

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Traffic Mitigation Agreement with MCS Fort Avenue, LLC, developer. The agreement is effective upon Board approval and termination will be deemed in writing by the Department.

AMOUNT OF MONEY AND SOURCE:

\$18,961.65 - 9950-909084-9512-000000-490375

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 11-529, approved on November 22, 2011, determined that a Traffic Impact Study was required for the Development. The Developer proposes to perform the scope of work for the McHenry Row II located at 1215 East Fort Avenue constructing 102,750 square feet of general office space (68,500 square feet addition and 34,250 square feet interior renovation) The Developer will pay a one-time contribution in the amount of \$18,961.65 to fund the City's multimodal transportation improvements in the project's vicinity.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Traffic Mitigation Agreement with MCS Fort Avenue, LLC, developer.

MINUTES

Department of Transportation - Traffic Impact Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Traffic Impact Study Agreement with Miller's Square, LLC, Miller's Square Retail, LLC and 211 W. 28th Street, LLC. The agreement is effective upon Board approval and termination will be deemed in writing by the Department.

AMOUNT OF MONEY AND SOURCE:

\$40,639.81 - will be covered under Project No. 1134 On-Call Agreement, Task No. 15, approved by the Board of Estimates on December 18, 2013 with Sabra, Wang & Associates, Inc.

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 06-345, approved on November 11, 2006, determined that a Traffic Impact Study was required for the Development. This agreement is necessary to perform a traffic impact analysis for Remington Row at 2700-2900 Remington Street, where the developer has applied or intends to apply for a Building Permit in Baltimore City to perform the scope of work including 45,000 square feet of office, 108 residential dwelling units, 33,000 square feet of retail, and 276 parking spaces. The Traffic Impact Study assesses the development and its relative traffic impacts. The developer will pay for the total cost of the Traffic Impact Study.

MBE/WBE PARTICIPATION:

N/A

A PROTEST WAS RECEIVED FROM THE REMINGTON NEIGHBORHOOD ALLIANCE.

President: "The second item on the non-routine agenda can be found on Page 37, Department of Transportation, Traffic Impact Agreement. Would the parties please come forward?"

City Solicitor: "Will a representative of the developer also come forward and join the State representatives?"

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President: "Good morning."

Unidentified male voice: "Good morning."

Ms. Valerie Lacour, Chief of Transportation Planning, Department of Transportation: "My name is Valerie Lacour and I'm Chief of Transportation Planning uh, for the Department of Transportation and it is my division that um, does traffic impact studies. We, uh the Department of Transportation does traffic impact studies on behalf of the City of Baltimore for any new development in the City to determine what the impacts of that traffic will be on the City's transportation system and any mitigation, that needs to be undertaken um, um, based upon what the impacts would be. Um, we engage uh, or the applicants engage the City of transportation when they do new development um, and the uh, Department of Transportation has a Traffic Impact Study panel, which is made up of a representative from the Department of Planning, representatives from the Department of Transportation, um, and uh, our on-call consultants, who are uh, traffic study engineers and experts in the field to make sure that when we conduct traffic impact studies, that they are uh, uh, relevant and um, comprehensive in nature. Um, in this case, uh, you have before you, a, a, an agreement for a scope to do a traffic impact study uh, for the uh, development known as Remington, Row, and um, uh, the Department of Transportation does not

MINUTES

engage communities, associations, or other representatives when we scope a study. However, if the applicant uh, does ask for that, the Department of Transportation will allow them to attend the meeting. Um, uh, we do that in the additions to the traffic impact study, uh, beyond what the scope is, uh, that is agreed to between the developer and any community members uh, can be added to an impact study and the developer assumes the entire costs for those additional items, and also assumes any mitigation measures that might come out of that, those additional items per study."

President: "Mr. Nilson."

City Solicitor: "Uh, could I, could we hear from the representative of applicant with regard to the community engagement part of this, that you said is the applicant's responsibility and then we'll hear from Miss Floyd, if that's alright, Mr. President?"

Mr. Evan Morville: "Good morning Mr. President, members of the Board, my name is Evan Morville. I'm a partner at Seawall Development Co., representing the three applicants of the Remington Row uh, PUD. We, uh, began the process of community outreach for our Remington Row PUD in July of 2013, and began soliciting and talking about the concept of creating a four-block mixed-use project. We've since revised that plan into a

MINUTES

three City block mixed-used project. Uh, on December 31st, as it relates to the traffic impact study, we received comments from the Remington Neighborhood Alliance, and uh, invited them, uh, at their request, to the pre-scoping traffic impact study meeting on July, excuse me, on January second. We received those 14 comments, responded to those comments on January 6th, agreeing to include all 14 except for one of the requested comments. The one requested comment that we did not include was outside the scope of a traffic impact study. The additional requests of the association amounted to over \$10,000.00 of additional costs to the traffic impact study."

City Solicitor: "In the request that you did agree to?"

Mr. Morville: "Yes. And so, we're here to uh, spend our own money, the traffic impact study is \$40,000.00; we are eager to get it started, so that the appropriate information can be provided as a part of the PUD process."

City Solicitor: "Was the association told back in January or thereabouts that you agreed with 13 of their 14 requests?"

Mr. Morville: "Yes. We provided in writing, a response to all 14 requests."

City Solicitor: "Okay."

Comptroller: "I have a question. Yeah, I, I have a document that says um, on June the 25, 2014, a site planning uh, a site

MINUTES

Planning Department uh, had a meeting and several issues were addressed in regard to the RNA protest, and one of them was a traffic impact study needed to be conducted and this traffic impact study may require modifications to the site plan. Has that been addressed?"

Ms. Lacour: "So, um, the --"

President: "Can you pull the mic down?"

Ms. Lacour: "-- the site plan review process uh, um, uh, which is done through the Department of Planning, um, can, um, cannot be formally approved until the traffic impact study is completed, because the traffic impact study um, mitigation may require modifications to the site plan. So it sort of goes hand-in-hand, um, and so the site plan cannot be approved until traffic impact study is completed."

City Solicitor: "And that's normally the case, I assume?"

Ms. Lacour: "That is a normal process, yes."

President: "Ms. Floyd?"

Joan Floyd: "Um, Thank you, Mr. Chair. Joan Floyd, President, Remington Neighborhood Alliance. We did, this project has many parts and many moving parts -- it has Department of Transportation TIS; it has UDaRP; it has zoning; it has storm water with the DPW; and each of these has its own sort of "thread", and um, we did uh, participate very vigorously in the

MINUTES

TIS portion uh, starting in early December and going into January, and I presented the Board with the e-mail um, letting us know that we would be from, from, um the Department and from Mr. Morville letting us know that we would be, you know, getting the follow-up from that um, meeting, that panel meeting. We didn't receive the follow-up, and the reason I'm here is because I want us to be able to, to complete our process with, with the TIS "thread" of this project, and, significant of all this -- Mr. Morville did not actually mention this project -- well he did mention one of the changes, this project has gone through a lot of changes since January, and, and, um, that alone um, creates a need to sort of look at what we have right now. The project as proposed to the City Council is a very different project from the one that was discussed previously."

City Solicitor: "What do you mean previously? Previously when?"

Ms. Floyd: "At the time of the TIS, when all the, when all the TIS failed to stop, short of the end of January. Things have happened since then. Um, there's changes in the project, and so we're asking for that two-week delay so that we can complete, we can look at what we have right now 'on the ground.' I don't even know if that \$10,000.00 that was mentioned, I don't even know if their suggestions are still going to be the same as they were back then, because there have been a lot of changes."

MINUTES

City Solicitor: "Do, do you disagree with the um, statement by the representative of the applicant that 13 of the 14 requests by your association back in December or January were accepted by the applicant?"

Ms. Floyd: "That is my understanding."

City Solicitor: "Okay."

Ms. Floyd: "But, I don't really know, I don't remember what they were, and I don't know if they're even current at this point."

City Solicitor: "Okay."

Ms. Floyd: "I think that's part of the problem."

City Solicitor: "Okay. You don't disagree with that statement?"

Ms. Floyd: "No, I don't."

City Solicitor: "-- they accepted 13 of 14 --"

Ms. Floyd: "-- and that there was going to be a follow-up."

City Solicitor: "Okay. And so, what you're really saying is, maybe things have changed and more things need to be done?"

Ms. Floyd: "Not necessarily."

City Solicitor: "But at one time."

Ms. Floyd: "I may be saying that less things need to be done. I, I honestly would really appreciate that two-week period to do our evaluation, which is something we always expected we would

MINUTES

be able to do, based on um, expectations that were released by the Department and developer back in --"

City Solicitor: "Uh, uh."

Ms. Floyd: "-- the beginning of February."

City Solicitor: "A question for each of you, if I may, um. Has the project gotten any bigger, however you want to define bigger, since early January, or, or has it moved to a different site I assume the answer to the second is No, other than the site got maybe smaller. Has it gotten any bigger since early January?"

Mr. Morville: "Sir, what we've done, as originally proposed to the community, was a four City block project, we've reduced it to a three City block project. Uh, the largest change to the project has been the elimination of 33 apartments and the replacement of those 33 apartments with 35,000 square feet of office space for non-profits. Uh, modeled after our other projects of Union Mills and Miller's Court; that's been the largest change uh, to the project."

Ms. Floyd: "And, and if I may respond to that too? One of, one of the interesting things about this that I've been thinking of is that the comment was made by the um, the panelist, the TIS panelist back at the meeting, that one of the highest gen, they

MINUTES

said one of the highest generator of traffic would be office and now we have a much bigger office."

City Solicitor: "So who said that?"

Ms. Floyd: "Well it was said, it was stated um, at the pan, at the um, by one of the engineers. One of the traffic engineers at the TIS panel, mentioned that as a particular generator of, of traffic and parking, and so that is one of the, one of the, you know, potentially relevant changes that we would want to look at when we were trying to evaluate this. That is a fairly significant change, but I would say that the original proposal was actually three blocks, then it was four blocks, now it's for three different blocks than the original three blocks. There have been a lot of changes."

Ms. Lacour: "So uh, let me just process this answer. So, a traffic impact study um, defines an area and is based upon signalized intersections that are adjacent to and surrounding up to a half a mile from the project. That um, the changes that are being discussed in the size of the project does not change the study area, nor does it change the factors that the Department of Transportation is going to look at. When they do the analysis of what the, what the impacts are, they will take the final development program, whether it's housing, whether it's commercial retail, whatever that final program is and figure out

MINUTES

what the impacts are going to be. So the project, while the project has changed from four blocks to three blocks, the actual parameters of the study remain, and the additional items that were added remain the same, because the study area does not change based upon that."

City Solicitor: "Understood. Thank you very much."

Ms. Floyd: "I think um, Mr. Solicitor, --."

Mr. Morville: "I'd like to --."

Ms. Floyd: "-- you did make a ruling relevant, you made a good suggestion in the conference room how we could use the two weeks, and I would just say I'd like to be able to do that. I understand that there may be some reason the developer doesn't want to do that, I don't quite understand what that reason would be; I understand Ms. Lacour is fine with it, and we could be, we could have a productive two weeks. Again, I don't know what Mr. Morville's objection is, but it's, you know, I guess it's his objection."

Mr. Morville: "We agree to the two weeks. I want it to be on record that we had requested to meet with Miss Floyd and the Remington Neighborhood Alliance 14 times since uh, January 2nd of this year. Uh, we've met with them one time since then. They've invited us one time to one of their community meetings. I'd also like to read a uh -- sentence from the memorandum that was

MINUTES

produced as a result of the pre-scoping traffic impact meeting that was presented to the Remington Neighborhood Alliance, and they did not respond with any objections to. Uh, trip generation will be calculated based on the different uses that are proposed for the development, for example, grocery store, office, general retail, neighborhood retail. It is understood that at this time, not every type of retail or business use can be identified, and that general retail assumptions will be used when applicable to determine trip generation estimates'. It's not office as Ms. Floyd indicated."

City Solicitor: "So, um, Mr. President, considering the applicant's agreement to a two-week deferral under the fairly limited circumstances that we discussed before this meeting, I would MOVE that we continue this hearing to be resumed and concluded at our meeting in two weeks without repeating what we've heard today, but really just to fill us in on the outcome of any meeting or meetings that occur in the next two weeks."

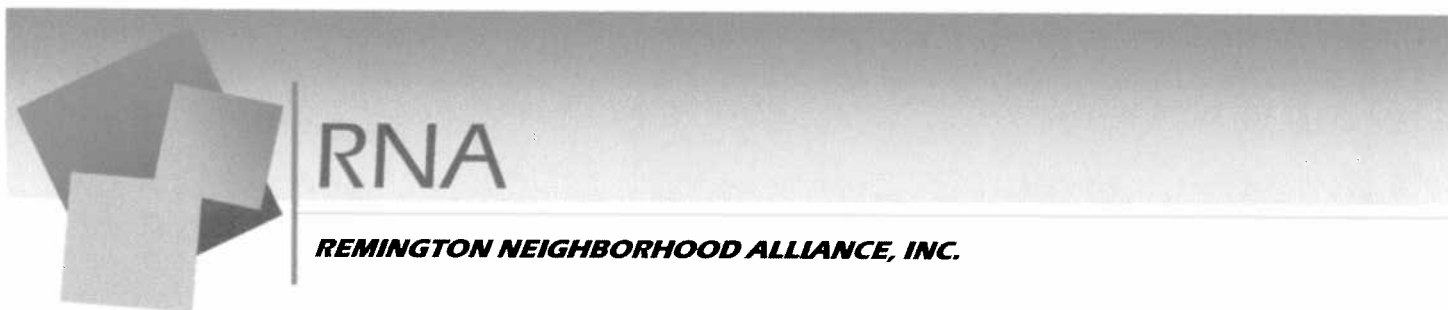
Comptroller: "Second."

Ms. Floyd: "Excuse me."

President: "All those in favor say AYE."

All opposed NAY. All opposed? Alright, the Motion carries."

* * * * *



15 July 2014

Clerk, Board of Estimates
Room 204, City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: Protest, July 16th Agenda, Page 37: Miller's Square, LLC - Traffic Impact Agreement

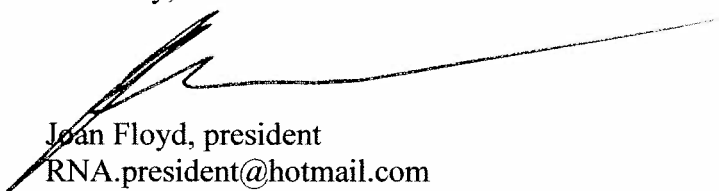
Dear Madame Clerk:

On behalf of the Remington Neighborhood Alliance (RNA), the civic association for residents of Remington, I must protest the above item and ask that it be removed from the July 16th agenda. The item is premature for the following reasons:

1. The RNA participated diligently in the initial stages of TIS scoping for this project as originally proposed, but **never received the promised follow-up** from either the Department of Transportation or the developer. A recent e-mail to DOT on this very subject was not answered for more than a week, and our attempt to remind DOT of its responsibility to provide a follow-up was not acknowledged. Moreover, there have been significant changes in the project since the time of the discussions about TIS scoping. Under the circumstances, we are unable to fulfill our responsibilities with respect to the process. A few weeks' delay may allow us sufficient time to evaluate the item on its merits.
2. The project requires extraordinary zoning approval for which it may never qualify.
3. The developer has not demonstrated that the massive building and parking facility proposed for the 2700 block of Remington Avenue will satisfy the City's stormwater regulations. While a stormwater plan was apparently submitted to DPW seven months ago, no such plan has ever been provided to the RNA.
4. The materials submitted by the developer to the City Council in May do not comply with the requirements for PUD submission. **We have suggested that no further public resources be spent on this project under the circumstances.**
5. This development project is now apparently tied to, or at least closely associated with, the development of the nearby 11-acre 25th Street Station property, which will need a new TIS. It would be inappropriate, and unfair to our residents, to study the traffic impacts of this Remington Ave project in isolation.
6. The developer has not demonstrated sufficient control over the Remington Ave properties.

Please remove this item from the July 16th agenda.

Sincerely,


Joan Floyd, president
RNA.president@hotmail.com

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 16 to McCormick Taylor, Inc., under Project No. 1123, On-Call Transportation Planning/Policy/Feasibility Studies.

AMOUNT OF MONEY AND SOURCE:

\$140,065.64 - 9950-901046-9512-900020-703032

BACKGROUND/EXPLANATION:

This task assignment will authorize McCormick Taylor, Inc. to provide on-site traffic engineering support to both the Planning Division and the Traffic Division of the Department of Transportation.

MBE/WBE PARTICIPATION:

The consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals established in the original agreement.

MBE 35.00% WBE 9.00%

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 16 to McCormick Taylor, Inc., under Project No. 1123, On-Call Transportation Planning/Policy/Feasibility Studies.

MINUTESDepartment of Transportation - Release of Retainage Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement for Release of Retainage to Bensky Construction Company for TR 12007, Demolition of Pratt Street Pedestrian Bridges.

AMOUNT OF MONEY AND SOURCE:

\$77,939.80 - 9950-909632-9527-000000-200001

BACKGROUND/EXPLANATION:

All work on TR 12007 is substantially completed and all punch list items completed. Bensky Construction Company has requested a partial release of retainage in the amount of \$77,939.80. The City holds \$79,939.80 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City.

MWBOO APPROVED THE RELEASE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of an Agreement for Release of Retainage to Bensky Construction Company for TR 12007, Demolition of Pratt Street Pedestrian Bridges.

MINUTES

Department of Transportation - Amendment No. 3 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 3 to Wharfage License Agreement with Harbor Care, LLC (Operator) and Living Classrooms Foundation.

AMOUNT OF MONEY AND SOURCE:

\$186,739.01 - 6000-617414-2303-248700-603026

BACKGROUND/EXPLANATION:

This Amendment No. 3 increases the value of the Wharfage License Agreement with Harbor Care, LLC and Living Classrooms Foundation. The City will pay the Operator \$186,739.01 for services and to reflect the 1.5% Consumer Price Index-Urban provided in connection with Amendment No. 1.

On March 30, 2005, the Board approved the 2005 Wharfage Agreement with Harbor Boating, Inc. and the Living Classroom Foundation, Inc. for the operation of a Water Taxi and Shuttle Service in the inner and outer harbor.

On April 22, 2009, the Board approved Amendment No. 1 to the 2005 Agreement which provided for a direct, commuter-oriented point to point water taxi service upon selected routes between Maritime Park in Fells Point and Tide Point and between Canton Waterfront Park and Tide Point. Amendment No. 1 also provided for an increase in operator fee based on the Urban Consumer Price Index.

On August 11, 2010, the Board approved a Consent of Assignment of the 2005 Agreement as amended and executed by the Harbor Boating, Inc. assigning all of its rights, title, obligations, conditions and interest in the 2005 Agreement as amended to Operator. The City and the Living Classrooms Foundation approved the assignment.

MINUTESDept. of Transportation - cont'd

On August 10, 2011, the Board approved Amendment No. 2 to provide for a third route and to enter into a Bareboat Charter Agreement which requires the Operator to provide preventative and maintenance services for the vessels, along with allowing bicycles on board, notification of service delays during inclement weather, signage and marketing responsibilities and ridership data collection.

This Amendment No. 3 increases the value of the Wharfage License Agreement with Harbor Care, LLC and Living Classrooms Foundation. The City will pay the Operator \$186,739.00 for services and to reflect the 1.5% consumer price index-urban provided in connection with Amendment No. 1.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 3 to Wharfage License Agreement with Harbor Care, LLC (Operator) and Living Classrooms Foundation. Mr. Harry Black, acting on behalf of the Mayor

ABSTAINED. The President **ABSTAINED.**

MINUTES

Department of General Services - Developer's Agreement No. 1355

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Developer's Agreement No. 1355 with RRR 1 Investments, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$23,795.00

BACKGROUND/EXPLANATION:

The developer, RRR 1 Investments, LLC is renovating its building primarily at 1718 Thames Street and needs to upgrade the fire-suppression and domestic water services. This developer's agreement will allow for the upgraded improvements.

The Western Surety Company has issued Performance Bond 71552639 in the amount of \$23,795.00 on behalf of RRR 1 Investments, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

City funds will not be utilized for this project; therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Developer's Agreement No. 1355 with RRR 1 Investments, LLC, developer.

MINUTES

Department of General Services (DGS) - On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Agreement with Marks, Thomas Architects, Inc. for Project No. 1125T. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever comes first.

AMOUNT OF MONEY AND SOURCE:

\$750,000.00 - Upset limit

BACKGROUND/EXPLANATION:

Various City agencies, on a continuing basis, require architectural design services to modify, upgrade, or repair their facilities. Typically, the work involved is limited in scope and/or of an urgent nature, which in either case, should not be postponed until the customary architectural design selection process can be executed. Under these contracts, the call for these services will be made as needs are identified.

The cost of services rendered will be negotiated on a not-to-exceed price for each task assigned. The fees will be based on actual payroll rates, not including overhead and burden, times a set multiplier. The payroll rate and multiplier have been reviewed by the Department of Audits.

The period of the contract is for two years. However, projects that are started within the two-year period may continue beyond the two-year time frame until completion. The total fee for this consultant's contract will not exceed \$750,000.00 for the two-year period.

The consultant has been approved by the Architect and Engineering Awards Commission (AEAC) procedures, under AEAC Project No. 1125T.

MINUTES

DGS - cont'd

MBE/WBE PARTICIPATION:**MWBOO SET GOALS OF 27% FOR MBE AND 9% FOR WBE.**

MBE: Waldon Studio Architects	\$ 75,000.00	10%
and Planners		
Phoenix Engineering, Inc.	60,000.00	8%
Paulco Engineering, Inc.	37,500.00	5%
Peristyle, LLC	30,000.00	4%
Total	\$202,500.00	27%
 WBE: A Squared Plus Engineering	\$ 37,500.00	5%
Support Group, LLC		
Carroll Engineering, Inc.	30,000.00	4%
Total	\$ 67,500.00	9%

MWBOO FOUND VENDOR IN COMPLIANCE.

AUDITS NOTED THIS ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of an On-Call Agreement with Marks, Thomas Architects, Inc. for Project No. 1125T.

MINUTES

Department of General Services - Agreement for Incoming Loan

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement for an Incoming Loan with the Baltimore & Ohio Railroad Museum, Inc. (B&O). The period of the Agreement for an Incoming Loan is August 1, 2014 through July 31, 2019.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In late 2013, the B&O expressed interest in receiving the loan of a Civil War-era cannon from the War Memorial Building. The cannon, located outside of the War Memorial building on Saratoga Street, had previously been identified as being at high-risk for theft. The exposure had also affected the cannon's physical condition.

The B&O currently has a Civil War exhibition that the cannon tube will complement. While at the museum, the B&O will conserve and restore the cannon.

The B&O will be responsible for insuring the cannon, de-installation, transportation, installation, and return of the cannon. The City will incur no cost by loaning the cannon.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of an Agreement for an Incoming Loan with the Baltimore & Ohio Railroad Museum, Inc.

MINUTES

Department of General Services - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) with the Administrative Office of the Courts (AOC).

AMOUNT OF MONEY AND SOURCE:

No City funds are required.

BACKGROUND/EXPLANATION:

Pursuant to the MOU, the AOC will provide funding to the City for the construction and related costs of the Appellate Judges Chambers in the amount of \$452,215.00 (the funds).

The funds provided by the MOU will be expended only for the purposes of the construction listed in the City's Budget Memo of May 13, 2014, for the Project known as the Appellate Judges Chambers in Courthouse East.

The funds have been determined based upon estimates from the City and are limited to \$452,215.00, unless approved and increased by the AOC.

The funds will be disbursed to the City after the AOC receives an invoice with required documentation for reimbursement.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Memorandum of Understanding with the Administrative Office of the Courts.

MINUTES

Department of General Services - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as to the Minor Privilege Regulations of the Board and the Building Regulations of Baltimore City.

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 601 S. Montford Ave.	Concord	Retain awning 9' x 3'
Annual Charge: \$ 70.30		
2. 3829 Eastern Ave.	Leon Hindoyan	Retain cornice sign 12 ½' x 2 ½'
Annual Charge: \$ 70.30		
3. 1626 E. Fort Ave.	Jay S. Lewbow	Retain single face electric sign 7' x 2 ½'
Annual Charge: \$ 70.30		
4. 2701 W. North Ave.	Edison Reynoso	Retain awning w/signage 17' x 2'
Annual Charge: \$106.60		
5. 3400 Fait Ave.	David Wine	Outdoor seating 13'2" x 4'
Annual Charge: \$184.25		

Since no protests were received, there are no objections to approval.

There being no objections the Board, UPON MOTION duly made and seconded, approved the minor privilege permits.

MINUTES

Department of Housing and - Community Development Block
Community Development Grant Agreements

The Board is requested to approve and authorize execution of the Community Development Block Grant (CDBG) Agreements. The period of the agreement is July 1, 2014 through June 30, 2015.

1. BANNER NEIGHBORHOODS COMMUNITY CORPORATION, INC. \$59,864.00

Account: 2089-208915-5930-436630-603051

The purpose of the agreement is to provide CDBG-40 funding to the organization to provide educational, recreational, and cultural enrichment activities for youth in Southeast Baltimore. All activities will be monitored by City staff.

FOR FY 2015, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$15,000.00.

MBE: \$4,050.00

WBE: \$1,500.00

2. BALTIMORE OFFICE OF PROMOTION AND THE ARTS, INC. \$51,300.00

Account: 2089-208915-5930-423230-603051

Under this agreement the funds will be utilized to fund the Bright StARTS Workshop for Children Program. The Bright StARTS program will provide free art instruction to children ages 5 - 19 with workshops in such areas as visual, literacy, and performing arts. Thirty-two after- school workshops will be held from October 2014 to May 2015 and eight summer workshops at locations throughout Baltimore City. Professional artists who are experienced teachers will conduct the workshops. Bright StARTS has become a model arts educational program in Baltimore City, introducing under-served children to their rich heritage and to their own potential.

FOR FY 2015, MBE AND WBE PARTICIPATION GOALS HAVE BEEN WAIVED.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned CDBG Agreements.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Stadium Square I, LLC, developer, for the sale of the City-owned property located at 123 W. Cross Street.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest in 123 W. Cross Street to Stadium Square I, LLC for the price of \$100,000.00, which will be paid to the City of Baltimore at the time of settlement. The purchase price of the site will be financed through private funds.

The purchase of the property located at 123 W. Cross Street in the Sharp-Leadenhall neighborhood will enhance the developable footprint for Stadium Square I, LLC. The developer is completing the acquisition of all surrounding properties in an effort to assemble a contiguous development parcel. The development plan calls for a mixed-use project that can potentially incorporate 350 residential units and 525 structured parking spaces.

The City is authorized to dispose of the property, located at 123 W. Cross Street, by virtue of the provisions of Article II, Section 15 of the Baltimore City Charter (2010 Edition); Article 13 of the Baltimore City Code (2010 Edition), which established the Department of Housing and Community Development; and Ordinance No. 581, the Sharp-Leadenhall Urban Renewal Plan, originally approved by the Mayor and City Council of Baltimore on April 19, 1974; and Ordinance No. 06-228, approved by the Mayor and City Council of Baltimore on May 15, 2006.

MINUTES

DHCD - cont'd

Pursuant to the Appraisal Policy of the City of Baltimore, "unimproved real property with an assessed value of \$2,500.00 or less will not require an appraisal." The property located at 123 W. Cross Street is currently assessed by the State Department of Assessment and Taxation for \$1,100.00. The property is being sold for \$100,000.00.

MBE/WBE PARTICIPATION:

Stadium Square I, LLC will not receive any City funds or incentives for the purchase or redevelopment of the property; therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Stadium Square I, LLC, developer, for the sale of the City-owned property located at 123 W. Cross Street.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Land Disposition Agreement with En Provence, LLC, developer, for the sale of the City-owned property located at 1715 Hollins Street in the Union Square neighborhood.

AMOUNT OF MONEY AND SOURCE:

\$8,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will consist of the City-owned vacant building to be completely rehabilitated for residential use as a single family dwelling. It will be sold to a homeowner at market rate.

The property will be purchased and renovated with private funds.

The aforementioned property has been journalized and approved for sale on February 1, 2007.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY THE WAIVER VALUATION PROCESS:

The property located at 1715 Hollins Street was priced at \$17,700.00, pursuant to the Appraisal policy of Baltimore City using the Waiver Valuation Process and will be sold for \$8,000.00.

The subject property is being sold below the price determined in accordance with the Appraisal Policy of Baltimore City using the Waiver Valuation Process for the following reasons:

- (i) specific benefit to the immediate community of revitalization through residential single family occupancy,

MINUTES

DHCD - cont'd

- (ii) elimination of blight and neighborhood stabilization, and
- (iii) economic development, returning the property to productive use and to the active tax rolls of the City of Baltimore.

The developer proposes to spend approximately \$210,000.00 for acquisition and associated rehabilitation costs to complete the project.

MBE/WBE PARTICIPATION:

The developer will purchase the property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation. Therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Land Disposition Agreement with En Provence, LLC, developer, for the sale of the City-owned property located at 1715 Hollins Street in the Union Square neighborhood.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Land Disposition Agreement with Convergence Development, LLC, developer, for the sale of the City-owned property located at 2626 Park Heights Terrace in the Greenspring neighborhood.

AMOUNT OF MONEY AND SOURCE:

\$5,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will consist of the rehabilitation of the property and once rehabilitated, it will be sold to a low-to-mid-income homeowner. The project will be privately financed.

The sale of this property will generate a considerable amount of revenue in real estate property taxes to the City of Baltimore. Once transferred and redeveloped the property will be active on the tax rolls of Baltimore City thereby preventing tax abandonment.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY THE WAIVER VALUATION PROCESS:

The property was priced pursuant to the Appraisal Policy of Baltimore City using the Waiver Valuation Process. The property was valued at \$9,033.00 and is being sold for \$5,000.00.

The property will be sold to Convergence Development, LLC for \$5,000.00, which is below the price determined using the Waiver Valuation Process because of the following factors:

- (1) the sale and rehabilitation of this property will help to promote a specific benefit to the immediate community,

MINUTES

DHCD - cont'd

- (2) the sale and rehabilitation will continue the elimination of blight, and
- (3) the sale and rehabilitation will promote economic development through the placement of the subject property on the City's tax rolls.

MBE/WBE PARTICIPATION:

The developer will purchase the property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation. Therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Land Disposition Agreement with Convergence Development, LLC, developer, for the sale of the City-owned property located at 2626 Park Heights Terrace in the Greenspring neighborhood.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Gulf Investment LLC, developer, for the sale of the City-owned properties located at 1417, 1429, 1443, 1445 E. Eager Street, 926, 928 N. Caroline Street, 1412, 1428, and 1436 N. Broadway.

AMOUNT OF MONEY AND SOURCE:

\$ 3,500.00 - 1417 E. Eager Street
3,500.00 - 1429 E. Eager Street
500.00 - 1443 E. Eager Street
500.00 - 1445 E. Eager Street
500.00 - 926 N. Caroline Street
500.00 - 928 N. Caroline Street
10,000.00 - 1412 N. Broadway
5,000.00 - 1428 N. Broadway
5,000.00 - 1436 N. Broadway
\$29,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest of the properties to Gulf Investment, LLC for the price of \$29,000.00. The purchaser has paid a good faith deposit of \$2,900.00.

The developer wishes to purchase the vacant lots located at 1443, 1445 E. Eager Street, 926 and 928 N. Caroline Street to construct new row homes. The new single family homes will be sold at market price.

The developer wishes to purchase the vacant buildings located at 1412, 1428, and 1436 N. Broadway, and 1417 and 1429 E. Eager

MINUTES

DHCD - cont'd

Street for the purpose of rehabilitating the properties back to functional single family homes. The rehabilitated properties will be sold at market price. The purchase price and improvements to the site will be financed through private sources.

Baltimore City is authorized to dispose of the properties by virtue of Article 13, § 2-7 (f) of the Baltimore City Code; and through the Gay Street I Urban Renewal Plan, approved by the Mayor and City Council of Baltimore by Ordinance No. 1183, dated December 2, 1967 and Ordinance No. 1067, the Oliver Neighborhood Urban Renewal Plan, originally approved by the Mayor and City Council of Baltimore on May 17, 1971.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY THE WAIVER VALUATION PROCESS:

The properties were valued pursuant to the Appraisal Policy of Baltimore City using the Waiver Valuation Process:

1. 1417 E. Eager Street was priced at \$11,146.00 and will be sold for \$3,500.00,
2. 1429 E. Eager Street was priced at \$11,146.00 and will be sold for \$3,500.00,
3. 1443 E. Eager Street was priced at \$740.48 and will be sold for \$500.00,
4. 1445 E. Eager Street was priced at \$740.48 and will be sold for \$500.00,
5. 926 N. Caroline Street was priced at \$728.91 and will be sold for \$500.00,
6. 928 N. Caroline Street was priced at \$694.20 and will be sold for \$500.00,
7. 1412 N. Broadway was priced at \$8,540.00 and will be sold for \$10,000.00,
8. 1428 N. Broadway was priced at \$8,540.00 and will be sold for \$5,000.00, and
9. 1436 N. Broadway was priced at \$8,540.00 and will be sold for \$5,000.00.

MINUTES

DHCD - cont'd

The properties, except 1412 N. Broadway, are being sold to Gulf Investment, LLC for the price below the waiver valuation price because of the following reasons:

- the renovations will be to the specific benefit to the immediate community,
- this transaction will eliminate blight from the block, and thus eliminate blight from the neighborhood,
- this sale and rehabilitation will return vacant buildings to the tax rolls, and
- the properties are being sold less than the price determined by the waiver valuation because of their condition, which will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

The developer will purchase the properties for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation of the properties. Therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Gulf Investment LLC, developer, for the sale of the City-owned properties located at 1417, 1429, 1443, 1445 E. Eager Street, 926, 928 N. Caroline Street, 1412, 1428, and 1436 N. Broadway.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Land Disposition Agreement with Izhak Alkaslasi, developer, for the sale of the properties located at 726 and 730 E. 21st Street, 722, 1024, 1026 and 1028 E. North Avenue.

AMOUNT OF MONEY AND SOURCE:

\$ 2,100.00 - 726 E. 21st Street
3,800.00 - 730 E. 21st Street
1,100.00 - 722 E. North Avenue
1,100.00 - 1024 E. North Avenue
1,100.00 - 1026 E. North Avenue
1,100.00 - 1028 E. North Avenue
\$10,300.00 - Purchase Price

BACKGROUND/EXPLANATION:

A good faith deposit in the amount of \$2,000.00 has been paid by the developer.

The developer will be using private funds to pay for the acquisition and rehabilitation of the property.

The DHCD's Land Resource Division, on behalf of the Mayor and City Council, strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

The City has agreed to convey the properties known as 726 and 730 E. 21st Street, 722, 1024, 1026 and 1028 E. North Avenue to Izhak Alkaslasi. As a condition of conveyance, Izhak Alkaslasi has agreed to the terms of the Land Disposition Agreement.

MINUTES

DHCD - cont'd

The City may dispose of the properties located at 730 E. 21st Street, 722, 1024, 1026 and 1028 E. North Avenue by virtue of the following legal authorities: Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition) ("the City Code"); and Article 13 § 2-7 (h) of the Baltimore City Code.

The property located at 726 E. 21st Street was journalized and approved for sale on December 22, 2010.

STATEMENT OF PURPOSE AND RATIONALE/APPRaisal EXCEPTION:

The properties were sold by auction. Pursuant to the appraisal policy under "Exceptions to Requiring an Appraisal." No appraisal is required for the sale of properties under an approved Board of Estimates Policy, which allows for an alternative method in determining value, such as a Broker Price Opinion, will not require an appraisal. The sale of City-owned property via auction was approved on November 3, 2010.

MBE/WBE PARTICIPATION:

The developer will purchase these properties for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation. Therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Land Disposition Agreement with Izhak Alkaslasi, developer, for the sale of the properties located at 726 and 730 E. 21st Street, 722, 1024, 1026 and 1028 E. North Avenue.

MINUTES

Bureau of Water and Wastewater - Amendment No. 4 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 4 to Agreement with KCI Technologies, Inc. for Project No. 1118, Improvements to the Wastewater Collection System for Consent Decree Wet Weather Compliance.

AMOUNT OF MONEY AND SOURCE:

\$2,271,890.98 - 2070-000000-5601-399012-603026

BACKGROUND/EXPLANATION:

On September 22, 2010, the Board approved the original agreement with KCI Technologies, Inc. under Project No. 1118, Improvements to the Wastewater Collection System for Consent Decree Wet Weather Compliance for a period of three years ending on September 20, 2013. On December 12, 2012, the Board approved Amendment No. 1 in the amount of \$2,678,998.74. On June 5, 2013, the Board approved Amendment No. 2, extending the period of the Agreement through September 21, 2014 at no additional cost to the City. On January 29, 2014, the Board approved Amendment No. 3 in the amount of \$999,953.76.

In order to continue providing staffing for the newly created Utility Asset Management Division, Amendment No. 4 is necessary. This Amendment No. 4 will extend the period of the agreement through September 21, 2015 at an additional cost of \$2,271,890.98. This brings the total upset limit for this agreement to \$8,950,513.37.

MBE/WBE PARTICIPATION:

The consultant will continue to comply with all terms and conditions of the MBE/WBE programs in accordance with Baltimore City Code, Article 5, Subtitle 38.

MWBOO APPROVED ON MAY 5, 2014.

MINUTES

BW&WW - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 4 to Agreement with KCI Technologies, Inc. for Project No. 1118, Improvements to the Wastewater Collection System for Consent Decree Wet Weather Compliance.

MINUTES

Bureau of Water & Wastewater - Major Equipment Pre-Selection
for SC 918 Headworks at Back
River Wastewater Treatment Plant

ACTION REQUESTED OF B/E:

The Board is requested to authorize Johnson, Mirmiran and Thompson (JMT) to competitively pre-select the major equipment including influent and equalization pumps, Traveling Bridge Grit Removal System and Circular Pre-Cast storage tanks required for SC 918 Headworks Improvements and Wet Weather Equalization project at the Back River Wastewater Treatment Plant.

AMOUNT OF MONEY AND SOURCE:

It is anticipated that the cost for the pre-selected equipment when competitively procured will be in the range of \$50 million. The total construction estimate for this project is \$240 million. The cost for the pre-selected equipment will be passed through the construction contract rather than direct payment by the City to the vendors.

BACKGROUND/EXPLANATION:

To help avoid Sanitary Sewer Overflows the City agreed with the Maryland Department of the Environment and Environmental Protection Agency to undertake planning, design and construction of the Headworks facilities at the Back River Wastewater Treatment Plant (BRWWTP). Under this Agreement, the facility has to be constructed and fully operational by December 2018. The Bureau is designing the new Headworks facility at BRWWTP under an Agreement with JMT.

Some of the key major process equipment required for the Headworks project, has a long lead time associated with shop fabrication. This equipment is furnished by a small number of vendors each processing unique features and formats. The competitive procurement and pre-selection will allow the other segments of design to be most effectively completed around pre-selected equipment and thereby benefit the City by reducing the risk of potential delays during construction should the General Contractor decide to submit an "Or Equal" product.

MINUTES

BW&WW - cont'd

The Bureau believes by pre-selecting these key process equipment items, the City will have effective control over the product selection, quality and performance expectations in a competitive environment. The Bureau agrees with the consultant's determination and recommends approval of the request.

MBE/WBE PARTICIPATION:

The equipment cost will be exempted from MBE/WBE participation in accordance with Baltimore City Code, Article 5, Subtitle 28.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board authorized Johnson, Mirmiran and Thompson (JMT) to competitively pre-select the major equipment including influent and equalization pumps, Traveling Bridge Grit Removal System and Circular Pre-Cast storage tanks required for SC 918 Headworks Improvements and Wet Weather Equalization project at the Back River Wastewater Treatment Plant.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

- | | | |
|---|-------------|---------|
| 1. F&F AND A.JACOBS & SONS, INC. | \$33,099.55 | Low Bid |
| Solicitation No. B50003551 - Environmental Police Uniforms -
Department of Public Works - Req. No. R661752 | | |

The period of the award is July 19, 2014 through July 18, 2015, with two 1-year renewal options remaining.

- | | | |
|---|-------------|---------|
| 2. CHESAPEAKE UNIFORM RENTAL,
INC. | \$12,000.00 | Renewal |
| Contract No. B50003053 - Uniforms for Electrical Personnel -
Department of Public Works - Req. No. P524327 | | |

On July 31, 2013, the City Purchasing Agent approved the initial award in the amount of \$9,068.35. The award contained two 1-year renewal options. On April 1, 2014, the City Purchasing Agent approved an increase in the amount of \$10,931.65. This renewal in the amount of \$12,000.00 is for the period July 31, 2014 through July 30, 2015, with one 1-year renewal option remaining.

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|---|-------------|-----------------|
| 3. COOPER WILLIAMS, V.M.D. | \$ 8,000.00 | Selected Source |
| Contract No. 06000 - Veterinary Services for Mounted Unit -
Police Department - Req. No. R582389 | | |

On August 12, 2011, the Board approved the initial award in the amount of \$8,000.00. The award contained three 1-year renewal options. On April 18, 2012, the City Purchasing Agent approved an increase in the amount of \$4,000.00. Subsequent renewals and increases have been approved. Mr. Williams has a unique familiarity with the mounted units' horses and is located locally enabling a rapid response to emergencies. The period of the renewal is August 11, 2014 through August 10, 2015.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

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|---|-------------|-----------|
| 4. SOCIAL SOLUTIONS GLOBAL, INC. | \$34,285.00 | Agreement |
| Contract Number 08000 - ETO Yearly Software Contract and Upgrade - Health Department - Req. No. R666175 | | |

The Board is requested to approve and authorize execution of an Agreement with Social Solutions Global, Inc. The period of the agreement is July 16, 2014 through July 15, 2015, with three 1-year renewal options.

Social Solutions Global, Inc. is the current provider of the Efforts to Outcomes (ETO) software for the Operation Safe Kids Program.

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|--|-------------|---------|
| 5. NCS PEARSON, INC. | \$29,748.00 | Renewal |
| Contract No. 08000 - On-Line Licenses - Mayor's Office of Human Services - Head Start - Req. No. R635915 | | |

On January 11, 2012, the Board approved the initial award in the amount of \$38,073.00. The award contained four 1-year renewal options. Subsequent renewals have been exercised. The software provided gathers child-assessment data and produces reports that are required by Head Start performance standards. This renewal in the amount of \$29,748.00 is for the period September 1, 2014 through August 31, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

6. HIGHLANDER CONTRACTING

COMPANY, LLC	\$ 0.00	Renewal
Contract No. B50002414 - Fiber Optic Cable Installation, Maintenance and Repair Services - Mayor's Office of Information Technology - P.O. No. P520882		

On July 11, 2012, the Board approved the initial award in the amount of \$190,950.00. The award contained two 1-year renewal options. On March 25, 2013, the City Purchasing Agent approved an increase in the amount of \$49,999.00. Subsequent increases and renewals have been approved. This final renewal in the amount of \$0.00 is for the period July 15, 2014 through July 14, 2015.

MWBOO SET GOALS 17% MBE AND 8% WBE.

MBE: A-Connection, Inc.	\$ 6,095.00	
CI Contracting Company	3,500.00	
DM Enterprises of Baltimore, LLC	42,541.00	
Machado Construction Co., Inc.	23,056.95	
	\$75,192.95	17%
WBE: Cuddy & Associates, LLC	\$18,350.00	
Sunrise Safety Services, Inc.	26,890.49	
	\$45,240.49	8%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

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| 7. S. FREEDMAN & SONS, INC. | \$ 20,000.00 | Increase |
| Contract No. B50003181 - Restroom Tissue and Paper Towels -
Baltimore Convention Center - P.O. No. P525399 | | |

On October 30, 2013, the Board approved the initial award in the amount of \$30,760.00. The award contained two 1-year renewal options. This increase in the amount of \$20,000.00 is necessary to cover the balance of the current period of the contract resulting from increased usage. This increase in the amount of \$20,000.00 will make the award amount \$50,760.00. The contract expires October 29, 2014, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

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| 8. BIO-RAD LABORATORIES,
DIAGNOSTIC GROUP | \$ 74,650.00 | Sole Source |
| Solicitation No. 08000 - HIV Test Kits - Health Department -
Req. No. R652097 | | |

The HIV test kits manufactured by Bio-Rad Laboratories Diagnostic Group are specifically designed to work with the testing equipment currently used by the Health Department. Bio-Rad Laboratories is the sole distributor for these HIV test kits. The period of the award is July 16, 2014 through July 15, 2015, with three, 1-year renewal options. The above amount is the City's estimated requirement.

It is hereby certified, that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

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|---|--------------|---------|
| 9. NORITSU AMERICA CORPORATION | \$ 22,201.00 | Renewal |
| Contract No. 08000 - Annual Maintenance for Noritsu Equipment
- Police Department - P.O. No. P514219 | | |

On July 21, 2010, the Board approved the initial award in the amount of \$22,201.00. The award contained five 1-year renewal options. Subsequent renewals have been approved. This renewal in the amount of \$22,201.00 is for the period July 21, 2014 through June 30, 2015, with one 1-year renewal option remaining.

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|---|--------------|---------|
| 10. J. GILBERT, INC. d/b/a | | |
| LAMB AWARDS & ENGRAVING | \$ 42,000.00 | Renewal |
| Contract No. B50002393 - Various Trophies & Awards - Agency -
Various - P.O. No. P521411 | | |

On August 29, 2012, the Board approved the initial award in the amount of \$41,472.42. The award contained two 1-year renewal options. On August 8, 2013, the City Purchasing Agent approved an increase in the amount of \$15,000.00. On August 28, 2013, the Board approved the first renewal in the amount of \$42,000.00. This final renewal in the amount of \$42,000.00 is for the period August 29, 2014 through August 28, 2015.

MWBOO GRANTED A WAIVER.

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| 11. BIOMEDICAL WASTE SERVICES,
INC. | \$ 20,000.00 | Renewal |
| Contract No. 06000 - Bio-Medical & Bio-Hazardous Waste
Removal - Police Department - Req. No. R553477 | | |

On July 28, 2010, the Board approved the initial award in the amount of \$10,000.00. The award contained five 1-year renewal options. Subsequent renewals have been approved. This renewal in the amount of \$20,000.00 is for the period July 27, 2014 through July 26, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

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|---|--------------|-------------|
| 12. LANDSCAPE FORMS, INC. | \$108,420.00 | Sole Source |
| Solicitation No. 08000 - Supply and Deliver Gretchen Benches and Ash Urns - Department of Transportation - Req. No. R664463 | | |

An intent to waive competition was advertised (B50003618) with no responses received. Landscape Forms, Inc. is the only known manufacturer and sole provider of the products. These products are already installed around the Inner Harbor Promenade. Additional products are required to maintain a uniform appearance and will allow for needed replacements.

It is hereby certified, that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

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| 13. L/B WATER SERVICES, INC. | \$125,000.00 | Increase |
| Contract No. B50002591 - American Darling Hydrants & Parts - Department of Public Works - P.O. No. P521834 | | |

On October 24, 2012, the Board approved the initial award in the amount of \$175,000.00. The award contained two 1-year renewal options. Due to increased usage an increase in the amount of \$125,000.00 is necessary. This increase in the amount of \$125,000.00 will make the award amount \$300,000.00. The contract expires October 31, 2015, with two 1-year renewal options remaining. The above amount is the City estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

14. UNIFORM RENTAL, INC. d/b/a

LORD BALTIMORE UNIFORM

SERVICE	\$225,000.00	Increase
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Contract No. B50002829 - Industrial Work Uniforms - Public Works, General Services and others - P.O. No. P523185

On April 10, 2013, the Board approved the initial award in the amount of \$297,344.00. The award contained two 1-year renewal options. On July 2, 2014, the City Purchasing Agent approved an increase in the amount of \$30,000.00. This increase in the amount of \$225,000.00 is necessary to cover the remainder of the contract period and because of an increase in the number of uniforms provided to each employee, and the addition of new employees. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

15. MAGELLAN ADVISORS, LLC \$100,000.00 Renewal

Contract No. B50002934 - Consultant Services - Broadband Public Infrastructure Strategic Planning - Mayor's Office of Information Technology - P.O. No. P524604

On August 14, 2013, the Board approved the initial award in the amount of \$157,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$100,000.00 is for the period August 1, 2014 through July 31, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 17% MBE AND 9% WBE.

MBE: The Bith Group Technologies, Inc.	17%
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WBE: Catalpha Advertising & Design, Inc.	9%
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MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

16. CREATIVE SOFTWARE SOLUTIONS, LLC	\$499,270.00	Renewal
Contract No. 06000 - Manage Taxi Card Program - Health Department - P.O. No. P524894		

On October 16, 2013, the Board approved the initial award in the amount of \$499,270.00. The award contained two 1-year renewal options. The contractor provides management and administrative services, including pass-through services for direct subsidies, for the Taxi Card Program. The vendor's direct fee is a set amount for all services required under the Agreement. The program provides 24-hour, general purpose, curb-to-curb taxi service for senior citizens. The Taxi Card Program is funded through the Statewide Special Assistance Program. This renewal in the amount of \$499,270.00 is for the period July 1, 2014, through June 30, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 3% MBE AND 1% WBE.

MBE: Sue Ann's Office Supply	\$ 629.89	0.3%
J & P Childs Transportation*	0.00	
	\$ 629.89	0.3%
WBE: Curry Printing & Copy Center	\$4,433.98	2.06%
Jodi M. Stappler, CPA	425.00	0.20%
	\$4,858.98	2.26%

*Per contracting agency, transportation services were eliminated due to budget constraints. Vendor will be given 60 days to cure its MBE deficit.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

17. TEAM SERVICE CORPORATION

OF NEW YORK	\$300,000.00	Renewal
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Contract No. B50001988 - Repair and Maintenance Services for Electrical Motors above 300 H.P. - Departments of Public Work, General Services and others - P.O. No. P517876

On July 20, 2011, the Board approved the initial award in the amount of \$500,000.00. The award contained one 2-year renewal option. This sole renewal in the amount of \$300,000.00 is for the period July 20, 2014 through July 19, 2016. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 4% MBE AND 2% WBE.

MBE: Personal Electric, LLC	\$2,345.75	5%
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WBE: Oelmann Electric Supply Co., Inc.	\$ 242.00*	0.50%
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*Vendor spent \$1,949.30 with WBE. However, expenditures from suppliers who are not manufacturers are limited to 25% (or \$242.00) of the WBE goal.

MWBOO FOUND VENDOR IN COMPLIANCE.

18. ALARM SECURITY GROUP LLC

d/b/a ASG SECURITY	\$400,000.00	Renewal
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Contract No. B50000984 - Installation, Repair and Maintenance for Commercial Security Alarm & Fire Protection Systems for Various City Agencies - Various - P.O. No. P508352

On May 13, 2009, the Board approved the initial award in the amount of \$400,000.00. The award contained two 5-year renewal options. On March 2, 2011, the Board approved an increase in the amount of \$400,000.00. This renewal in the amount of \$400,000.00 is for the period June 30, 2014 through June 29, 2019, with one 5-year renewal option remaining. The above amount is the City's estimated requirement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

MWBOO SET GOALS OF 11% MBE AND 4% WBE.

MBE: London Technologies, LLC 0%

WBE: Plexus Installations, Inc. 0%

MWBOO FOUND VENDOR IN NON-COMPLIANCE ON JUNE 9, 2014.

Due to the essential and safety-related services provided by the contract, it is recommended that renewal is in the City's best interests. The Bureau will work with MWBOO to determine the next steps in the process and report to the Board.

19. ATLANTIC TACTICAL, INC.	\$200,000.00	
FIRING LINE, INC.	<u>150,000.00</u>	
	\$350,000.00	Renewal

Contract No. B50001477 - Ammunition - Police and Sheriff's Departments - P.O. Nos. P514475 and P514476

On August 18, 2010, the Board approved the initial award in the amount of \$350,000.00. The award contained four 1-year renewal options. Subsequent renewals have been approved. This final renewal in the amount of \$350,000.00 is for the period August 11, 2014 through August 10, 2015. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

20. SHI INTERNATIONAL CORP.	\$1,430,726.90	Amendment to Agreement
Contract No. 060B2490024 - Microsoft Software & Services Large Account Reseller Contract - Mayor's Office of Information Technology - Req. Nos. Various		

The Board is requested to approve and authorize execution of an Amendment to Agreement with SHI International Corp. The period of the Amendment to Agreement is November 1, 2014 through October 31, 2019. The Board is also requested to exercise the renewals of the original contract and modify the expiration date of the contract to October 31, 2019 to coincide with the Board's previous approval of funding up to that date.

On November 6, 2013, the Board approved the initial award in the amount of \$10,264,687.91. This Amendment to Agreement with Microsoft Dynamics AX licenses and software assurance not originally procured under the cooperative purchasing agreement. On November 6, the Board included a term that ends on October 16, 2015, with two 2-year renewal options. However funding was requested and approved for the entire 72 month term from November 1, 2013 through October 31, 2019. No additional funding is required for the exercise of renewals up to October 31, 2019, as this action will conclude with the payment timetables included in the original contract approved by the Board. The above amount is the City's estimated requirement.

It is hereby certified, that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

21. INTERPERSONAL FREQUENCY LLC	\$ 59,000.00	Amendment to Agreement
Contract No. B50003075 - City of Baltimore Web Site Redesign and Hosting - Mayor's Office of Information Technology - Req. Nos. Various		

The Board is requested to approve and authorize execution of an Amendment to Agreement with Interpersonal Frequency LLC. The period of the Agreement is January 15, 2014 through January 14, 2018, with four 1-year renewal options.

On January 15, 2014, the Board approved the initial award in the amount of \$286,367.00. The award contained four 1-year renewal options. This Amendment to Agreement will provide an additional design component required for the City of Baltimore website www.baltimorecity.gov.

It is hereby certified, that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

22. PITNEY BOWES, INC.	\$171,789.00	Cooperative Purchase Award
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Western States Contracting Alliance - National Association of State Procurement Officials (WSCA-NASPO) - Contract No. ADSP011-00000411-7 - Mailing Equipment, Supplies and Maintenance - Department of Public Works, Bureau of Water and Wastewater, Revenue Measuring and Billing - Req. No. R661300

This procurement is for the replacement of a 15 year old Pitney Bowes mail inserter machine that has failing hardware and the machine's system software is no longer supported by Microsoft. Due to the age of the machine, replacement parts and components are increasingly difficult to obtain. The WSCA-NASPO competitively bid this contract, which provides pricing substantially below the market rate. The vendor is the sole provider of the machine and embedded software that will interface with the existing Pitney Bowes postage machine. Additionally, the price above reflects the vendor giving a \$40,000.00 credit for the trade-in of the old machine.

The contract includes the first year of equipment maintenance for the machine at no additional cost, with maintenance terms available at \$15,737.00 per year for years two through five. The above amount is the City's estimated requirement.

It is hereby certified, that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

23. ASSOCIATED BUILDING

MAINTENANCE CO., INC.

Correction to Extension

Contract No. B50001705 - Light Maintenance Man for Animal
Control - Department of General Services - P.O. No. P523844

On June 19, 2013, the City Purchasing Agent approved an award in the amount of \$23,251.20 to Associated Building Maintenance Co., Inc. Due to an administrative error, an incorrect contract number was stated on the extension letter submitted and approved by the Board on June 25, 2014. The Board is requested to approve the correction of this error so that the approved Board letter reads B50002936 - Light Maintenance Man for Animal Control.

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards, renewals, increases to contracts and extensions. The Board also approved and authorized execution of the Agreement with Social Solutions Global, Inc. (item no. 4), and the Amendment to Agreement with Interpersonal Frequency LLC. (Item No. 21). UPON FURTHER MOTION duly made and seconded, item no. 20 was **DEFERRED** until July 23, 2014. Mr. Harry Black acting on behalf of the Mayor **ABSTAINED** on item no. 7. The Comptroller **ABSTAINED** on item no. 23.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Condemnation</u>			
1. Meyer & Minnie Reamer	2029 E. Chase St.	G/R \$42.00	\$ 280.00
2. Chester & Philomena Krasniewski, t/a Philanter Company	2224 E. Madison St.	G/R \$60.00	\$ 400.00
3. Mary Duley	2209 Ashland Ave.	G/R \$54.00	\$ 360.00
4. John M. Price and Mary M. Price	909 N. Castle St.	G/R \$30.00	\$ 200.00
5. David Siegel	906 N. Chester St.	G/R \$36.00	\$ 240.00
6. Board of Foreign Missions of the Presbyterian Church in the United States of America of NY	914 N. Chester St.	G/R \$36.00	\$ 300.00
7. Carol June Graham	920 N. Chester St.	G/R \$30.00	\$ 200.00
8. Mutual Benefit Society of Baltimore	944 N. Castle St.	G/R \$60.00	\$ 400.00

Funds are available in account no. 9910-906409-9588-900000-704040, EBDI Phase II Project.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations</u>			
9. Unknown	1714 Greenmount Ave.	G/R \$100.00	\$ 666.67
Funds are available in account no. 9910-902487-9588-900000-704040, Greenmount West Project.			
The Board is requested to approve acquisition of the ground rent interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for the above listed properties.			
10. Mohammad Sahid	1333 N. Luzerne Ave.	L/H	\$11,600.00
Funds are available in account no. 9910-905507-9588-900000-704040, AG Demolition Project.			
11. Glenn H. Goldberg, ½ interest and Ronnie Marc Goldberg, Trustee of the Ronnie Marc Goldberg Revocable Trust, ½ interest	2602 Rosewood Ave.	G/R \$72.00	\$ 600.00
12. SS4 Business Trust	4716 Park Heights Ave.	L/H	\$ 4,534.00
13. Kerry J. Davidson	4726 Park Heights Ave.	F/S	\$ 7,400.00
14. Santos E. Ochoa	3410 Woodland Ave.	F/S	\$18,000.00

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations - cont'd</u>			
15. Margaret M. Grillo, Life Estate Full Powers - Remainder Rosalie Margaret Rehrman	3518 Woodland Ave.	G/R \$90.00	\$ 600.00
16. Woman's Christian Temperance Union of Maryland of Baltimore City	3323 Woodland Ave.	G/R \$75.00	\$ 500.00
17. Elsie E. Ensminger Alice Ruth Prodoehl and Mildred G. Drury	3341 Woodland Ave.	G/R \$66.00	\$ 550.00
Funds are available in account no. 9910-918300-9588-900000-704040, Park Heights Project.			
18. Everette Whitley	557 Laurens St.	L/H	\$ 7,576.00
19. Rosemarie Wilson	1808 N. Rosedale St.	L/H	\$26,200.00
Funds are available in account no. 9910-905507-9588-900000-704040, AG Demolition Project.			
20. Heather Boles	1430 N. Gay St.	F/S	\$16,000.00
21. Oluranti Jacob Awe	1838 Division St.	L/H	\$20,250.00
22. Friendly Outreach Services, Inc.	550 Baker St.	F/S	\$ 7,000.00

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options</u>			
23. Peter Khrizman	2519 E. Biddle St.	F/S	\$20,900.00
24. Odell Knox	4808 Park Heights Ave.	F/S	\$ 5,000.00
25. Eleanor A. Caw-thorne	552 Baker St.	F/S	\$ 7,000.00
Funds are available in account no. 9910-910634-9588-900000-704040, Whole Block Demo Project.			
26. Darlene Pencek and Eugene L. Williams as Trustees of the Hoenig Maryland Revocable Living Trust	2606 Rosewood Ave.	G/R \$84.00	\$ 560.00
27. A&L, LLC	4658 Park Heights Ave.	G/R \$90.00	\$ 825.00
28. Michael Eisenberg and Mollie Eisenberg	4716 Park Heights Ave.	G/R \$70.00	\$ 466.00
29. William Lange Hermann, Trustee of the Last Will and Testament of Mary Magdalene Hermann, Estate No. 142041, and Alfred Hermann, Jr., deceased	2610 Rosewood Ave.	G/R \$78.00	\$ 650.00

Funds are available in account no. 9910-918300-9588-900000-704040, Park Heights Project.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options</u>			
30. AG Investments, LLC	3516 Woodland Ave.	G/R \$80.00	\$ 734.00
31. Richard Burley and Roxanne Burley	4718 Park Heights Ave.	L/H	\$26,250.00
32. Frances Knopf, Trustee (deceased) and Robyn K. Needel, Trustee	3516 Woodland Ave.	L/H	\$13,467.00

Funds are available in account no. 9910-918300-9588-900000-704040, Park Heights Project.

33. Carolyn Class	959 N. Washington St.	G/R \$39.00	\$ 357.00
34. Carolyn Class	1804 E. Chase St.	G/R \$96.00	\$ 800.00

Funds are available in account no. 9910-906409-9588-900000-704040, EBDI Phase II Project.

35. Eutaw Place, LLC	923 N. Castle St.	G/R \$30.00	\$ 200.00
	937 N. Castle St.	G/R \$27.50	\$ 183.00

Funds are available in account no. 9910-906409-9588-900000-704040, EBDI Phase II Project.

In the event that the option agreement/s fail and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation proceedings for an amount equal to or lesser than the option amounts.

UPON MOTION duly made and seconded, the Board approved the options, condemnations, and quick-takes.

MINUTES

Mayor's Office of Employment Development (MOED) - Ratification

ACTION REQUESTED OF B/E:

The Board is requested to ratify services and to authorize payment to My Brother's Keeper, Inc. (MBK) for the services provided July 2013 through November 2013.

AMOUNT OF MONEY AND SOURCE:

\$ 1,354.87 - July 2013
1,871.87 - August 2013
3,580.62 - September 2013
5,012.49 - October 2013
3,892.57 - November 2013
\$15,712.42 - 4000-806414-6313-709605-603051

BACKGROUND/EXPLANATION:

The MOED was in the process of entering into a sub-recipient agreement with the MBK, by which the MBK would provide services to assist young adults in achieving educational and employment successes.

However, the MBK displayed an inability to meet the enrollment goals in the proposed agreement and as a result, the Baltimore City Law Department recommended discontinuing the approval process.

The submitted outstanding invoices constitute the salaries and various start-up costs expended by the MBK in advance of an executed agreement approved by the MOED.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the services and authorized payment to My Brother's Keeper, Inc. for the services provided July 2013 through November 2013.

MINUTES

Department of Public Works - Change Order to Increase
Purchase Orders for Sludge
Heat Drying Services

ACTION REQUESTED OF B/E:

The Board is requested to approve a change order to add funds to four existing master blanket purchase orders which provide Sludge Heat Drying Services to the Back River and Patapsco Wastewater Treatment Plants.

AMOUNT OF MONEY AND SOURCE:

\$ 1,647,000.00	- 2070-000000-5501-630065-603053	P502277
	Base Tipping Fee	
3,920,400.00	- 2070-000000-5501-630064-603053	P502276
	Service Tipping Fee	
1,595,490.00	- 2070-000000-5501-396865-603053	P502273
	Base Tipping Fee	
3,972,097.00	- 2070-000000-5501-396864-603053	P502275
	Service Tipping Fee	

\$11,134,987.00

BACKGROUND/EXPLANATION:

This increase is needed to cover the FY'15 cost of this service for six months, which is provided by Synagro Technologies.

The Department of Public Works is requesting a change order to add funds to master blanket purchase orders: P502277, P502276, P502273 and P502275 which provide Sludge Heat Drying Services to the Back River and Patapsco Wastewater Treatment Plants for FY 2015.

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Dept. of Public Works - cont'd

The agreements between the City and Synagro Technologies, which set the fees and contract specifications, were approved by the Board of Estimates on June 12, 1996. The master blanket end dates for the purchase orders are 6/12/14. However, the purchase order must be funded each fiscal year.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved a change order to add funds to four existing master blanket purchase orders which provide Sludge Heat Drying Services to the Back River and Patapsco Wastewater Treatment Plants.

MINUTESBureau of Solid Waste - Ratification**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the procurement of equipment and authorize the payment of a past due invoice from Potts & Callahan, Inc.

AMOUNT OF MONEY AND SOURCE:

\$27,500.00 - 1001-000000-5161-389800-603041

BACKGROUND/EXPLANATION:

The Bureau of Purchases issued the Release of Purchase Order Number 7 off of Master Blanket Purchase Order P507700. The release was made on September 05, 2013 in the amount of \$188,200.00 for rental of construction equipment for use at the Quarantine Road Landfill. A change order was subsequently issued decreasing the Release Purchase Order and eliminating three line items, including one line item for the rental of a hydraulic excavator. Subsequently, Landfill Management had a need to rent a hydraulic excavator, but did not recall that the rental of this equipment had been eliminated from the Release Purchase Order. Potts & Callahan, Inc. delivered the excavator to the landfill where it was utilized for a period of one month. The error was not discovered until the invoice for the rental of the excavator was received. By then, the Master Blanket Purchase Order had expired, and at that time, there was not sufficient funding remaining on the Master Blanket Purchase Order to cover the invoice for the rental of the excavator.

Accordingly, the Board is requested to pay Potts and Callahan, Inc. \$27,500.00, which is the total amount of the outstanding past due invoice is for the rental of the hydraulic excavator.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION**

UPON MOTION duly made and seconded, the Board ratified the procurement of equipment and authorized the payment of a past due invoice from Potts & Callahan, Inc.

MINUTES

Bureau of Water and Wastewater (BW&WW) - Ratification

ACTION REQUESTED OF B/E:

The Board is requested to Ratify the outstanding invoice to authorize payment to New Environment, Inc. for services rendered March 31, 2014 through April 2, 2014 and April 3, 2014 through April 5, 2014.

AMOUNT OF MONEY AND SOURCE:

\$7,500.00 - 40-Hour class presentation fee
 900.00 - Travel and lodging
\$8,400.00 - 2071-000000-5601-400200-603020

BACKGROUND/EXPLANATION:

The BW&WW's Construction Management Division used New Environment, Inc. in order to train 31 employees in a 40-hour class presentation on hazardous waste. The Division Chief authorized the classes between March 31, 2014 through April 2, 2014 for Session 1 and April 3, 2014 through April 5, 2014 for Session 2.

Proper procedures were not followed and Board approval was not requested in accordance with City procedures. All employees have been made aware of how to properly follow procedure.

Therefore, the Board is requested to ratify the services and approve payment to New Environment, Inc. for services rendered.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the outstanding invoice to authorize payment to New Environment, Inc. for services rendered March 31, 2014 through April 2, 2014 and April 3, 2014 through April 5, 2014.

MINUTESDepartment of Planning - Grant Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Grant Agreement with Healthy Neighborhoods, Inc. The Board is further requested to approve and authorize the Director of Planning to approve sub-recipients related to this transaction, SUBJECT to review and approval by the Law Department for form and legal sufficiency. The period of the agreement is effective upon Board approval for 30 months.

AMOUNT OF MONEY AND SOURCE:

\$1,175,500.00 - 9910-921080-9588
478,500.00 - 2025-000000-1873-729600-603051
\$1,654,000.00

BACKGROUND/EXPLANATION:

The Maryland General Assembly passed the Maryland Education Trust Fund - Video Lottery Terminals Legislation (Title 9 Section 1A-32) which provides Video Lottery Terminal Revenue (slots) funding to the City of Baltimore for a 20 year period beginning in Fiscal Year 2012 through Fiscal Year 2032 to support primarily capital community and economic development projects in the Pimlico community.

Accordingly to the legislation, 75% of the funds received by the City must be expended in the Park Heights Master Plan area and the remaining 25% in census tracts that are within one-mile radius of Pimlico Racetrack, the Northwest Community Planning Forum, or the Liberty-Wabash area. Of the projects within the one mile radius, a portion of the funds are for projects to be implemented by community-based organizations.

The City is proposing to use the Healthy Neighborhoods, Inc. as the financial and programmatic manager for these community-based projects. Under the terms of the agreement, Healthy Neighborhoods, Inc. will be responsible for meeting with grantees that have been awarded FY13/14 and FY15 slots revenue to provide the following services:

MINUTESDept. of Planning - cont'd

- A. Technical Assistance Healthy Neighborhoods, Inc. will provide all necessary and reasonable technical assistance to enable sub-recipients to execute Grant Agreements to receive funds and to implement projects.
- B. Compliance and Monitoring Healthy Neighborhoods, Inc. will provide ongoing periodic review of sub-recipients and their projects to verify that such projects meet all City requirements (including but not limited to Minority and Women's Business Participation and Local Hiring Law Requirements) and that funds are spent in accordance with the approved Spending Plan.
- C. Compliance with City Laws Healthy Neighborhoods, Inc. will be responsible for verifying that sub-recipients comply with all applicable City Rules and Regulations including, but not limited to the following items:
 - 1. Evidence of Good Standing
 - 2. Zoning and Regulatory Requirements
 - 3. Obtaining Permits
 - 4. Rights-of-Entry
- D. Recognition of City Support Healthy Neighborhoods, Inc. agrees that the City's support shall be acknowledged in all literature, signage, or other promotional materials.

Healthy Neighborhoods, Inc. will provide quarterly reports to the City of progress on all community-based projects under this agreement.

Healthy Neighborhoods, Inc. will receive an administrative fee not to exceed \$196,000.00 that will cover costs associated with staff that will be required to manage this project and to support information management costs associated with managing data to meet City requirements. Quarterly reports will also include information on how Healthy Neighborhoods, Inc. staff are allocating their time and the costs associated with work performed.

MBE/WBE PARTICIPATION:

Healthy Neighborhoods, Inc. has signed a Commitment to Comply.

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Dept. of Planning - cont'd

AUDITS REVIEWED AND HAD NO OBJECTION SUBJECT TO REVIEW OF THE INVOICES PRIOR TO PAYMENT.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 425,500.00	9910-905962-9587 Northwest Neighbor- hood Improvement - Reserve	
750,000.00	9910-903963-9587 Park Heights Re- development - Reserve	
<u>\$1,175,500.00</u>	-----	9910-921080-9588 Healthy Neighbor- hoods, Inc.

This transfer will provide appropriations to the Healthy Neighborhoods, Inc. which has been identified as the project manager for the one-mile radius funds. Healthy Neighborhoods, Inc. will work with organizations whose projects have been approved for funding to implement projects.

President: "The third item on the non-routine agenda can be found on Pages 88-90, Department of Planning, Grant Agreement and Page 91, Department of Housing and Community Development, Transfer of Funds. Will the parties please come forward? Um, I can let them go first, unless you want to go first. You can go first."

Ms. Gail Adams: "Alright, okay. Um, good morning again. Gail Adams, Deputy City Auditor. The reasons for Audit's endorsement,

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'Audit's review and had no objection, subject to the review of the invoices prior to payment' are as follows, and this is in regard to the Healthy Neighborhood, Inc. agreement. Since approximately February 2014, when the Department of Planning, initially brought to our office, the original agreement with the Baltimore Community Foundation, BCF, for the slots funding, we questioned the lump sum payment to BCF and an incomplete budget. The Department of Planning came back to our department June 10, 2014 with a new agreement with Healthy Neighborhoods, Inc., HNI, and the budget was still incomplete. The budget includes unidentified project sub-recipients totaling \$550,000.00 plus a contingency amount totaling \$100,000.00. This represents approximately 40 percent of the total budget of \$1,654,000.00, including the contingency and unknown sub-recipients and other expenditures to be incurred. Audits had asked Department of Planning to please identify the sub-recipients. And since they cannot at this time, to reduce the budget and funding to the amounts identified and to come back to the Board of Estimates, once the sub-recipients had been identified. The review of the invoices is required because the project budget submitted, Exhibit C, of their agreement, does not identify all the sub-recipients for the project. Our review of the invoices would not be duplicative, and is necessary due to an incomplete budget.

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Also since the project's sub-recipients have not been identified, the Board of Estimates has no way of knowing who would be the intended project sub-recipients and subsequent payment. This is no different from any other agreement with the City and other third party contractors in requiring that their budgets be complete with all the pertinent information identifying where payments will be going. The intent of this endorsement, this type of endorsement, is to protect the City's interests. All municipal agencies are expected to provide some level of oversight, as part of the internal control process. However, the Department of Planning, HANI, the Department of Finance level of review is not comparable with the Department of Audits independent review and audit of the invoices. HNI is the contracted vendor and cannot independently review its own work. The Department of Finance review is to ensure that payment is proper as to the correct vendor and the amount. The only independent review is the Department of Audits review of invoices for accuracy, completeness and in compliance with the

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terms and conditions of the agreement. According to the City Charter, the general powers and duties of the Department of Audits includes auditing City contracts, grants, sub-grants, and other agreements. Our endorsement, subject to the review of the..., subject to the review of the invoices is not to be considered negligible, or insignificant or unworthy of consideration, and therefore, should not be ignored. Also, our right to audit, as provided for by the City Charter, Article V, Section 8 (a)(4), should not be impinged upon. The Department of Audits is independent of the Executive Branch of City government, and has been placed structurally under the Comptroller's Office. According to the City Charter, Article V, Section 9, states, 'to carry out the Auditor's duties, the Auditor shall have access at all times to the financial records of all municipal agencies and relevant financial records of contractors with the grantees of the City'. Our right to audit, as well as independence, cannot be encroached upon by any external influences."

City Solicitor: "Madam Deputy. I'm sorry."

President: "Comptroller."

Comptroller: "First of all, I would like to say that um, Councilwoman Spector and Green personally called me, and I returned their call. Councilwoman Spector said she had no

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problem and thought it was a good idea with what the auditors were suggesting, and Councilwoman Green Middleton uh, also agreed. Also, I would like to have Ms. Burnett come up and explain the audit process."

Councilwoman Rochelle Spector: "I need to, I need to explain to the Comptroller that when we --?"

President: "State who you are."

Councilwoman Spector: "I'm Councilwoman Spector, 5th District, Baltimore City Council. When we spoke, I understood you to say that you had no problem with the first distribution being awarded."

Comptroller: "One twelfth."

Councilwoman Spector: "being issued to HNI, um, Healthy Neighborhoods, Inc., and that once they proved that they had spent all that money --."

Comptroller: "One twelfth."

Councilwoman Spector: "you would then issue, after they proved that they had spent that money completely."

Comptroller: "When you say "completely," what, what did we talk about?"

Councilwoman Spector: "The amount of money that you had allowed to be distributed."

Comptroller: "And how much was that?"

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Councilwoman Spector: "One twelfth you said"

Comptroller: "Okay. I just wanted to make sure."

Councilwoman Spector: "And then that would have to happen before you'd make the second distribution."

Comptroller: "Right. And what I was saying was that we would agree to have disbursed one twelfth, and upon spending that money, they would submit invoices to the Department of Audits, and if those invoices, uh, were sufficient, then we would uh, agree to, to um, release another one twelfth."

Councilwoman Spector: "I think, I think what I'm trying to say is you said that you would agree, you saw a way to give them, to distribute that first money --"

Comptroller: "One twelfth."

Councilwoman Spector: "-- once it was proven, once it was audited, once they uh, delivered to you how they spent that twelfth, you'd make the next uh, um distribution."

Comptroller: "Right."

Councilwoman Spector: "It was nothing about before that they could receive any funds"

Comptroller: "No, wait, no. What you and I spoke about was that they could receive one twelfth, because I did not want the project to be stalled, so what"

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Councilwoman Spector: "That's why I'm here. This is two years later."

Comptroller: "-- but they want to release the entire dollar amount, and I don't agree with that because we don't want to have a situation like Baltimore Rising where the City had to return \$900,000.00 because all the money was spent and there was no documentation."

Councilwoman Spector: "I had"

Comptroller: "And the other thing"

Councilwoman Spector: "I had no experience with that situation. All I knew was that this community council, the 5th District and the 6th District, has been waiting two years for this money that was granted to us through the Legislators, and through the uh -- no effort, what more could be done to try and get this money out the door and to these communities? It has gone through a very strenuous process of being, these, these priorities being approved, by the communities, by uh, uh, the uh, Planning Department, by the Mayor, by HCD. We've gone through so many hoops and they still don't have the money on the ground"

Comptroller: "So, and --."

Councilwoman Spector: "it only takes, it only makes it worse for my community people -- two years we're waiting for this

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funding, two years they had, they had been promised and now we're here again holding it up. That's unacceptable."

Comptroller: "Let me ask, let me ask you a question. Why did you agree to the one twelfth and how?"

Councilwoman Spector: "I don't"

Comptroller: "I let you speak."

President: "Let, let her finish."

Comptroller: "how is it that you said for two years you've been going through this process and they cannot tell us how they're going to spend the money? And they cannot give us a budget after two years."

Councilwoman Spector: "When you say, when you say, we have, we have accounted for all the money --."

Comptroller: "No you haven't."

Councilwoman Spector: "-- it has been accounted for."

Comptroller: "You have not."

Councilwoman Spector: "How it is being"

Comptroller: "Where's the budget?"

Councilwoman Spector: "Healthy Neighborhoods is not new to this."

Comptroller: "Where's the budget?"

Councilwoman Spector: "They've been doing this, applying for this, doing this service for the City for many, many years."

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Comptroller: "Where is the budget? You know that's a guide, that's a tool, that's a plan of how the money's going to be spent. You're saying that you know how the money's going to be spent, where is the?"

Councilwoman Spector: "We know how it was prioritized, for the community."

Comptroller: "Okay, where is it?"

Councilwoman Spector: "accepted by the ordinance that was created to put through the PCDA"

Comptroller: "Can you present that to the Board? How it was going to be spent?"

Councilwoman Spector: "It has been presented to the -- Planning Department, and Housing presented that, it's on number, Exhibit C."

Comptroller: "Can you respond to that?"

Councilwoman Spector: "I'm not asking for what the communities don't deserve."

Comptroller: "No, the communities does deserve it. Does deserve it. What I am suggesting is that we know how the money is going to be spent prior to it being disbursed to them, so that we don't have another situation like Baltimore Rising. That's all I'm saying."

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Councilwoman Spector: "This is not Baltimore Rising, Madam Comptroller. This is money that has been awarded to my communities --."

Comptroller: "Yes."

Councilwoman Spector: "-- Councilwoman Middleton's communities."

Comptroller: "Yes."

Councilwoman Spector: "-- and others. It's two years in coming and it's not through your processes here, not been allowed to be distributed on the ground."

City Solicitor: "Could, could I ask a question, Mr. Council President?"

President: "Excuse me for one minute."

Comptroller: "I want her to respond."

President: "The City Solicitor was responding."

Ms. Adams: "Deputy City Auditor."

President: "Um, auditor."

Ms. Adams: "Um, Exhibit C, does it not have in there a lot of T-B-D's, "to be determined" of the sub-recipients? And it also has in the Exhibit a multiple sub-recipient vendors, as if they don't know which one is going to be doing that project."

Comptroller: "Is that correct?"

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Mr. Stosur: "That is correct. I have some other comment I'd like to make too --"

President: "Can you please state your name for the record?"

Tom Stosur, Planning Director: "I'm Tom Stosur, Planning Director and uh, first off, we've had a lot of back and forth with the Comptroller's Office, and I think it's led to a better agreement overall. We now are down to a single issue about the invoice review. Um, it's taken us a while, but we got there. Uh, I do think it's inaccurate to state that any money will be disbursed without knowing exactly where it is going, because part of the agreement with Healthy Neighborhoods, and one of the reasons we put them under contract is they have a very vigorous grant agreement form that must be filled out, approved by HNI and approved by Planning before any dollars would go to any project. We acknowledge theirs are to be determined on here. These reflect budget amounts toward community priorities, but in many cases many of these communities have not implemented some of these types of projects before and they need assistance, which is why we've hired Healthy Neighborhoods to provide technical assistance. And they have a track record in doing community grant agreements for years and years that have gone through without any problems that I'm aware of, so they were a trusted entity to take on this role."

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City Solicitor: "Would there be any objection if the language, instead of reading 'subject to review of the invoices prior to payment' said 'subject to review of supplementation to the budget in the TBD areas' or words to that effect so that there would be a review and a sign-off on additional budget items but not requiring, as the current language requires, review, pre-review of every invoice? Would that be an acceptable substitute from your perspective?"

Mr. Stosur: "It, It, in my estimation, I don't think that would be burdensome if we could put a timeline on it so that we because that has been the big issue that the Councilwoman stated. These funds have been approved for a while --."

City Solicitor: "Then maybe, then maybe you could say subject to 30-day, 30-day review opportunity in the Department of Audits for supplementation to the budget?"

Mr. Stosur: "-- and haven't gotten disbursed yet. That sounds a little long to me."

City Solicitor: "Okay."

Mr. Stosur: "Uh, --."

City Solicitor: "Fifteen -- maybe, whatever number you want it. Ten business days."

Ms. Adams: "Um, yes, uh, Gail Adams again. Uh, we, we have recommended to Department of Planning to reduce their budget to

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the identified sub-recipients to be paid, and the funding as well. I do not know, and cannot understand, why Department of Planning took, made the decision to move forward with an incomplete budget identifying where payment is going. We want to protect the City. We want all our 't's' crossed and 'i's' dotted, and in other agreements that come before this Board, they have identified complete budgets and we can't allow--"

Comptroller: "JoAnn White-Burnett, could you um, tell, the City Auditor Supervisor."

Ms. Adams: "We will name the um, auditor supervisor of the Pre-Audit Division to explain that process."

Ms. Joann White-Burnett: "Joann White-Burnett, Audit Supervisor, Contracts, and Pre-Audits Divisions. Um, what we're asking for um, is nothing out of the norm. Um, most City agencies who submit agreements to um, Department of Audits, provide a detailed budget, and I can give you an example of Family League, who was awarded \$4.5 million dollars for 30, and they gave the money to 33 non-profit organizations who, to provide 63 programs, and I can show you the document."

City Solicitor: "How many -- how many other agencies and agreements, though, are subjected to a requirement that audits pre-approve, each and every invoice? Just tell me how many others -- that you can think of."

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Ms. White-Burnett: "Well, I know of two, but um, Stacy is standing here. We had another agreement - Park Heights Renaissance, who also was subject to the review of invoices, and my division did review those invoices on a timely basis and provided the payment to uh -- Park Heights Renaissance. So, there was no issue there as well. So, I mean, you, you've done it before, they've provided detailed budgets, so I don't see why they can't provide it for this particular agency as well."

President: "Mr. Stosur, based on that information that they're able to turn this around quickly, um, would that still be an issue with Planning? Because, I, I'm familiar with Baltimore Rising and I tried to help Baltimore Rising, and um, we, we were left 'holding the bag,' where we had to pay back all these, all these federal funding. Um, the community still can spend the money, um, based on the fact that they said that they can turn it around in less than 30 days. Um, I don't see that as a problem, 'cuz they still can spend the money."

Mr. Stosur: "Well, given that we already have Healthy Neighborhoods doing a grant agreement reviewing, and that's their job, and they've done it for other City grant funds, reviewing the appropriateness of the projects, then it comes to

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Planning, then it comes to Finance Department for reviews."

City Solicitor: "Then it's subject to Audit review after?"

Mr. Stosur: "Yeah, then it's subject to quarterly reports ongoing."

City Solicitor: "afterwards?"

Mr. Stosur: "to the Board, to Planning, with all the details, all the backup, I think it's an unnecessary further delay in what's been a frustrating process for communities for quite some time."

Comptroller: "I totally disagree with you. I disagree. The Finance Department has a function; the Planning Department has a function and the Department of Audits has a function as mandated by the Charter. So, to try to circumvent this is just very troublesome to me; it's very troublesome."

Councilwoman Spector: "Councilwoman Spector, this money was sent to the City by the State two years ago. We've been getting this money from the State two years ago, 'ear marked' for just this purpose for the neighborhoods that are impacted, uh, had a, were able to prioritize this money so that they can benefit the community. This, this is two years the money has been sitting in the City coffers. Every year delay is so frustrating to us; this is money that the community has worked with, has been approved by the ordinance that was created on how that money should be

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uh, 'on the ground' to the communities; it has been approved, why does it have to keep going through these approval processes? Its targeted, it's "ear-marked," it's approved, it's validated - this is money that was two years in coming to my community."

Comptroller: "The reason why it's going through this process is to protect the citizens and the City."

Councilwoman Spector: "We are the citizens that are getting the money."

Comptroller: "I'm talking about the larger, the taxpayers, the larger citizens."

City Solicitor: "Will the Council President entertain a Motion?"

President: "I will entertain a Motion if the Comptroller's finished. Are you finished?"

Comptroller: "Do you have any comments?"

Ms. Adams: "I think um, if this project has been going on for two years, to mobilize it forward, I do not understand how after two years, you still come before the Board and the Department of Audits with an incomplete budget. I do not understand it, and I do not think that us asking to review, to have the payments subject to the review of invoices, -- it is commonly done when we do not have all the information available that delineates exactly how the funds are going to be expended. We do not want

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to come back with any problems because the funds were improperly spent, and we will not change our endorsement."

Councilwoman Spector: "The thousands of residents, taxpaying people that I am representing, also don't understand how this money hasn't been "out the door" and in our neighborhoods and improving what they were promised by the State, as a result of an Ordinance passed by our legislators. We also don't understand why the money hasn't been uh, distributed by the City, which was the uh, the recipient of those monies to distribute that to the communities."

Comptroller: "Councilwoman Spector, by your own admission, you said that this process has taken two years."

Councilwoman Spector: "Two years too long."

President: "Um, um Tom."

Mr. Stosur: "Tom Stosur. Uh, one of the reasons that the budget has not been fully developed is we've been hampered by not having this agreement ratified because Healthy Neighborhoods is specifically going to be hired to work out the details of any budget piece that is not completely clear at this point."

President: "Madam Comptroller."

Comptroller: "Yeah. You, you okay, one second. You stated that um, there's been a delay for two years, but the delay was not caused by the Audit Department's review, which began in 2014."

MINUTES

Councilwoman Spector: "Who would you like to put the blame on, Madam Comptroller?"

Comptroller: "I'm not trying to put the blame on anyone."

Councilwoman Spector: "You don't want to be blamed, who do you want to have the blame?"

Comptroller: "I'm not trying to put the blame anyone. You said by your own admission that this has been a two year process."

Councilwoman Spector: "I said the State has been sending the City the money for two years."

Comptroller: "Okay, but the Department of Audits just began its review in 2014, so we're not the delay. That's all I want to say for the record."

President: "I'll entertain a"

President: "I'll entertain a Motion."

City Solicitor: "Uh, I would MOVE"

Ms. Adams: "One item. Again, I just have one clarification I have to say, um, to Mr. Stosur's comment. The selection of projects and the sub-recipients is being done by Department of Planning, with the aid of HNI. But, the responsibility of selecting those sub-recipients is the Department of Planning and that's in the agreement."

Mr. Stosur: "That's correct, with the aid of HNI."

President: "I'll entertain a Motion."

MINUTES

City Solicitor: "Uh, I would MOVE that um, amend, that we amend the audit's language in support of the agenda item, to read instead of the way it reads in the printed agenda as follows "Audits reviewed and expressed concerns." --"

Comptroller: "You can't change --"

City Solicitor":-- and that as so amended, the request be approved."

Comptroller: "Mr. Nilson, you can't change what the Audit Department's endorsement is."

City Solicitor: "Well then, we'll delete it altogether. I didn't say endorse, I said "expressed concerns." I was trying to reflect what is happening here today. So, the alternative if you reject that Motion."

Comptroller: "Yes."

City Solicitor: "is to strike that language in its entirety"

Ms. Adams: "Um,

City Solicitor: "if you prefer that. I was trying to reflect your concerns in my amendment."

Comptroller: "Mr. Nilson, the Board does not have the discretion to, to violate the City Charter that the --."

City Solicitor: "We're not violating the City Charter."

Comptroller: "You are."

City Solicitor: "Nope. We're not."

MINUTES

Comptroller: "You are."

President: "Is there a Second?"

Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY."

Comptroller: "Nay."

President: "Please note that Council President Young is going to vote No um, simply because I believe that the Comptroller um, offers, her case was made with Audits. Um, I do believe that um, if invoices are sent, that they would be paid and looked at in a timely manner, and I hope that the Comptroller can agree to do that, --."

Comptroller: "I will."

President: "-- As the communities have been on me as well um, about this money into the communities. I attended many meetings where they're frustrated that the money had not "hit" their um agenda, uh, their communities yet. Um, I don't want this to be a further delay."

Comptroller: "Neither do I."

President: "With all due respect, the Charter gives the Auditor."

Comptroller: "That's right."

President: "-- um certain powers, --."

Comptroller: "That's right."

MINUTES

President: "-- to audit and look at it --."

City Solicitor: "But not before, Mr. Council President, they can audit and they can --."

President: "My vote is, -- My vote is **"NO."**

City Solicitor: "Okay."

President: "The Motion carries."

UPON MOTION duly made and seconded, the Board approved and authorized execution of Grant Agreement with Healthy Neighborhoods, Inc. The Board further approved and authorized the Director of Planning to approve sub-recipients related to this transaction, SUBJECT to review and approval by the Law Department for form and legal sufficiency. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President voted **NO**. The Comptroller voted **NO**.

MINUTESDepartment of Real Estate - Expenditure Authorization**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the Department of Public Works (DPW), Bureau of Solid Waste (tenant) to continue to pay BMF Limited Partnership, LLC (landlord), by Expenditure Authorization, for the rental of the property located at 111 Kane Street. The period of the rental is July 17, 2014 through November 16, 2014.

AMOUNT OF MONEY AND SOURCE:

\$30,300.86 per month - 1001-000000-5152-386500-603013

BACKGROUND/EXPLANATION:

The lease agreement between the landlord and the tenant expires July 16, 2014. The landlord and the tenant are in negotiations for the Mayor and City Council to purchase the property located at 111 Kane Street.

The tenant will continue to pay the rental fee of \$30,300.86 on a month-to-month basis from July 17, 2014 through November 16, 2014, until a determination is reached. It is expected that the negotiations will be concluded on or before November 16, 2014.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the Department of Public Works (DPW), Bureau of Solid Waste to continue to pay BMF Limited Partnership, LLC by Expenditure Authorization, for the rental of the property located at 111 Kane Street.

MINUTES

Department of Real Estate - Tax Sale Certificate

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of a Tax Sale Certificate to Mr. Dwight Donaldson for an amount that is less than the lien amount for the property located at 302 N. Calhoun Street.

AMOUNT OF MONEY AND SOURCE:

<u>Property Address</u>	<u>Assessed Value</u>	<u>Flat Taxes & Water</u>	<u>Total Liens</u>	<u>Assignment Amount</u>
302 N. Calhoun St.	\$25,000.00	\$4,059.01	\$17,055.15	\$4,059.01

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificate for 302 N. Calhoun Street on October 24, 2012 for \$17,055.15. Mr. Donaldson has offered to purchase the Tax Sale Certificate for \$4,059.01 cash, file the petition to foreclose, acquire title to the property and return it to productive use.

The assignment amount \$4,059.01 for the Tax Sale Certificate will cover the flat taxes and water bills on that property. The comparable sales of vacant properties in the neighborhood indicate an appraised value of approximately \$4,000.00.

UPON MOTION duly made and seconded, the Board approved the assignment of a Tax Sale Certificate to Mr. Dwight Donaldson for an amount that is less than the lien amount for the property located at 302 N. Calhoun Street.

MINUTES

Department of Real Estate - Agreement of Sale

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement of Sale with Mr. Bryant Alexander, purchaser, for the sale of the property located at 1524 Druid Hill Avenue.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - Assessed Value

BACKGROUND/EXPLANATION:

The authority to sell this property was approved by City Council Ordinance No. 477 on December 6, 1973. This vacant lot located at 1524 Druid Hill Avenue is being sold to Mr. Alexander for its assessed value of \$1,000.00.

UPON MOTION duly made and seconded, the Board approved and authorized execution of an Agreement of Sale with Mr. Bryant Alexander, purchaser, for the sale of the property located at 1524 Druid Hill Avenue.

MINUTESSpace Utilization Committee - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement Ms. Alison Spiesman and Mr. Brian Dowdall, Tenants, for the rental of the property known as 2090 Woodbourne Avenue located on the grounds of the Mt. Pleasant Golf Course. The period of the Lease Agreement is effective upon Board approval for two years, with the option to renew for two 1-year terms.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annual Rent - if demanded

BACKGROUND/EXPLANATION:

The property is being used for a residence for two, parking and the right of ingress and egress. The Landlord will correct any structural defects and maintain the exterior of the building.

The Tenants will provide the following: 1) paint two murals in two Baltimore City Parks annually; the Department of Recreation & Parks (R&P) will determine the parks; 2) plan, organize and implement two art events in a Baltimore City park annually, 3) will assist the City with Artscape and Nature Art in the Park annually, as determined by the R&P.

The Tenants will provide three-hour art workshops monthly at a Recreation Center/Park to be determined by the R&P. The R&P will monitor, on a quarterly basis, the progress of the work to be performed by the Tenants, pursuant to the Lease and at the completion of the work, it will report back to the Space Committee the status of completion of the work prior to granting any renewal.

The Tenants are providing services at the following estimated costs: two-hour workshops monthly worth \$300.00 each for a total of \$3,600.00; two murals annually for \$7,000.00; interior

MINUTESSpace Utilization Committee - cont'd

painting of the demised premises for \$4,500.00; two large-scale art events for \$10,000.00; and consult, design and implement programs for 200 hours annually at \$30.00 per hour for a total of \$6,000.00. Since the Tenants are providing services totaling \$31,100.00, which exceeds the Fair Market Rental Value of \$1,125.00 to \$2,000.00/month the Department proposes to lease the property for \$1.00.

The Tenants will accept the premises in its "as is" condition, keep it clean and free of trash and debris, dispose of any garbage, trash rubbish and other refuse in trash receptacles, pay for all costs of supplying and maintaining the trash containers, and all fees related to collecting and removing trash, and comply with the law for removal and disposal of hazardous materials.

The Space Utilization Committee approved this Lease Agreement on June 24, 2014.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Lease Agreement Ms. Alison Spiesman and Mr. Brian Dowdall, Tenants, for the rental of the property known as 2090 Woodbourne Avenue located on the grounds of the Mt. Pleasant Golf Course.

Kim A. Trueheart

July 15, 2014

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the Department of Recreation and Parks.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
 - a. Page 95, Space Utilization Committee – Lease Agreement, if approved:
 - i. This action states “The Tenants will provide three-hour art workshops monthly at a Recreation Center/Park to be determined by the R&P.”
 1. Will the Recreation Centers selected by R&P includes those taken over by the school system or only those under operational direction of R&P?
 2. The tax dollars used to support this endeavor come from all tax-payers and the benefits derived should include all taxpayers, NOT just a select few.
 - ii. Please provide access to the lease agreement for inspection.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I have witnessed the continued disinvestment in municipal recreation facilities, programs and services. This action services to highlight what I perceive to be disparate policy and practices within the Department of Recreation and Parks which continue to diminish the quality and availability of recreational programs and services available to me and more importantly for our children!
4. The remedy I seek and respectfully request is that this action be rejected and that BCRP be directed to ensure all taxpayers benefit from this agreement.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 16, 2014.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen & Resident

Email: ktrueheart@whatfits.net
5519 Belleville Ave
Baltimore, MD 21207

MINUTES**PERSONNEL**Department of Human Resources - Personnel Matters

The Board is requested to approve all of the Personnel matters below:

Health Department

	<u>Hourly Rate</u>	<u>Amount</u>
1. DELLA YVONNE DUNCAN	\$13.00	\$13,520.00

Account: 4000-499014-3030-513200-601009

Ms. Duncan will continue to work as a Community Outreach Worker/Special Populations for the STD/HIV Prevention Program. Her duties will include, but will not be limited to recruiting clients for STD/HIV testing in community settings with high incidence of syphilis and/or HIV infection, identifying venues and key community stakeholders to reach priority populations such as youth and Men Who Have Sex with Men. She will also provide client-based health education and risk reduction counseling for STD/HIV prevention, complete intake forms, client logs and other paper work associated with the outreach testing program, and assist with the collection of gonorrhea and chlamydia specimens. The period of the agreement is effective upon Board approval through June 30, 2015.

2. ERNEST DRAKE	\$ 8.00	\$8,320.00
------------------------	---------	-------------------

Account: 5000-535715-3024-268400-601009

Mr. Drake will work as a Contract Services Specialist II (Recreation Leader Assistant). His duties will include but not be limited to setting-up and breaking down various senior center activities and programs, assisting the Recreation Leader with decorating the center every month for holidays and events. In addition, his duties will include moving furniture, cleaning specific areas within the center and removing trash, updating the flyer board, and managing the Auxiliary snack bar. The period of the agreement is effective upon Board approval through June 30, 2015.

MINUTES**PERSONNEL****A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.**

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

Department of Finance**3. Reclassify three positions**

Position Nos. 7100-50476, 7100-50477 and 7100-5-505

From: New Position
Job Code: 90000
Grade: 900 (\$1.00 - \$204,000.00)

To: Senior Program Assessment Analyst
Job Code: 10183
Grade: 927 (\$59,600.00 - \$95,400.00)

Costs: \$0.00 - 1001-000000-7100-691400-601001

These positions are considered Positions of Trust in accordance with AM 237-1.

THE PERSONNEL MATTERS HAVE BEEN APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.

UPON MOTION duly made and seconded, the Board approved the Personnel matters. All of the contracts have been approved by the Law Department as to form and legal sufficiency.

Kim A. Trueheart

July 15, 2014

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of a lack of vision, poor fiscal planning and management and failure to capitalize on strategic investment opportunities in our youth by the Mayor of Baltimore City.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
 - a. Page 97, Item 2, Department of Human Resources – Personnel Matters - Health Department - ERNEST DRAKE \$ 8.00 \$8,320.00, if approved:
 - i. This action reflects the City's disingenuous prevailing wage policy that has NOT been embraced and inculcated within the day-to-day hiring practices of this administration;
 - ii. This action reflects that the substandard wage to be paid this city worker is 24% lower than the adopted Baltimore City Living Wage;
 - iii. The action reflects a substandard wage to be paid this city worker which demonstrates the flawed hiring policy that fails to ensure workers have fair wages and equal pay;
 - iv. While anticipated new state legislation will increase the minimum wage and will not go into force until later this calendar year, this administration can demonstrate commitment and forward thinking by paying its workers a living wage now.
1. How the protestant will be harmed by the proposed Board of Estimates' action: The flawed policies of this administration continue to harm the citizens and employees of Baltimore City. This lost opportunity to uplift the municipal workforce is typical of an administration that is neither bold nor progressive. Paying a living wage could be a significant workforce improvement strategy and could produce workforce multiplier effects that greatly enhance employee output and productivity. As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden could be exacerbated by the continued lack of implementation of a living wage by city agencies and departments.

Email: ktrueheart@whatfits.net
5519 Belleville Ave
Baltimore, MD 21207

2. Remedy I desire: The remedy I seek and respectfully request is that this action be delayed until the HR Department can establish a new pay policy that ensures all municipal workers earn a living wage.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 16, 2014.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,

Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Office of State's Attorney - Grant Award
for Baltimore City

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant award from the Maryland State Police. The period of the grant award is July 01, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$46,000.00 - 5000-501615-1150-118300-600000

BACKGROUND/EXPLANATION:

The Maryland State Police has awarded these funds to assist the State's Attorney's Office with the screening, case preparation, and enhanced prosecution of juvenile vehicle theft cases. This funding will pay for one full-time law clerk that will maintain a vehicle theft database and assist prosecutors with the case preparation.

APPROVED FOR FUNDS BY FINANCE

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT
CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a grant award from the Maryland State Police.

MINUTES

Office of State's Attorney - Intergovernmental Agreement
for Baltimore City

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Intergovernmental Agreement with the Department of Juvenile Services. The period of the Intergovernmental Agreement is July 01, 2014 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$442,670.00 - 5000-504715-1150-118300-601001

BACKGROUND/EXPLANATION:

This intergovernmental agreement will fund the Immediate Charging Project which allows the State's Attorney Office to expedite the charging process at the Baltimore City Juvenile Justice Center. The primary goal is to reduce case processing time between arrest and final disposition for Baltimore City youth. The funding covers the salaries of three full-time attorneys, and three part-time attorneys.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION****A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.**

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved and authorized execution of an Intergovernmental Agreement with the Department of Juvenile Services.

Kim A. Trueheart

July 15, 2014

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration by the Office of the State's Attorney.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
 - a. Pages 100, Office of the State's Attorney - Intergovernmental Agreement, if approved:
 - i. This agreement fails to:
 1. disclose an estimate of the number of juveniles to served;
 2. disclose the current wait time and the reduced time to be achieved as a result of this agreement;
 - ii. Please provide for inspection the details of the Immediate Charging Project;
3. How the protestant will be harmed by the proposed Board of Estimates' action: I am an underserved, disparately treated, over-taxed citizen of Baltimore City and a victim of violence that resulted in the loss of several family members. The expeditious processing of criminal cases, by reducing the time between arrest and final disposition for Baltimore City youth, is a barrier for many and these delays often impact, disproportionately, minority youth unfairly when they are found innocent.
4. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden will be exacerbated by this approval.
5. The remedy I seek and respectfully request is that this action is moved to the non-routine agenda and a formal presentation be provided by the OAS for the public to understand the measureable goals and objectives to be produced as a result of this almost one-half million dollar tax-payer investment.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 15, 2014.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely, Kim Trueheart, Citizen

Email: ktrueheart@whatfits.net

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTION

* * * * *

On the recommendations of the City agency

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

2708 - 2716

to the low bidders meeting the specifications,

and rejected the bid as indicated

for the reasons stated.

The Transfers of Funds were approved

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The Board **DEFERRED** item nos. 1 & 2 until July 23, 2014.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS****Bureau of Water & Wastewater**

1. SC 922R, Large Diameter Video Pipe Services, \$1,777,504.40
Sewer Cleaning in the Inc.
Lower Sewershed

DBE/MBE: JJ Adams Fuel Oil Company	\$110,000.00	6.19%
Goel Services	97,000.00	5.46%
	<u>\$207,000.00</u>	<u>11.65%</u>

DBE/WBE: Peer Consultants, Inc.	\$ 96,000.00	5.40%
R&R Contracting Utilities	10,000.00	0.56%
Tomar Trucking, Inc.	275,000.00	15.47%
	<u>\$381,000.00</u>	<u>21.43%</u>

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$2,316,742.54	9956-907611-9549	
Wastewater	Construction Reserve	
Revenue Bonds	Sewer System Rehab-	
	Low Level	
29,563.46	9956-933001-9549	
Baltimore Co.		
<u>\$2,346,306.00</u>		
\$ 177,750.00	-----	9956-918616-9551-2
		Extra Work
177,750.00	-----	9956-918616-9551-3
		Design
106,650.80	-----	9956-918616-9551-5
		Inspection
1,777,504.40	-----	9956-918616-9551-6
		Construction
106,650.80	-----	9956-918616-9551-9
<u>\$2,346,306.00</u>		Administrative

The funds are needed to award SC 912, SC 922R, Large Diameter Sewer Cleaning in the Low Level Sewershed.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

Kim A. Trueheart

July 15, 2014

Board of Estimates

Attn: Clerk

City Hall, Room 204

\$17,620,438.20 100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the Department of Public Works.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
 - a. Page 102, BW & W - SC 922R, Video Pipe Services, Inc., if approved:
 - i. This award in the amount of \$1,777,504.40\$17,620,438.20:
 1. Includes MWBOO goals which denote the state designations in addition to Baltimore's MBE and WBE terms without explanation;
 2. Imposes MWBOO goals outside of the allowable participation range for Baltimore City contracts to achieve the WBE goal;
 - ii. Please provide access to:
 1. The decision elements used to substantiate an increase of the maximum WBE goal allowed.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in leadership, management and cogent decision making within the Department of Public Works, which potentially cost me and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending, without benefit of local jobs and minority/women contracts.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 15, 2014. If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely, Kim Trueheart, Citizen & Resident

Email:ktrueheart@whatfits.net

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

A PROTEST WAS RECEIVED FROM JAMES W. ANCEL, INC.

President: "The next item on the non-routine agenda can be found on Page 103, Recommendations for Contract Awards/Rejections, Item 4, WC 1219, New Montebello Water Quality Laboratory at Montebello Filtration Plant. Will the parties please come forward? Is Mr. James W. Ancel available? Is he here? Since he's not here, I'll entertain a Motion."

City Solicitor: "I would MOVE to deny the protest for two reasons: one that the protestant is not here, secondly that the protestant's written submission failed to identify the issues raised by the protest or the facts supporting the protest."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

* * * * *

James W. Ancel, Inc.

Engineers and Contractors

July 14, 2014

Facsimile 410-685-4416
& Hand Delivery

Attn: Clerk
Board of Estimates
Room 204, City Hall
100 North Holliday Street
Baltimore, Maryland 21202

Re: Water Contract 1219 – New Laboratory Facilities at Montebello Filtration Plant

Dear Clerk:

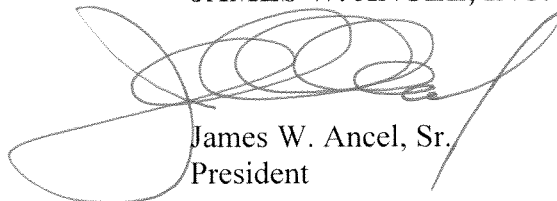
Please be advised that James W. Ancel, Inc. wishes to speak before the Board of Estimates on July 16, 2014. James W. Ancel, Inc. protests any action by the Board of Estimates other than to award the project to the low bidder, James W. Ancel, Inc.

Please confirm that we will be allowed to address the Board of Estimates regarding this matter on July 16, 2014.

Thank you for your anticipated cooperation in this matter. If you have any questions regarding the above, or require any additional information, please feel free to contact the undersigned.

Very truly yours,

JAMES W. ANCEL, INC.



James W. Ancel, Sr.
President

JWA/kb

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS****Bureau of Water & Wastewater**

5. WC 1264, Water Main Replacement, Various Locations Anchor Construction Corp. \$4,874,425.50

MBE: S&J Service, Inc. \$488,000.00 10.01%

WBE: Barbie's Recycling & Hauling, Inc. \$ 98,000.00 2.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

A PROTEST AND A SUPPLEMENTAL PROTEST WERE RECEIVED FROM METRA INDUSTRIES, INC. RESPONSES TO THE PROTEST FROM METRA INDUSTRIES, INC. WERE RECEIVED FROM ANCHOR CONSTRUCTION.

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$6,434,374.00	9960-909100-9558	
	Wastewater Construction Reserve	
	Revenue Bonds Water Infrastructure Rehab.	
\$ 487,453.00	-----	9960-905136-9557-2
		Extra Work
487,453.00	-----	9960-905136-9557-3
		Engineering
292,471.25	-----	9960-905136-9557-5
		Inspection
4,874,525.50	-----	9960-905136-9557-6
		Construction
292,471.25	-----	9960-905136-9557-9
\$6,434,374.00		Administration

The funds are required to cover the cost of the award for construction of WC 1264, Water Main Replacements at Various Locations.

MINUTES

President: "Uh, the fifth item on the non-routine agenda can be found on Page 104, Recommendations for Contract Awards/Rejections, Item 5, WC 1264, Water Main Replacement, Various Locations, and Item 6, the related Transfer of Funds. Will the parties please come forward?"

Mr. Art Shapiro: "Good morning, Council President."

President: "Good morning. Are the parties here? Good morning."

Mr. Shapiro: "Good morning sir."

President: "You have to get close to the mic, speak into the mic."

Mr. Art Shapiro: "I'm Art Shapiro, Chief of Office of Engineering Construction, representing the Department of Public Works. Water Contract 1264 represents a contract for water main replacements at various locations within the City. It's part of the DPW's program, water main replacement. The project was advertised March 14, 2014 with bids received on April 9, 2014. There were five bids received. The lowest responsible bidder was Anchor Construction at \$4.874 million, which is approximately 109 percent of the engineer's estimate, which was \$4.34 million dollars; high bid was Monumental Paving, at \$6.33 million, which is 142 percent of the engineer's budget. There were uh, some minor issues with the bids, once they were reviewed. Uh, the bidder, the low bidder, Anchor, um, did fail

MINUTES

to acknowledge Addendum 1. A determination was made uh, with the Law Department input, that the, there was a problem in the City's transmission of the addendum to Anchor as a registered bidder because of the incorrect e-mail address that was included in the documentation."

President: "Finished?"

Mr. Leonard White: "I'm Leonard White, attorney for Anchor Construction.

City Solicitor: "I'm sorry, are you outside counsel?"

Mr. White: "Outside counsel, yeah."

City Solicitor: "Ah, have you registered upstairs with the Ethics Board as a procurement lobbyist?"

Mr. White: "I'm not a procurement lobbyist."

City Solicitor: "No, but you're here as outside retained counsel speaking for the company, right?"

Mr. White: "That's right."

City Solicitor: "You need to register upstairs, no, no, when, when you're done here. I mean you need to do that within the next few days."

Mr. White: "That's fine. Um, we, we, we reviewed the protest and the, the, the main point was that the mistake was, it was a clerical error that had no effect, um and secondly, --"

Director Public Works: "Council President, um,

MINUTES

President: "Uh, first of all, are you representing Anchor?"

Mr. White: "Anchor."

President: "Anchor. Right. Is the protester here? Is the protester here?"

Comptroller: "No."

City Solicitor: "I'm sorry. Is anybody, is anybody here representing Anchor?"

President: "Alright, I'll entertain a Motion. I'll entertain a Motion."

City Solicitor: "I MOVE to reject the protest for the absence of the protestant and to approve the recommendation of the agency to award Anchor."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries. I thought you were the protestant."

City Solicitor: "A brilliant job, but you still--."

President: "You still need to register."

Mr. White: "Yes."

* * * * *

Leonard A. White, Esq.
Construction Attorney

10319 Westlake Drive, 346
Bethesda, Maryland 20817
301-961-6430

June 19, 2014

VIA UPS

The Honorable Joan M. Pratt
Comptroller, Baltimore City
City Hall, Room 204
100 Holliday Street
Baltimore, MD 21202

Re: Water Contract WC 1264 -"Water Main Replacements Various Locations"

Response to letter filed on behalf of Metra Industries, Inc.

Dear Ms. Pratt:

This letter is in response to the further argument asserted by Metra industries, Inc. (Metra) by their attorney in his letter, dated June 12, 2014, suggesting among other things that Anchor Construction Corporation's (Anchor) bid was nonresponsive because it allowed them "*two bites at the apple.*"

However, that procurement concept has no application in this situation and Metra's reliance on that theory is misplaced.

The attorney for Metra stated that, among other things, that "...To classify the admitted error committed here as a minor irregularity and allow Anchor to receive award of a contract would be unfair and harmful to the City's procurement system in that Anchor would be given "two bites at the apple."

Of further importance, he simply chooses to ignore the historical established factual background as it existed with respect to WC 1264 Addendum one.

Therefore, the legal "discussion" in the June 12 letter is inapplicable here because there was no attention paid to the actual facts surrounding addendum one as it applied to Anchor.

To reiterate this crucial central fact, please note that it has been clearly established that the procurement office, its official communication with Anchor, inadvertently misdirected the notice of the WC 1264 addendum one as bid time approached. Further, although addendum one was

misdirected and unknown to Anchor, their bid coordinator was instructed to send an email to the City's procurement specialist in charge as to the existence of any addenda for WC 1264. Less than two hours later, the same procurement specialist that sent out the addendum, specifically advised Anchor by official email that "**there are no addendum.**"

In further support, Anchor urges that the Board of Estimates consider the following:

- Anchor gained no competitive advantage as the low bidder and **the City has unequivocally recognized that addendum one was not acknowledged because of its own clerical error** which was out of Anchor's control and not due to any fault or mistake on its part. Thereafter, the situation was correctly determined by Baltimore City to be a minor informality.¹
- The Baltimore City Procurement Office stepped up and recognized their inadvertent administrative error. Therefore its subsequent determination of "minor informality" is correct and it fosters confidence in **Baltimore City's continued procurement integrity and compliance with its seal bid process.** Permitting acknowledgment of Addendum one in this case is not detrimental to the competitive bidding process and in no way involves a situation where a bidder gets "two bites of the Apple" because in this case Anchor was told by the City's procurement office that there was "no pending addendum for WC 1264" within hours before it submitted its bid.
- It is a well-known construction law principle that a contractor's bid is responsive---even though it failed to acknowledge an unknown amendment---because (1) the solicitation explicitly requires bidders to be **bound by all amendments** (whether or not they received them); and, (2) the contractor's bid was not impacted because Addendum one had **no effect on price, quantity, quality or delivery.**²
- The rules and regulations clearly state that an unacknowledged addendum can be **waived as a minor informality** when the addendum in question has a negligible effect on price, quantity, quality or delivery.

¹ (Also, See *R.D. Brown Contractors v. Board of Educ.*, 626 S.E.2d 471, 280 Ga. 210 (Ga., 2006); It is not the case that every *provision* in an invitation for bids must be strictly followed; a governmental entity retains its statutorily granted power to waive technicalities. See *Letchas v. Sims Asphalt Co.*, 250 Ga.App. 179, 180-181, 550 S.E.2d 721 (2001 where the court also defined a "responsive bidder" as one whose bid conforms to the invitation for bids "in all material respects." Further stating that clearly, some provisions of a bid may be considered immaterial, and constitute the sort of "technicalities and informalities" that the governmental entity can waive... [And]... The trial court did not err in concluding that... [exact compliance was not necessary because the administrative error]... was immaterial and could be waived.)

² [Compare, Federal Acquisition Regulation, § 14.405 (d) which authorizes waiver of a bidder's failure to acknowledge an amendment to the invitation for bids if "... the amendment involves only a matter form and has no effect or merely a negligible effect on price, quantity, quality or delivery of the item or items it upon."]

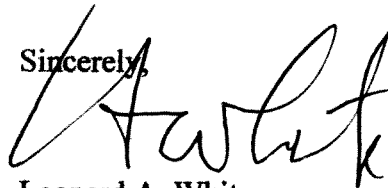
On behalf of Anchor, I respectfully suggest the Board please be reminded that public agencies are accorded discretion to determine the responsiveness or non-responsiveness of bids, and both federal and State courts ordinarily will not set aside the determination unless the court concludes that the public agency's action was "arbitrary, capricious or an abuse of discretion" ---not whether the court would agree with the agency on the merits. The arbitrary and capricious standard would only apply if there was no rational basis for the agency's decision.³

Anchor is the low responsive bidder and award to any other bidder would be contrary to the City's procurement rules and regulations.

We understand that the City's procurement officials' determination is that award to Anchor is proper. They determined that (1) there was an inadvertent administrative error by the procurement office; (2) that error was not the fault of the low responsive bidder; and, (3) that inadvertent administrative error can be correctly waived as a "minor informality."

Accordingly, Anchor Construction Corporation respectfully requests that the Board of Estimates approve the Determination and Findings of the City's procurement office. Anchor is anxious to begin the work as soon as possible to take full advantage of the current construction season.

Sincerely,



Leonard A. White
Attorney for Anchor Construction Corporation

Copies via email to:

Florentino Gregorio, President, Anchor
William Custead, Executive Vice President, Anchor
Larry Baker, Esq., Watt, Tieder, Hoffar & Fitzgerald, LLP
Michael Mullen, Esq., Baltimore City Law Department

³ (Compare, *Dep't of Human Res., Baltimore City Dep't of Social Services v. Hayward*, 426 Md. 638, 45 A.3d 224, 281 Ed. Law Rep. 578 (Md., 2012) where the court stated, in part, that "...An agency's actions will be classified as arbitrary and capricious if they are "unreasonable or without a rational basis...." [Citations omitted]. Further, it is the responsibility of the public agency to maintain the integrity of the competitive bidding system and courts are reluctant to tamper with a public agency's decision on a contract award unless the decision is shown to be "irrational" or "an abuse of discretion." (See *Bruner & O'Connor on Construction Law*; §2:91-"minor informalities" are waivable at the owner's discretion.)).

Leonard A. White, Esq.
Construction Attorney

10319 Westlake Drive, 346
Bethesda, Maryland 20817
301-961-6430

June 5, 2014

Honorable President
and Members of the Board of Estimates
c/o Clerk, Board of Estimates
City Hall, Room 204
100 N. Holliday Street
Baltimore, MD 21202

Attention: Joan M. Pratt, CPA
Comptroller for the City of Baltimore
Secretary, Board of Estimates

Re: **Award of Water Contract 1264**

Ms. Pratt:

I represent Anchor Construction Corporation. Anchor Construction Corporation is an "interested party" as the responsive low bidder for Water Contract 1264. I and the President and/or the Executive Vice President may wish to speak at the next Board meeting on June 11, 2014; or, at the next meeting on whatever date the Board schedules its consideration of the invalid protest submitted by Metra Industries regarding the award of Water Contract 1264.

Pursuant to the Resolution on the Regulation of Board of Estimates Meetings and Protests, effective February 05, 2014, please be advised that the individuals that may wish to speak are:

Florentino Gregorio, President
William Custead, Executive Vice-President
Leonard White, Counsel

Sincerely,


Leonard A. White
Attorney for Anchor Construction Corporation



2254 25th Place, NE, Washington, DC 20018-1404

Washington, DC area - Phone 202.269.6694, Fax 202.529.3144

Joan M. Pratt
Comptroller
Baltimore City
City Hall Room 204
100 Holliday Avenue
Baltimore MD 21202

May 30, 2014

Re: Water Contract WC 1264 "Water Main Replacements Various Locations"
Subject: **Rebuttal to Metra Industries Bid Protest Dated April 10, 2014**

Dear Ms. Pratt.

As the apparent low responsive and responsible bidder, Anchor is an "interested party" in these proceedings. Accordingly, Anchor respectfully submits this reply to the bid protest filed by Metra Industries (Metra) and requests that the protest be dismissed and the contract promptly awarded to Anchor. In short, the allegations by Metra are factually incorrect with respect to the apparent low responsive and responsible submitted by Anchor.

We have the intention and capability in all respects to perform fully the Contract requirements, and have the integrity and reliability as a contractor that shall assure good faith performance.

Anchor Construction Corp. (ACC) has just (May 29, 2014) been made aware of, and forwarded a copy of a bid protest from Metra Industries (Metra) dated April 9, 2014, we are compelled to refute and/or explain the assertions made by them. This competitive bid was opened on April 9, 2014 by City personnel. The apparent low bidder was Anchor with a bid in the amount of \$4,874,425.50. The protest by Metra is without merit.

In support of this reply to their protest, please note the following:

Failure to acknowledge addendum one

The existence of any addendum was mishandled by the procurement office.

As a direct result of that mishandling, Anchor was unaware that any addendum had been included in the bid package (the only addendum issued for WC 1264). Several facts are important here. For more than two years, one of our estimators Robert Cook was the designated recipient for e-mails from the City of Baltimore. Mr. Cook resigned his employment with Anchor as of August 2013. In order to ensure that important procurement information regarding bids was not mishandled, Anchor, upon Mr. Cook's departure, we have repeatedly asked that further emails from the City be addressed exclusively to *estimating@anchorconst.com* - an email address that is accessible by multiple persons within our Company.

After our receipt of Metra's bid protest this morning, and thereafter searching our server today, our IT manager discovered the addendum in question was incorrectly addressed to Mr. Cook at *rcook @anchorconst.com* dated 4/4/14 at 9:02 AM from Ms. Diamond from the City. (See Attachment "A").

Because the information concerning the existence of Addendum one was misdirected to the wrong email address, no one at Anchor received the email notice, prior to bid day, regarding Addendum one. For reasons unknown to Anchor, the City no longer use made a mistake and used Mr. Cook's defunct email address despite the repeated notices of the correct email address, *estimating@anchorconst.com*.

In addition to several telephone conversations, after Mr. Cook's departure in early August of 2013, we kindly instructed the City to use *estimating@anchorconst.com*, going forward, per as indicated in an e-mail dated 8/ 13/ 13. (See Attachment "B"). Again, in an e-mail dated 10/28/13, we advised the City to use *estimating@anchorconst.com* for all notices and addendums. (See Attachment "C")

As further demonstration that Anchor remained confident that any further emails would be properly addressed, please see (Attachment "D"). This email from the City used the proper Anchor email account as requested on 4/1/14. Note that this particular e-mail from the City was for addendum one (1) pertaining to contract's WC 1263, and WC 1234-neither of which were related to the bid package for WC 1264.(Our only bid submission to the City on 4/9/14 was for contract WC 1264).

We therefore had every reason to believe that, if there were an addendum(s) for bid package WC 1264, we would have also received it at *estimating @anchorconst.com*. Further, this same e-mail states that "Hard copy to follow by certified mail". To the best of our knowledge and belief, we neither received hard copies in the mail as stated for WC 1263, WC 1234, nor the missing addendum in question for WC 1264.

Perhaps most pivotal is our email date 4/4/14 from our bid coordinator Ms. Roumaldo asking the City at 9:31 AM "... if there are any addendums issued..." for WC 1264 and received her reply only one hour and 15 minutes later, at 10:44 AM, in an email from her office that there are "No addendums yet".

Clearly, the addendum was in existence and well known to her yet, for no apparent reason, we were erroneously **officially informed** told that there were "no addendums". (See, Attachment "E"). Also, in this regard, referred to COMAR 21.05.02.08 B. which states that,

"B. Distribution. Amendments shall be sent to all prospective bidders who were sent an invitation for bids or who are known to the procurement officer to have obtained the bidding documents." (Emphasis added.)

In a further demonstration of Ms. Roumaldo's due diligence, she again emailed the City on behalf of Anchor the day before the bid opening on 4/8/14 asking for any addendums, never received a reply. (See Attachment "F")

The addendum provided no information that was material to the price bid.

After review of this missing addendum one (1) for WC 1264 found on our server yesterday, Anchor can state unequivocally that it would have had zero cost impact on our bid submission even if we had received this addendum prior to the bid opening date.

This addendum includes such information as resident notifications, as-built recordation's, and water shut off request that are always inherently required in this work and have seen this identical paperwork and acknowledged on other submissions. Anchor accepts all terms of this addendum one and would deem the cost impact and/or its terms and conditions to be inconsequential to the bid submitted. In this regard, see KOMAR 21.06.02.04 B. which states that,

"B. The defect or variation in the bid or proposal is immaterial and inconsequential when its significance as to price, quantity, quality, or delivery is trivial or negligible when contrasted with the total cost or scope of the procurement."

Anchor's MBE/WBE Participation Affidavit.

Metra's assertion that our affidavit "...is a big mistake..." Is not supported by the facts. Anchor's minority participation was carefully reviewed and approved by Baltimore City's Minority and Women's Business Office. Please see the later dated April 15, 2014 (See Attachment "G") which confirms that we are deemed to be "... in compliance with Article 5, Section 28 of the Baltimore City code." Clearly, the bid total is known to all in every required location, as even Metra themselves state our correct bid total in the April 19, 2014 letter. Metra is clearly using semantics, as the affidavit is meant to total the MBE/WBE participation as asked.

Anchor did not fail to submit a bid bond.

In Metra's second letter dated April 10, 2014, they further claim Anchor ".. failed to provide a Consent of Surety." This is also without merit, as the bid bond is clearly in the bid package we submitted on April 9. If the bid bond had been absent, Anchor's bid would have never been publicly opened.

Finally, the bid submitted is responsive and Anchor is a responsible contractor within the meaning of COMAR sections 21.01.02.01B (77-78) which state that,

"Responsible" means a person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability that shall assure good faith performance. "Responsive" means a bid submitted in response to an invitation for bids that conforms in all material respects to the requirements contained in the invitation for bids. (Emphasis added.)


Prompt award to Anchor is only correct action that should be taken and, of course, is strongly recommended. For the City to award to the second bidder, and needlessly spend an added \$343,323.00 (Bid amount difference between Anchor and Metra) is unwarranted and wasteful given the unfortunate mistake and the facts: 1) Anchor clearly made every effort to receive the addendum one which it did not receive prior to bid time through no fault of our own. 2) Anchor's MBE/WBE affidavit is deemed by the City to be in compliance, and 3) the bid bond was clearly in the bid package.

Accordingly, given the above underlying facts, and knowing the City has the right to waive any "irregularities" (COMAR 21.05.02.12A.) as it deems to be in the **best interest of the City** and its citizens, Anchor respectfully requests the City to continue with its award to Anchor Construction.

In summary, award of contract WC 1264 can only be to Anchor as the lowest responsive and responsible bidder in this sealed bid procurement. Anchor has materially and substantially complied with the bidding requirements and award to any other bidder would be contrary to the procurement regulations and the laws of the City of Baltimore.

Sincerely,

Anchor Construction



William J. Custard Executive Vice President

ATTACHMENT "A"

From: Doreen.Diamond@baltimorecity.gov
To: rcook@anchorconst.com
Subject: WC 1264 - Addendum #1
Size: 1288303
Source IP: mail.baltimorecity.gov[141.157.34.24]
ID: 1396620126-01e07710204bb70001-2PqIGR

Time: 2014-04-04 09:02:07
Action: Allowed
Reason: Message Size
Score:
Delivery Status: Delivered
Delivery Detail: 250 2.6.0

[Help](#)

04376257E2793147A8CBAD10823459AF5CF8D366@BALT-EXMB03-SRV.baltimore.city Queued mail for delivery

[View Message](#)
[View Source](#)
[View Bayesian Data](#)
[Download](#)
[Deliver](#)

X-ASG-Debug-ID: 1396620126-01e07710204bb70001-2PqIGR

Received: from DMZ-ET02-SRV.Baltimore.City (mail.baltimorecity.gov [141.157.34.24]) by ^

X-Barracuda-Envelope-From: Doreen.Diamond@baltimorecity.gov

X-Barracuda-Apparent-Source-IP: 141.157.34.24

Received: from BALT-HT01-SRV.baltimore.city (169.156.38.117) by DMZ-ET02-SRV (172.16.16.29) with Microsoft SMTP Server (TLS) id 14.3.181.6; Fri, 4 Apr 2014 10:02:18 -0400

Received: from BALT-EXMB03-SRV.baltimore.city ([fe80::5d30:7da8:1ef4:1d9]) by BALT-HT01-SRV.baltimore.city ([169.156.38.117]) with mapi id 14.03.0181.006; Fri, 4 Apr 2014 10:02:04 -0400

From: "Diamond, Doreen" <Doreen.Diamond@baltimorecity.gov>

To: "'tonyL@SJLouis.com'" <tonyL@SJLouis.com>, 'Todd Galletti' <tgalletti@spiniello.com>, 'Calin Marta' <cmarta@metraindustries.com>, "'PCrowl.monumental@verizon.net'" <PCrowl.monumental@verizon.net>, "'REHarringtonPHU@comcast.net'" <REHarringtonPHU@comcast.net>, "'rcook@anchorconst.com'" <rcook@anchorconst.com>

Subject: WC 1264 - Addendum #1

Thread-Topic: WC 1264 - Addendum #1

X-ASG-Orig-Subj: WC 1264 - Addendum #1

Thread-Index: Ac9QDnS8UcWEXrj1TaWE5xxhvTGCxw==

Return-Receipt-To: <Doreen.Diamond@baltimorecity.gov>

Date: Fri, 4 Apr 2014 14:02:03 +0000

Message-ID: <04376257E2793147A8CBAD10823459AF5CF8D366@BALT-EXMB03-SRV.baltimore.city>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

x-originating-ip: [169.156.38.107]

Content-Type: multipart/mixed;

boundary=" 004 04376257E2793147A8CBAD10823459AF5CF8D366BALT-EXMB03-SRVba "

ATTACHMENT "B"

Marilyn Kirby

From: Marilyn Kirby
rt: Tuesday, August 13, 2013 1:39 PM
To: Cynthia.Chase@baltimorecity.gov
Cc: estimating; Michael Johnson
Subject: FW: City of Bmore Addendum - Scan from a Xerox WorkCentre
Attachments: DOC.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,
I received your voicemail, thank you for sending this information to us. Going forward, please use estimating@anchorconst.com.

Thank you and have a great day!

Marilyn Kirby
Corporate Relationship Specialist
Anchor Construction Corporation
2254 25th Place, NE
Washington, DC 20018
P: (202) 269-6694
www.anchorconst.com

-----Original Message-----

From: Chase, Cynthia [<mailto:Cynthia.Chase@baltimorecity.gov>]
Sent: Tuesday, August 13, 2013 11:02 AM
To: Marilyn Kirby
Subject: FW: Scan from a Xerox WorkCentre

-----Original Message-----

From: R1105XRX5735@baltimorecity.gov [<mailto:R1105XRX5735@baltimorecity.gov>]
Sent: Tuesday, August 13, 2013 10:12 AM
To: Chase, Cynthia
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF

WorkCentre Location: Municipal Building, Room 1105 Device Name: R1105XRX5735

ATTACHMENT "C"

Marilyn Kirby

'Latonia.Walston@baltimorecity.gov'
Wensheng Liang; Sandra Romualdo
RE: S.C. 913-ADDENDUM NO. 1

Subject:

From: Marilyn Kirby
Sent: Monday, October 28, 2013 5:01 PM
To: 'Latonia.Walston@baltimorecity.gov'
Cc: Wensheng Liang; Sandra Romualdo
Subject: FW: S.C. 913-ADDENDUM NO. 1

Hi LaTonia,

Thank you so much for sending us the SC913 addendum #1. We would like to kindly request going forward can you send all addendum(s) and notices to the following email address estimating@anchorconst.com? Should you have any questions or need to reach us, please contact us directly at 202.269.6694 and ask for Marilyn or Sandra.

Thank you in advance.
Marilyn

Marilyn Kirby
Corporate Relationship Specialist
Anchor Construction Corporation
2254 25th Place, NE
Washington, DC 20018
P: (202) 269-6694
www.anchorconst.com



Partnerships resulting in innovative, cost effective and quality construction, exceeding our customer's expectations in a safe environment. www.anchorconst.com

member of **NUCA** **ABC** and **IBT** (Board of Trade)

-----Original Message-----

From: Wensheng Liang
Sent: Monday, October 28, 2013 4:54 PM
To: Marilyn Kirby; Sandra Romualdo
Subject: FW: S.C. 913-ADDENDUM NO. 1

Hi Marilyn and Sandra,
Can you make sure the City of Baltimore sends this kind of email using our estimating@anchorconst.com. NOT to our website email. See below...

Thanks,

Marilyn Kirby

ATTACHMENT "D"

From: Miller, Sharon (DPW) <Sharon.Miller@baltimorecity.gov>
At: Tuesday, April 01, 2014 1:08 PM
To: estimating
Subject: FW: WC 1263 and WC 1234 Addendum 1
Attachments: Adden. 1.pdf; Adden 1.pdf

From: Miller, Sharon (DPW)
Sent: Tuesday, April 01, 2014 1:06 PM
To: 'estimating@anchorconstr.com'
Subject: WC 1263 and WC 1234 Addendum 1

Hard copy to follow by certified mail.

EXHIBIT "E"

Marilyn Kirby

From: Miller, Sharon (DPW) <Sharon.Miller@baltimorecity.gov>
To: Friday, April 04, 2014 10:44 AM
Subject: Sandra Romualdo
RE: WC 1264 & 1294 Addendums

No addendums yet.

From: Sandra Romualdo [mailto:sromualdo@anchorconst.com]
Sent: Friday, April 04, 2014 9:31 AM
To: Miller, Sharon (DPW)
Subject: WC 1264 & 1294 Addendums
Importance: High

Good morning Ms. Miller,

Happy Friday! ☺

Are there any addendums issued for both contracts referenced above?

Please and thank you,
Sandra

Sandra Romualdo
Administrative Bid Coordinator
ANCHOR CONSTRUCTION CORPORATION
2254 25th Place, NE
Washington, DC 20018-1404
Office: 202.269.6694 (Extension: 213)
Fax: 202.529.3144
Email Address: sromualdo@anchorconst.com

EXHIBIT "F"

Sandra Romualdo

From: Sandra Romualdo
Sent: Tuesday, April 08, 2014 3:49 PM
To: 'Miller, Sharon (DPW)'
Subject: Addendums

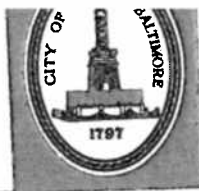
Hello Sharon,

Don't mean to be a bother but are there any addendums issued for W.C. 1264 and W.C. 1294?

Thank you,
Sandra

Sandra Romualdo
Administrative Bid Coordinator
ANCHOR CONSTRUCTION CORPORATION
2254 25th Place, NE
Washington, DC 20018-1404
Office: 202.269.6694 (Extension: 213)
Fax: 202.529.3144
Email Address: sromualdo@anchorconst.com

5/29/2014



ATTACHMENT "G"

COPY

April 15, 2014

Anchor Construction Corporation
2254 25th Place, N.E.
Washington, DC 20018

RE: W.C. 1264-Water Main Replacement Various Locations

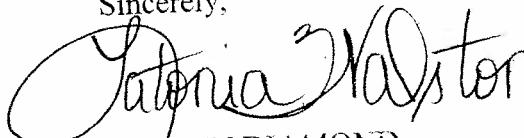
To Whom It May Concern:

Bids were opened on April 9, 2014 for the above mentioned project. The City of Baltimore Minority and Women's Business Opportunity Office has found your bid to be in Compliance with Article 5 Section 28 of the Baltimore City Code.

To further your proposal, we are forwarding herewith, two (2) copies of the Work Capacity Statements, along with an extra copy for your file. These forms must be fully completed and returned to this office within five (5) days of receipt.

Please contact the Office of Contract Administration at (410) 396-4041 should you have any questions regarding this requirement.

Sincerely,


for DOREEN DIAMOND
CONTRACT ADMINISTRATOR I

Enclosures

cc: Harpreet Singh
File

Visit Our Website @ www.baltimorecity.gov

June 12, 2014

Lewis (Larry) J. Baker
lbaker@wthf.com
Cell: 240-426-7512

VIA FEDERAL EXPRESS

The Honorable Joan M. Pratt
Comptroller, Baltimore City
City Hall Room 204
100 Holliday Street
Baltimore, MD 21202

Re: Water Contract WC 1264 – “Water Main Replacements Various Locations”
Bid Protest Filed by Metra Industries, Inc.

Dear Madame Comptroller:

The undersigned represents Metra Industries, Inc. (“Metra”), the second lowest bidder under the referenced procurement. On April 10, 2014, Metra filed a bid protest contending that the apparent low bidder, Anchor Construction Corp. (“Anchor”), submitted a non-responsive bid in that it failed to acknowledge Addendum No. 1 to the Invitation for Bids issued for WC 1264. Anchor argues that the City allegedly erred in its failure to properly advise Anchor of the addendum and that the addendum did not introduce any material requirements. Metra is not privy to the reasons for Anchor’s failure to acknowledge receipt of Addendum No. 1. Even if Anchor accurately relates the events that caused it to submit its bid without acknowledging Addendum No.1, the bid is non-responsive.

There is no question that the Invitation for Bids mandated that receipt of all addenda be acknowledged at the time of bid. Compare, COMAR 21.05.02.08¹. This requirement is a material requirement of the solicitation. Anchor admittedly did not comply and therefore its bid was non-responsive. To receive a contract award, a bidder must be both responsive and responsible.

The issue here is whether the failure to acknowledge Addendum No. 1 somehow may be excused, even though it was a material requirement of the solicitation. In this regard, Anchor argues that the failure to acknowledge receipt of Addendum No. 1 is a minor informality. To classify the admitted error committed here as a minor irregularity and allow Anchor to receive award of a contract would be unfair and harmful to the City’s procurement system in that Anchor would be given “two bites at the apple.” In the event that Anchor recognized at bid opening that it had bid too low, it could have allowed itself to be disqualified without risk of forfeiting its bid bond. On the other hand, if Anchor was satisfied with its bid upon reviewing the bids of its competitors, it could argue as it has done here and conceivably be awarded a contract. See, *Kidd Enterprises Inc.*, B-214096, March 6, 1984, 84-1 CPD 274, wherein it was determined that it is

¹ While the requirements of Maryland’s procurement code do not apply directly to Baltimore City, they should be looked to for guidance.

Joan M. Pratt
Baltimore City Comptroller
June 12, 2014
Page 2

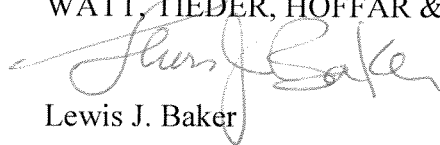
inappropriate to give a bidder "two bites at the apple" as it defeats the purpose of a competitive sealed bid procedure.

Aside from the foregoing, issues related to responsiveness must be determined based on the face of bid. Anchor is asking that the City waive a material requirement based on a determination that the mistake is a minor informality. To determine whether the City erred in issuing an addendum or whether an addendum impacts price or schedule or quality or quantity, requires that the City look beyond the bid documents. Any resort to subsequent explanation from a bidder or other extrinsic evidence is improper when determining responsiveness. See, *Peter Gordon Co. Inc.*, B-196370, July 18, 1080, 80-2 CPD 45; *AVS Inc.*, B-218205, March 14, 1985, 85-1 CPD 328.

For all of the above reasons, Metra asks that its protest be granted.

Sincerely,

WATT, TIEDER, HOFFAR & FITZGERALD, LLP

A handwritten signature in dark ink, appearing to read "Lewis J. Baker", is written over the typed name. The signature is fluid and cursive.

Lewis J. Baker

cc: Mr. Stephan Dioslaki (Via E-Mail)
W. Michael Mullen, Esq. (Via E-mail)

METRA INDUSTRIES

50 Muller Place
Little Falls, New Jersey 07424
(973) 812-0333
FAX (973) 812-0330

April 10, 2014

Baltimore City
City Hall, Room 204
100 Holliday Street
Baltimore MD 21202

Re. Water Contract WC 1264 Water Main Replacements Various Locations
Bid Date / Time: April 9, 2014, 11:00 AM

Via: Fax, Email, USPS Mail

Attention: Honorable Joan M. Pratt, CPA, Comptroller

Dear Ms. Pratt,

We are following up on our letter of April 10, 2014 describing how Anchor's bid submission was fatally flawed because they failed to Acknowledge the Addenda and because they provided incorrect information on their MBE / WBE Participation Affidavit.

It is our understanding that *in addition to those non-curable defects which cannot be waived, Anchor also failed to provide a Consent of Surety*. This, in and of itself, is yet another fatal flaw to their bid submission package for the above referenced project. This further supports that the job must be awarded to Metra Industries as we are the lowest responsive and responsible bidder for the project.

Kindly confirm that the award of this job will be made to Metra Industries Inc.

Very truly yours

Stephan P. Dioslaki

C Timothy Bradin

/spd.

Joan Pratt 2 Bid Protest WC 1264

METRA INDUSTRIES

50 Muller Place
Little Falls, New Jersey 07424
(973) 812-0333
FAX (973) 812-0330

April 9, 2014

Baltimore City
City Hall, Room 204
100 Holliday Street
Baltimore MD 21202

Re. Water Contract WC 1264 Water Main Replacements Various Locations
Bid Date / Time: April 9, 2014, 11:00 AM

Via: Fax, Email, USPS Mail

Attention: Honorable Joan M. Pratt, CPA, Comptroller

Dear Ms. Pratt,

We are writing to you as the lowest responsive and responsible bidder for the above referenced project. Bids for this job were received earlier today at 11 AM and opened and publicly read aloud at 12 Noon.

The apparent bid results were as follows:

- Anchor Construction Corp \$4,874,425.50
- Metra Industries \$5,217,748.70
- Spiniello Construction \$5,633,480.00
- Civil Construction \$5,756,570.00
- Monumental Construction \$6,331,423.85

This is to advise you that the bid submission by Anchor Construction Corporation (Anchor) **is fatally flawed** and as such, we are protesting their bid.

Anchor **FAILED TO ACKNOWLEDGE the Addendum** that was issued on this project. This is considered to be a non-waivable defect that cannot be cured. In further support of this fatal error, Anchor failed to include a copy of the Addendum in its bid submission package. And finally, Anchor actually acknowledges that they have figured ZERO addenda in their bid price as they clearly indicated on their bid proposal cover, page 113 of the bid submission package.

The bidding documents for this project were in fact amended by way of an eleven (11) page document more aptly known as **Addendum Number ONE (1)**. Metra acknowledged this in all required forms, manners and places of the bid submission package.

In addition, to the above, Anchor's MBE / WBE Participation Affidavit (Page 138) is also flawed. This document requires bidders to fill in their **Total Bid Amount**. On this page of, Anchor indicates that their Total Bid Amount is \$586,000. This, of course is a big mistake – Anchor's bid total is \$4,874,425.

For all of the foregoing reasons, we respectfully suggest that this job must be awarded to Metra Industries as we are the lowest responsive and responsible bidder for the project.

Kindly confirm that the award of this job will be made to Metra Industries Inc.

Very truly yours

Stephan P. Dioslaki

Encl.

C Timothy Bradin

/spd.

Joan Pratt I Bid Protest WC 1264

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS****Bureau of Purchases**

7. B50003559, Police Atlantic Tactical, \$111,366.00
Duty Gear Inc.

(Police Dept.)

MWBOO GRANTED A WAIVER.

8. B50003548, 24-Gallon Victor Stanley, \$159,150.00
Litter Receptacles & Inc.
24-Gallon Plastic Liners

(DPW, Bureau of Solid Waste)

MWBOO GRANTED A WAIVER.

9. B50003573, Mack Trucks Columbia Fleet \$166,375.00
- OEM Parts and Service Service, Inc.

(Dept. of General Services, Fleet Mgmt.)

MWBOO GRANTED A WAIVER.

10. B50003519, Hauling of Joseph Moreno Sr. \$ 64,500.00
Asphalt d/b/a JM Trucking

(Dept. of Transportation)

MBE: Unlimited Trucking \$ 12,900.00 20%

WBE: Julian Trucking, LLC \$ 4,515.00 7%

MWBOO FOUND VENDOR IN COMPLIANCE

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS****Bureau of Purchases**

11.B50003533, Supply, Prepare, & Deliver Foods to Two Head Start Centers	Meals on Wheels of Central Maryland, Inc.	\$162,711.25
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(Mayor's Office of Human Services, Head Start)

MWBOO SET MBE AND WBE GOALS AT 0%.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

Kim A. Trueheart

July 15, 2014

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of Baltimore City, of which I am a member, in good standing.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are: Page 106, Item 11 - Bureau of Purchases - B50003533 Meals on Wheels of Central Maryland, Inc., if, approved:
 - a. The MWBOO set the minority and women business participation goals for MBE = 0% at WBE = 0%;
 - b. When MWBOO goals are set at 0% it is intended that this practice informs the market-place that minority and women owned businesses are under-represented in this particular business segment and thus an opportunity exist for entry;
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This onerous burden can only be relieved when the economic outcomes for the underserved residents improve and the staggering 16% minority unemployment rate in Baltimore City is reduced. This award fails to accomplish that end and will be more costly to the citizens of Baltimore and myself who have to bare the heavy tax and fee burden.
4. The Remedy I Seek: This award should NOT be approved until the MWBOO along with the MWBD offices present a plan to recruit and certify new minority and/or women-owned businesses into the city's minority/women's business participation program into this business segment.

I look forward to opportunity to address this matter in person at the BOE on July 16, 2014. If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen

Email: ktrueheart@whatfits.net
5519 Belleville Ave
Baltimore, MD 21207

MINUTESMayor's Office of Human Services (MOHS) - Continuum of Care
Program Agreements

The Board is requested to approve and authorize execution of the Continuum of Care Program Agreements.

1. **ST. AMBROSE HOUSING AID CENTER, INC.** **\$ 29,321.98**

Account: 4000-496214-3573-591452-603051

St. Ambrose Housing Aid Center, Inc. will provide housing assistance and support services to nine families or individuals. On March 12, 2014, the Board approved an advance to the organization in the amount of \$5,516.02. This award in the amount of \$29,321.98 makes the total contract amount \$34,838.00. The prior Contract No. was 35661. The new Contract No. is 36333. The period of the Continuum of Care Program Agreement is April 1, 2014 through March 31, 2015.

2. **ST. AMBROSE HOUSING AID CENTER, INC.** **\$119,112.00**

Account: 4000-496314-3573-591231-603051

St. Ambrose Housing Aid Center, Inc. will provide housing assistance and support services to six families. The period of the Continuum of Care Program Agreement is July 1, 2014 through June 30, 2015.

MWBOO GRANTED A WAIVER.

3. **ST. AMBROSE HOUSING AID CENTER, INC.** **\$106,675.76**

Account: 4000-496314-3573-591252-603051

St. Ambrose Housing Aid Center, Inc. will provide housing assistance and support services to nine families or individuals. On March 12, 2014, the Board approved an advance to the organization in the amount of \$33,193.24. This award in the amount of \$106,675.76 makes the total contract amount \$139,869.00. The prior Contract No. was 35632. The new Contract No. is 36334. The period of the Continuum of Care Program Agreement is April 1, 2014 through March 30, 2015.

MWBOO GRANTED A WAIVER.

MINUTESMOHS - cont'd**4. MANNA HOUSE, INC. \$ 65,334.37**

Account: 4000-496214-3571-591420-603051

Manna House, Inc. will provide housing assistance and support services to approximately 50 clients per day. On March 12, 2014, the Board approved an advance to the organization in the amount of \$12,290.63. This award in the amount of \$65,334.37 makes the total contract amount \$77,625.00. The prior Contract No. was 35652. The new Contract No. is 36316. The period of the Continuum of Care Program Agreement is February 1, 2014 through January 31, 2015.

MWBOO GRANTED A WAIVER.**5. BEHAVIORAL HEALTH SYSTEMS BALTIMORE, INC. \$ 63,791.11**

Account: 4000-496314-3573-591241-603051

The Behavioral Health Systems Baltimore, Inc. will provide housing assistance and support services to two families and eight individual adults. On March 12, 2014, the Board approved an advance in the amount of \$21,345.39. The advance listed the former name of the organization which was the Baltimore Mental Health Systems, Inc. The new name is The Behavioral Health Systems Baltimore, Inc. This award in the amount of \$63,791.11 makes the total contract amount \$85,136.50. The prior Contract No. was 35642. The new Contract No. is 36292. The period of the Continuum of Care Program Agreement is April 1, 2014 through March 31, 2015.

MWBOO GRANTED A WAIVER.

MINUTES

MOHS - cont'd

6. **ASSOCIATED CATHOLIC CHARITIES, INC. (ACC)** **\$246,786.77**

Account: 4000-496213-3572-591404-603051

The ACC will provide housing assistance and support services to 27 individual adults. On March 12, 2014, the Board approved an advance to the organization in the amount of \$46,425.23. This award in the amount of \$246,786.77 makes the total contract amount \$293,212.00. The prior Contract No. was 35651. The new Contract No. is 36301. The period of the Continuum of Care Program Agreement is February 1, 2014 through January 31, 2015.

The Continuum of Care Program Agreements are late because the award of funding was recently received from the U.S. Department of Housing and Urban Development.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Continuum of Care Program Agreements. Mr. Harry Black acting on behalf of the Mayor **ABSTAINED** on item no. 5.

MINUTES

Department of Finance - Training and Professional
Development Procurement - AM 219-03

ACTION REQUESTED OF B/E:

The Board is requested to approve new Administrative Manual Policy AM 219-03, Training and Professional Development Procurement. The policy is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The organizational and individual effectiveness of City of Baltimore employees is enhanced by a wide range of work-related training and professional development opportunities. In order to ensure that the City of Baltimore realizes the maximum return on training investments and the most efficient utilization of the City's training resources, all procurements for training and professional development and procurements that contain a training or professional development component must be reviewed and approved by the Department of Human Resources (DHR).

The DHR will review the scope of training and the justification to determine if the proposed training can be provided by the DHR or an authorized vendor. Agencies will be granted a Certificate of Unavailability to authorize agencies to procure specialized training or professional development that cannot be provided by the DHR's internal or external resources. Training directly related to performing the duties of a Police Officer, Firefighter or Paramedic such as internal academy training, re-certification training, training in specialized apparatus, firearms, tactical training, and firefighting techniques is excluded from this policy. Centralizing professional development procurement and reducing the reliance on external vendors, is projected to realize substantial cost savings while continuing to provide high quality professional development to City employees by maximizing the economies of scale.

UPON MOTION duly made and seconded, the Board **DEFERRED** the new Administrative Manual Policy AM 219-03 for three weeks through August 13, 2014.

MINUTES

Department of Communication Services - UMove License Renewal

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the UMove License with Siemens Industry, Inc. The period of the renewal is July 01, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$ 9,270.00 - 2032-000000-1360-159115-605001

BACKGROUND/EXPLANATION:

On July 28, 2010, the Board approved the UMove Master and Standard Maintenance Agreement with Siemens Industry, Inc. The agreement contained automatic annual renewals for the license fees. Subsequently, a renewal of the UMove license is requested. UMove identifies mail that has been processed on a sorter that contains a change of address filing with the USPS. UMove attempts to identify and correct any address that has not been updated with the change of address filing. This aids in mail being delivered to the correct address.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the UMove License with Siemens Industry, Inc.

MINUTESEmployees' Retirement Services - Disability Hearing Services Agreement

- | | |
|--------------------|--------------------------------|
| 1. JUDY SMYLIE | \$10,000.00
(not to exceed) |
| 2. STANLEY ROGOSIN | \$10,000.00
(not to exceed) |

Account: 1001-000000-1220-147500-603026

The above-listed individuals will each work as Disability Hearing Examiners for the ERS, the Fire & Police Employees' Retirement System (F&P), and the Elected Officials' Retirement System (EOS). Each of the Hearing Examiners will be responsible for adjudicating disability and death benefit cases. The period of the agreement is effective upon Board approval through December 31, 2014.

Each of the Hearing Examiners will be paid at the rate as follows:

- \$500.00 per contested case and
- \$200.00 per uncontested case

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Disability Hearing Services Agreement. The Comptroller
ABSTAINED.

MINUTESMayor's Office of Human Services - Grant Program Awards**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize renewal of the Continuum of Care Grant Program Awards with the U.S. Department of Housing and Urban Development

AMOUNT OF MONEY AND SOURCE:

\$19,021,725.00

BACKGROUND/EXPLANATION:

Funds in the amount of \$19,021,725.00 are available to support Tier 1 program activities through the Continuum of Care Grant program. The funds are accessible through wire transfer.

The Mayor's Office of Human Services, on behalf of the City, submitted renewal applications on February 3, 2014 for existing Continuum of Care Grants in response to the 2013 Super Notice of Funding Availability (Super NOFA). The U.S. Department of Housing and Urban Development announced on April 8, 2014 that the renewal applications for Tier 1 programs have been approved.

Under the terms of the grant renewals, the related sub-contracts will be renewed with various organizations throughout Baltimore City that carry out Homeless Service activities. These activities include rental assistance, supportive housing, temporary housing, and other forms of shelter in conjunction with supportive services to the homeless population in Baltimore City. The total of all grant awards in this announcement for the City is \$19,021,725.00. The grant awards have different start dates. The earliest start date being February 1, 2014 and the latest start date being January 1, 2015. Each grant has a period of performance lasting 12 months beginning from its start date. The award amount, start, and end dates for each agreement are listed below.

No.	Grant Award Title	Grant Award	Grant Number	Start	End
1	AIRS Shelter Plus Care Program CoCR	1,465,364.00	MD0016L3B011306	4/1/2014	3/31/2015
2	Associated Catholic Charities - Christopher Place THP CoCR	100,662.00	MD0028L3B011306	2/1/2014	1/31/2015

MINUTES

Mayor's Office of Human Services - cont'd

No.	Grant Award Title	Grant Award	Grant Number	Start	End
3	Associated Catholic Charities - My Sister's Place Lodge CoCR	303,127.00	MD0029L3B011306	2/1/2014	1/31/2015
4	Associated Catholic Charities - Project BELIEVE PHP CoCR	117,074.00	MD0061L3B011306	2/1/2014	1/31/2015
5	Associated Catholic Charities - Project FRESH Start CoCR	100,165.00	MD0030L3B011306	12/1/2014	11/30/2015
6	Associated Catholic Charities - REACH Combined CoCR	725,258.00	MD0027L3B011306	1/1/2015	12/31/2015
7	At Jacob's Well PHP CoCR	23,968.00	MD0018L3B011306	9/1/2014	8/31/2015
8	BHSB (Formerly BMHS) Project Based S+C	88,013.00	MDOO23L3B011306	4/1/2014	3/31/2015
9	Community Housing Associates, Inc. Multi-Grant S+C CoCR	3,663,665.00	MD0024L3B011306	4/1/2014	3/31/2015
10	Dayspring Programs PHP CoCR	296,792.00	MD0034L3B011306	1/1/2015	12/31/2015
11	Dayspring Programs Tenant Based S+C CoCR	349,015.00	MD0033L3B011306	3/16/2014	3/15/2015
12	Dayspring Village - THP CoCR	314,380.00	MD0036L3B011306	1/1/2015	12/31/2015
13	GEDCO - Harford House and Micah House SRO CoCR	104,006.00	MD0038L3B011306	6/1/2014	5/31/2015
14	GEDCO S+C CoCR	321,300.00	MD0043L3B011306	4/1/2014	3/31/2015
15	GEDCO Shelter Plus Care Case Management CoCR	34,995.00	MD0042L3B011306	8/1/2014	7/31/2015
16	HealthCare Access Maryland, Inc. CoCR	169,830.00	MD0020L3B011306	2/1/2014	1/31/2015
17	House of Ruth - THP CoCR	256,539.00	MD0044L3B011306	11/1/2014	10/31/2015
18	HPRP - Legal Service Project CoCR	115,622.00	MD0045L3B011306	1/1/2015	12/31/2015
19	JHR, Inc. - Lighthouse 1 CoCR	103,831.00	MD0046L3B011306	10/1/2014	9/30/2015
20	JHR, Inc. - Lighthouse 2 PHP CoCR	102,959.00	MD0012L3B011305	8/1/2014	7/31/2015
21	JHR, Inc. Carrington House Expansion THPCoCR	497,959.00	MD0047L3B011306	3/1/2014	2/28/2015
22	JHR, Inc. Carrington HouseTHP CoCR	218,102.00	MD0048L3B011306	1/1/2015	12/31/2015
23	Manna House - Soup Plus Project CoCR	80,250.00	MD0050L3B011306	2/1/2014	1/31/2015
24	Marian House Serenity Place PHP CoCR	31,730.00	MD0052L3B011306	12/1/2014	11/30/2015
25	Marian House - TAMAR 2 PHP CoCR	60,016.00	MD0060L3B011306	3/1/2014	2/1/2015
26	Marian House -TAMAR PUP CoCR	33,611.00	MD0063L3B011306	6/1/2014	5/31/2015

MINUTES

Mayor's Office of Human Services - cont'd

27	Marian House PH CoCR	70,577.00	MD0051L3B011306	9/1/2014	8/31/2015
28	Marian House S+C Expansion CoCR	51,408.00	MD0057L3B011306	12/1/2014	11/30/2015
29	Manan House TAMAR S+C CoCR	589,588.00	MD0064L3B011306	7/26/2014	7/25/2015
30	Marian House THP CoCR	209,848.00	MD0053L3B011306	2/1/2014	1/31/2015
31	MCVET-THPCoCR	1,305,174.00	MD0055L3B011306	11/1/2014	10/31/2015
32	Mercy Medical Center - Supportive Housing Project CoCR	341,470.00	MD0056L3B011306	2/1/2014	1/31/2015
33	MOHS - HMIS Project CoCR	362,812.00	MD0021L3B011306	5/1/2014	4/30/2015
34	MOHS - Homeward Bound Housing First Expansion PHP CoCR	66,937.00	MD0253L3B011303	10/1/2014	9/30/2015
35	MOHS - Housing First S+C CoCR	115,668.00	MD0019L3B011306	4/1/2014	3/31/2015
36	MOHS Homeward Bound PUP CoCR	748,615.00	MD0022L3B011306	10/1/2014	9/30/2015
37	Newborn, Inc. - Martha's Place PUP CoCR	42,175.00	MD0058L3B011306	2/1/2014	1/31/2015
38	People Encouraging People, Inc. Samaritan CoCR	604,349.00	MD0011L3B011304	10/1/2014	9/30/2015
39	Project PLASE - Medically Fragile SRO CoCR	70,478.00	MD0069L3B011306	10/1/2014	9/30/2015
40	Project PLASE - S+C CoCR	1,570,066.00	MD0065L3B011306	4/1/2014	3/31/2015
41	Project PLASE - Scattered Site - PUP CoCR	240,498.00	MD0068L3B011306	7/1/2014	6/30/2015
42	SHG, Inc. - Lanvale Institute Residential TH CoCR	176,550.00	MD0070L3B011306	7/1/2014	6/30/2015
43	St. Ambrose Housing Aid Center PUP CoCR	36,016.00	MD0071L3B011306	4/1/2014	3/31/2015
44	St. Ambrose Housing Aid Center S+C CoCR	144,522.00	MD0073L3B011306	3/15/2014	3/14/2015
45	SVdP - Beans and Bread Outreach Center CoCR	38,853.00	MD0074L3B011306	12/1/2014	11/30/2015
46	SVdP - Cottage Avenue Community THP CoCR	56,401.00	MD0075L3B011306	3/1/2014	2/28/2014
47	SVdP - Frederick Ozanam House TUP CoCR	109,156.00	MD0076L3B011306	12/1/2014	11/30/2015
48	SVdP - Home Connections PUP CoCR	375,842.00	MD0077L3B011306	1/1/2015	12/31/2015
49	SVdP Home Connections H - Samaritan Project CoCR	411,391.00	MD0249L3B011304	10/1/2014	9/30/2015
50	The Salvation Army - Booth House THP CoCR	158,511.00	MD0078L3B011306	10/1/2014	9/30/2015
51	VOA-PrattHouseTHPCoCR	88,794.00	MD0081L3B011306	1/1/2015	12/31/2015

MINUTESMayor's Office of Human Services - cont'd

52	WAR - Responsibility Matters S+C CoCR	123,096.00	MD0040L3B011306	6/27/2014	6/26/2015
53	WAR Responsibilities Matter PHP CoCR	74,461.00	MD0039L3B011306	8/1/2014	7/31/2015
54	WHC - Bennett House S+C CoCR	179,375.00	MD0088L3B011306	8/26/2014	8/25/2015
55	WHC Bennett House SRO CoCR	68,841.00	MD0082L3B011306	10/1/2014	9/30/2015
56	WHC - Family Scattered Site S+C CoCR	112,524.00	MD0087L3B011306	5/16/2014	5/15/2015
57	WHC - Jenkins House Family Program CoCR	44,409.00	MD0013L3B011304	8/1/2014	7/31/2015
58	WHC-Scattered Site Housing PHP CoCR	47,116.00	MD0084L3B011306	1/1/2015	12/31/2015
59	WHC Calverton Residence PHP CoCR	56,924.00	MD0083L3B011306	7/1/2014	6/30/2015
60	WHC Scattered Site Housing S+C CoCR	321,300.00	MD0085L3B011306	5/1/2014	4/30/2015
61	WHC Susanna Wesley House Family PHP CoCR	46,242.00	MD0086L3B011306	1/1/2015	12/31/2015
62	Women Accepting Responsibility, Inc PHP CoCR	50,975.00	MD0089L3B011306	8/1/2014	7/31/2015
63	Women Accepting Responsibility, Inc. - S+C CoCR	64,232.00	MD0090L3B011306	8/1/2014	7/31/2015
64	YWCA Druid Heights - THP CoCR	168,298.00	MD0092L3B011306	2/1/2014	1/31/2015

The delay in submitting this request for acceptance is due to HUD's delayed application process and notification of awards.

MBE/WBE PARTICIPATION:

The MBE/WBE requirements will be included in the agreements with the City and the respective service providers.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.

UPON MOTION duly made and seconded, the Board approved and authorized renewal of the Continuum of Care Grant Program Awards with the U.S. Department of Housing and Urban Development.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Police Department</u>			
1. Matthew C. Lyons	Helicopter Maintenance Training Grand Prairie, TX July 14 - 25, 2014		\$ 0.00
2. Michael J. Lavery	FBI Hazardous Devices Technician Basic Course Huntsville, AL, TX July 20 - 25, 2014	FY'13 SHSP Grant	\$6,381.83
<u>Office of the Mayor</u>			
3. MacKenzie Garvin	Meeting/Tour of Jane Addams Resource Corporation Chicago, IL July 30 - Aug. 1, 2014	General Funds	\$1,156.80

The subsistence rate for this location is \$237.00 per day. The hotel rate is \$289.00 per night plus occupancy taxes in the amount of \$47.40 per night. The Office is requesting an additional \$52.00 per night to cover the cost of the hotel as well as \$40.00 per day to cover meals and incidental expenses. The airfare and hotel were paid on a City-issued credit card assigned to Ms. Kathe Hammond. The disbursement to Ms. Garvin will be \$140.00.

The Board, UPON MOTION duly made and seconded, approved the aforementioned travel requests. Mr. Harry Black, acting on behalf of the Mayor **ABSTAINED** on item no. 3.

MINUTES**PROPOSAL AND SPECIFICATIONS**

1. Department of General Services - GS 14803, Department of
Finance Treasury Management
Interior Renovation
BIDS TO BE RECV'D: 08/20/2014
BIDS TO BE OPENED: 08/20/2014

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above-listed Proposal and Specification to be advertised for receipt and opening of bids on the date indicated.

MINUTES**ACKNOWLEDGEMENT**

President: "Madam Comptroller."

Comptroller: "Okay. Thank you. I would just like to say um - Good Morning to um -- the Mayor's Office of Employment Development does a phenomenal job each summer in employing our youth through the Youth Works Program and I appreciate the hard work in support of our students, and there are some students here this morning. I'd like to welcome Isaiah Carter, you want to stand? Brionn -- Brionna Nicholson, and Kirstyn Brooks. They are all Baltimore City Work - City work students. (APPLAUSE) these are high school students who are currently exploring career options, and naturally as the Comptroller, because accounting and finance are my favorite subject matters, I would impress upon you the importance of mathematics. However, I want these students to pursue what they love and enjoy doing as a career, and being excellent in everything is what you should do. So, I hope that Isaiah, Brionna, Kirstyn will gain a greater understanding of how important it is for the citizens of Baltimore to have an effective and transparent government after their visit the Board of Estimates meeting this morning. Thank you for coming."

President: "Thank you."

MINUTES

President: "There being no more business before the Board, the meeting will recess until bid opening at twelve noon."

* * * * *

Clerk: "The Board is now in session for the receiving and opening of bids."

BIDS, PROPOSALS AND CONTRACT AWARDS

Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that the following agencies has issued an addendum extending the dates for receipt and opening of bids on the following contract. There were no objections.

- | | |
|---------------------------------------|--|
| <u>Bureau of Purchases</u> | - B50003468, Waste Oil/Revenue
<u>BIDS TO BE RECV'D: 07/23/2014</u>
<u>BIDS TO BE OPENED: 07/23/2014</u> |
| <u>Bureau of Purchases</u> | - B50003608, Sewer Cleaning Truck
<u>BIDS TO BE RECV'D: 07/23/2014</u>
<u>BIDS TO BE OPENED: 07/23/2014</u> |
| <u>Bureau of Water and Wastewater</u> | - WC 1307, AMR/R Urgent Need
Metering Infrastructure Repair and Replacement, Various Locations (Up to 2" Water Service)
<u>BIDS TO BE RECV'D: 07/23/2014</u>
<u>BIDS TO BE OPENED: 07/23/2014</u> |
| <u>Bureau of Water and Wastewater</u> | - WC 1308, AMI/R Urgent Need
Metering Infrastructure Repair and Replacement, Various Locations (Up To 2" Water Service)
<u>BIDS TO BE RECV'D: 07/23/2014</u>
<u>BIDS TO BE OPENED: 07/23/2014</u> |

MINUTES

- | | |
|---------------------------------------|---|
| <u>Bureau of Water and Wastewater</u> | - WC 1309, AMI/R Urgent Need
Metering Infrastructure Repair and Replacement, Various Locations (3" & Larger Water Service)
BIDS TO BE RECV'D: 07/23/2014
BIDS TO BE OPENED: 07/23/2014 <hr/> |
| <u>Bureau of Water and Wastewater</u> | - WC 1310, AMI/R Urgent Need
Metering Infrastructure Repair and Replacement, Various Locations (3" & Larger Water Service)
BIDS TO BE RECV'D: 07/23/2014
BIDS TO BE OPENED: 07/23/2014 <hr/> |
| <u>Bureau of Water and Wastewater</u> | - WC 1311, AMI/R Urgent Need
Pavement and Sidewalk Restoration, Various Locations
BIDS TO BE RECV'D: 07/23/2014
BIDS TO BE OPENED: 07/23/2014 <hr/> |

Thereafter, UPON MOTION duly made and seconded, the Board received, opened, and referred the following bids to the respective departments for tabulation and report:

Bureau of Water and Wastewater - SC 920, Improvements to the Gwynns Falls Sewershed Collection System - Area A

Spiniello
 AM-Liner East, Inc.
 SAK Construction, LLC
 Metra Industries

Department of General Services - GS 13825, Roland Park Trolley House Restoration in the Median Strip 900 block of W. University Parkway

DSM Properties, LLC
 Trionfo Builders, Inc.

MINUTES

Bureau of Purchases

- B50003578, Street Sweeper Trucks
-

Maryland Industrial Trucks
Mid-Atlantic Waste Systems &
Div. of THC Enterprises, Inc.
Valley Supply & Equipment Co., Inc.

Bureau of Purchases

- B50003615, Eight Cubic Yard Rear Loading Refuse Collection Truck
-

Maryland Industrial Trucks
Mid-Atlantic Waste Systems, &
Div. of THC Enterprises, Inc.

Bureau of Purchases

- B50003626, OEM Parts and Service for Peterbilt Heavy Duty Trucks
-


NO BIDS RECEIVED.Bureau of Purchases

- B50003543, Pharmacy Benefit Management Auditing & Consultant Services
-

Heritage Rx LLC

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There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, July 23, 2014.


JOAN M. PRATT
Secretary