

**MINUTES****REGULAR MEETING**

Honorable, Stephanie Rawlings-Blake, President  
Honorable, Sheila Dixon, Mayor  
Honorable, Joan M. Pratt, Comptroller and Secretary  
George A. Nilson, City Solicitor  
David E. Scott, Director of Public Works  
Donald Huskey, Deputy City Solicitor  
Ben Meli, Deputy Director of Public Works  
Bernice H. Taylor, Deputy Comptroller, and Clerk

The meeting was called to order by the President.

## MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

In accordance with the Rules for Qualification of Contractors, as amended by the Board on October 30, 1991, the following contractors are recommended:

Abhe & Svoboda, Inc.	\$ 97,920,000.00
CBY Enterprises, Inc.	\$ 120,000.00
Century Fence Construction, LLC	\$ 8,000.000.00
Conservation Solutions, Inc.	\$ 6,453,000.00
Edwin A. & John O. Crandell, Inc.	\$ 16,605,000.00
C.O. Falter Construction Corporation	\$ 135,972,000.00
L & L Enterprises, Inc.	\$ 1,500,000.00
Team Service Corporation of New York	\$ 2,034,000.00
S. Thomas Contracting, Inc.	\$ 4,347,000.00

2. Prequalification of Architects and Engineers

In accordance with the Resolution Relating to Architectural and Engineering Services, as amended by the Board on June 29, 1994, the Office of Boards and Commissions recommends the approval of the prequalification for the following firms:

Allen & Shariff	Engineer
Bushey Feight Morin Architects, Inc.	Architect
Gant Brunnett, Architects, Inc.	Architect
Gipe Associates, Inc.	Engineer
Raudenbush Engineering, Inc.	Engineer
	Landscape Architect
	Survey
Ruxton Design Corporation	Engineer
	Property Survey
Spears/Votta & Associates, Inc.	Engineer

There being no objections the Board, UPON MOTION duly made and seconded, approved the prequalification of contractors and architects and engineers for the listed firms.

**MINUTES**

Department of Planning - Report on Previously

Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds 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. Today, the Board is requested to **NOTE 41** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on July 15, 2009, July 22, 2009, and July 29, 2009.

The Board **NOTED** the **41** favorable reports.

## MINUTES

Department of General Services (DGS) - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as 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. 1255 Haubert St.	Eric Beswick	One set of steps 3' x 4' x 10"
2. 1257 Haubert St.	Eric Beswick	One set of steps 3' x 4' x 10"
Annual Charge: \$70.40		
3. 1117 W. 36 <sup>th</sup> St.	The Avenue, LLC	Outdoor seating 17' x 2'
Annual Charge: \$337.50		
4. 1117 W. 36 <sup>th</sup> St.	The Avenue, LLC	Retain one single face electric sign 29.4 sq. ft.
Annual Charge: \$239.02		
5. 785 Washington Boulevard	Jonathan Shochat	Retain flat sign 10' x 1"
Annual Charge: \$ 17.60		
6. 221-233 N. Gay Street	Old Town Properties, LLC	Two double face electric signs 26 sq. ft. ea., one flat sign 16 sq. ft., three flat signs 2 sq. ft. ea.
Annual Charge: \$363.60		



## MINUTES

Commission on Aging & Retirement Education(CARE) - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2009 through June 30, 2010.

1. **ALMOST HOME II ASSISTED LIVING, INC.** **\$ 7,800.00**  
Account: 5000-534010-3250-319903-607001
  
2. **ROSEMARIE MANOR, LLC** **\$62,400.00**  
**t/a ROSEMARIE MANOR - ASHBURTON**  
Account: 5000-534010-3250-319904-607001
  
3. **ROSEMARIE MANOR, LLC** **\$54,600.00**  
**t/a ROSEMARIE MANOR II, LLC**  
Account: 5000-534010-3250-319909-607001
  
4. **STERLING HOSPITALITY, LLC** **\$ 7,800.00**  
**t/a STERLING HOSPITALITY**  
Account: 5000-534010-3250-319905-607001

State subsidized assisted housing funds will be disbursed to residents at the above listed facilities. The facilities are enrolled in the Senior Assisted Living Group Home Subsidy Program and will provide subsidized senior assisted housing services for individuals age 62 and over, who have temporary or periodic difficulties with the activities of daily living, and who require assistance in performing personal and household functions associated with complete independence as per the provisions of Article 70B, Section 4 of the Annotated Code of Maryland. Senior Assisted Housing residents receive shelter, meals, housekeeping, personal care services, and 24-hour on-site supervision.

The agreements are late because of the late notification of approved funding from the Maryland Office on Aging for the Subsidized Assisted Housing Program.

## MINUTES

CARE - cont'd

- |    |  |             |
|----|--|-------------|
| 5. | KESWICK MULTI-CARE CENTER                        | \$22,000.00 |
| 6. | PROVIDENCE ADULT DAY CARE CENTER                 | \$ 8,640.00 |
| 7. | THE LEAGUE FOR PEOPLE WITH<br>DISABILITIES, INC. | \$22,000.00 |

Account: 4000-433310-3250-319700-607001

The facilities will provide adult medical daycare services to ill, frail or disabled elderly persons who are eligible to receive Office of Health Services grant funding from the City to develop an appropriate care plan to each recipient in accordance with policies as specified in COMAR 10.12.04, Day Care for the Elderly and Medically Handicapped Adults, and COMAR 10.09.07, Medical Care Program.

The agreements are late because the Department was waiting for signed agreements from the providers.

**MWBOO GRANTED A WAIVER ON ITEM NOS. 2 and 3.**

**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 foregoing agreements.

**MINUTES**

Mayor's Office of Employment Development - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an agreement with the Johns Hopkins Hospital (JHH). The period of the agreement is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$447,000.00 - 4000-806410-6310-468005-603051

**BACKGROUND/EXPLANATION:**

The JHH will recruit at least seventy-five out-of-school Baltimore City youth and young adults, ages eighteen to twenty-one years old, who are economically disadvantaged and at-risk. The JHH will prepare and/or transition those recruited youth to employment and/or post secondary training in the Health Care Careers Alliance path.

The submission of the agreement is late because of the extended negotiations process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTIONS.**

UPON MOTION duly made and seconded, the Board approved and authorized the agreement with the Johns Hopkins Hospital.

**MINUTES**

Mayor's Office of Employment Development - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a grant award from the Maryland Department of Labor Licensing and Regulation (DLLR). The period of the agreement is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$133,128.00 - 4000-805610-6310-456000-404001

**BACKGROUND/EXPLANATION:**

The DLLR will fund two Early Intervention Facilitator positions. The positions are responsible for delivering an established Early Intervention curriculum to unemployment insurance claimants and other job seekers.

The submission of the grant award is late because the Department did not receive its approved copy of the grant award until July 22, 2009.

**APPROVED FOR FUNDS BY FINANCE****AUDITS REVIEWED THE DOCUMENTATION AND CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the grant award from the Maryland Department of Labor Licensing and Regulation.

**MINUTES**

Office of the Mayor - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay Radio One.

**AMOUNT OF MONEY AND SOURCE:**

\$16,000.00 - 1001-000000-1220-146500-607001

**BACKGROUND/EXPLANATION:**

Radio One will provide services in support of the Pledge to Engage in Actions Considerate of Everyone (PEACE) Initiative. PEACE will engage young adults ages 12 - 17 in fun, safe, social activities throughout the year and will highlight the positive activities offered by the Department of Recreation and Parks.

PEACE Baltimore is a unified effort created by the City, and various community and business partners including the Waterfront Partnership, Downtown Partnership, the MTA and Radio One. The Mayor's Office has partnered with Radio One to create a text campaign which allows youth to text PEACE to the short code 79685 to gain access to PEACE Baltimore events, notification of upcoming events, and opportunities to get discounts from local businesses. Radio One will also provide radio advertising and talent to help promote this important initiative.

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

UPON MOTION duly made and seconded, the Board approved and authorized an expenditure of funds to pay Radio One. The Mayor

**ABSTAINED.**

**MINUTES**

Mayor's Office of Minority & Women-Owned Business Development - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay The Baltimore Times, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$1,900.00 - 1001-000000-1250-152802-604014

**BACKGROUND/EXPLANATION:**

The purpose of the expenditure is to cover the cost of advertising the Baltimore City Vendor Development Seminar Series for Minority and Women Enterprises in The Baltimore Times weekly newspaper for 10 weeks and summer small/minority business magazine.

The seminar series will be held on Mondays: September 14, September 21, September 28, October 5 and October 19, 2009 at the Small Business Resource Center. The Mayor's Office of Minority and Women Owned Business Development and the Small Business Resource Center will host this seminar series. This seminar series will expose minority-owned and women-owned businesses to the proper policies, procedures and processes, including the law for conducting businesses with the City.

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

UPON MOTION duly made and seconded, the Board approved and authorized an expenditure of funds to pay The Baltimore Times, Inc. The Mayor **ABSTAINED**.

**MINUTES**

Mayor's Office of Minority & Women-Owned Business Development - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay the Hilton Baltimore Convention Center Hotel.

**AMOUNT OF MONEY AND SOURCE:**

\$6,211.50 - 1001-000000-1250-152802-604014

**BACKGROUND/EXPLANATION:**

The purpose of the expenditure is to cover the cost of providing catering services for the 3<sup>rd</sup> Annual Women's Business Forum. The forum was held on Wednesday July 29, 2009 at the Hilton Baltimore Convention Center Hotel. The Office hosted this annual event. The forum is an opportunity to network with business women in and around the City of Baltimore and various City agency representatives.

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

UPON MOTION duly made and seconded, the Board approved and authorized an expenditure of funds to pay the Hilton Baltimore Convention Center Hotel. The Mayor and the President **ABSTAINED.**

## MINUTES

Circuit Court - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2009 through June 30, 2010.

1. **NORTH BALTIMORE CENTER, INC.** **\$157,771.00**

With the funding in this agreement the organization will provide the following services:

- 1.) twenty four, two hour mediation orientation programs which participants will be required to attend before they begin mediation,
- 2.) conduct up to 525 hours of mediation service, as required, and
- 3.) provide a written agreement between the parties who achieve an agreement.

2. **NORTH BALTIMORE CENTER, INC.** **\$ 45,106.00**

With the funding in this agreement the organization will provide the following services:

- 1.) mediators to conduct up to 312 hours (6 hours per week x 52 weeks) of mediation services, as required, and
- 2.) provide a written agreement between the parties who achieve an agreement.

Account: 5000-500810-1100

The Circuit Court received a FY2010 grant from the Administrative Office of the Courts, whose budget is approved by the Maryland State Legislature, to provide additional resources for the expedited handling of family-related cases within the Circuit Court. Integral to this initiative is the need to provide mediation services for individuals who are referred by the Court and are desirous of resolving child custody and visitation disputes.

## MINUTES

Circuit Court - cont'd

The North Baltimore Center, Inc. will be retained as a consultant to provide comprehensive in-house mediation services to participants referred by the Circuit Court. The seminars and mediations are intended to offer families a means of resolving disputes through a cooperative decision making process.

3. **NORTH BALTIMORE CENTER, INC.** **\$ 44,770.00**

With the funding in this agreement the organization will provide sixteen, six-hour seminars on Saturdays to women and children participants one week and to men participants another week.

4. **NORTH BALTIMORE CENTER, INC.** **\$ 26,916.00**

With the funding in this agreement the organization will provide eight, six-hour seminars to be held on Saturdays, to children participants.

The Circuit Court received a FY2010 grant from the Administrative Office of the Courts, whose budget is approved by the Maryland State Legislature, to provide additional resources for the expedited handling of family-related cases within the Circuit Court. Integral to this initiative is the need to provide parenting services to assist never-married parents in helping their children cope with family changes and transitions and to provide clinical support and educational services to children of never married parents. These services will reduce the negative impact of family conflict on the children. The North Baltimore Center, Inc. will provide Shared Parenting Education Seminars to participants referred by the Circuit Court.

## MINUTES

Circuit Court - cont'd

5. **NORTH BALTIMORE CENTER, INC.** **\$ 21,452.00**

The Circuit Court received a FY2010 grant from the Administrative Office of the Courts, whose budget is approved by the Maryland State Legislature, to provide additional resources for the expedited handling of family-related cases within the Circuit Court. Integral to this initiative is the need to provide clinical support and educational skills to the children of divorcing parents to prevent or reduce behavioral problems associated with family transition and to increase social competency skills.

The organization will provide educational services to children referred by the Circuit Court. Nine, six-hour seminars will be held on Saturdays as part of the Co-Parenting Education Seminar program.

Account: 5000-500810-1100

**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 foregoing agreements.

**MINUTES**Space Utilization Committee - Intergovernmental Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an intergovernmental agreement with the Maryland State Archives. The period of the agreement is June 01, 2009 through May 31, 2014.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On July 30, 2008, the Board approved a lease agreement for the Department of Legislative Reference, to lease property at 601 E. 27<sup>th</sup> Street to archive City records. The Maryland State Archives (MSA) has requested permission to store temporarily certain City-related records on the premises, in a small area currently not being used or needed by City Archives. The stated term of the Agreement is for five years, but may be terminated, at will by either party, on 60-days' notice. In return for storing materials, the MSA has agreed to provide the City Archives with badly needed technological assistance, including record scanning resources, personal computers, routers, switches, servers, and network infrastructure wiring. These improvements will aid the City in making its archives more accessible on-site and in a web-based environment.

This item was approved by the Space Utilization Committee on July 28, 2009.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement with the Maryland State Archives.

## MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2009 through June 30, 2010.

1. **UNIVERSITY OF MARYLAND, BALTIMORE (UMD)** **\$178,000.00**

Account: 4000-422010-3030-273136-603051

University of Maryland, Baltimore will provide Expanded HIV Testing Program services in the Emergency Department at Maryland General and Mercy Hospitals. The UMD will complete at least 3,560 rapid HIV Tests during the project period.

**MWBOO GRANTED A WAIVER**

2. **MARY SNYDER-VOGEL, LCSW-C** **\$21,060.00**

Account: 4000-422410-3050-283300-603018

Ms. Snyder-Vogel will serve as a consultant. She will implement the Stork Nest's project to train pregnant women and mothers on lead poisoning prevention. Ms. Snyder-Vogel will assist with case conferences featuring particularly challenging cases and provide input on plans to work with those families to achieve positive outcomes. She will also assist case managers in providing clinical services to families of children with lead poisoning as well as participate in the development and implementation of in-service training for case managers and other interested staff. She will participate in the development of standard operating procedures and policy strategy and actively manage cases in which Child Protective Services is involved.

## MINUTES

Health Department - cont'd

3. **GERRY WATERFIELD** **\$63,423.00**

Account: 6000-624910-3100-297101-603051

Ms. Waterfield will serve as a consultant for the School Based Health Centers (SBHC). Ms. Waterfield will serve as the SBHC representative on various State and local committees, and attend meetings as required. She will also coordinate with the Department and Maryland State Labs as needed, and assist with preparation of local, State and Federal SBHC grant reports and applications, as needed.

In addition she will assist with the full implementation of the SBHC Quality Assurance program, implementation of the partnership agreements with W.K. Kellogg, Foundation and the Maryland Assembly on School-Based Emergencies and other related duties as needed.

The agreements are late because of a delay in receiving an acceptable scope and budget.

4. **UNIVERSITY OF MARYLAND MEDICAL CENTER,** **\$ 7,500.00**  
**MARLENE AND STEWART GREENEBAUM CANCER**  
**CENTER**

Account: 6000-621109-3040-656300-603026

This agreement sets forth the services the Department will provide in its role as the coordinating entity for the Baltimore City Cancer Coalition as related to the Baltimore City Cancer Plan (collectively, the Cancer Coalition) for Fiscal Year 2009.

The expected deliverables of the Department includes serving as the coordinator and liaison between the academic medical centers, University of Maryland Medical Center, The Johns Hopkins University, specific community groups and other stakeholders.

**MINUTES**

Health Department - Cont'd

The agreement is late because it was just received on June 9, 2009.

**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 foregoing agreements.



## MINUTES

DHCD - cont'd

2.	<b>COMPREHENSIVE HOUSING ASSISTANCE, INC. (CHAI)</b>	<b>\$ 50,200.00</b>
	Accounts: 2089-208910-5930-437126-603051	\$ 35,200.00
	2089-208910-5930-437155-603051	\$ 15,000.00

Under the terms of this agreement, CHAI will use the CDBG funds to assist low and moderate-income households to purchase and/or rehabilitate homes for owner-occupancy in the Upper Park Heights area of the City. In addition, CHAI will conduct home repair and homeownership workshops and provide housing counseling to low and moderate-income households. The period of the agreement is July 2, 2009 through June 30, 2010.

**FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$80,000.00, AS FOLLOWS:**

**MBE:** \$21,600.00

**WBE:** \$ 8,000.00

3.	<b>ASSOCIATED BLACK CHARITIES, INC. (ABC)/ON BEHALF OF THE UPTON PLANNING COMMITTEE (UPC)</b>	<b>\$ 56,186.98</b>
	Accounts: 2087-208700-5930-423981-603051	\$ 5,262.40
	2087-208700-5930-423983-603051	\$ 924.58
	2089-208910-5930-423980-603051	\$ 10,186.98
	2089-208910-5930-423981-603051	\$ 27,737.60
	2089-208910-5930-423983-603051	\$ 12,075.42

Under the terms of this agreement, the ABC will serve as the fiscal agent for the UPC and will use the CDBG funds to subsidize the operating costs of the UPC for 13 months. The UPC will carry out eligible public information and organizational capacity building activities to carry out neighborhood revitalization and other CDBG-eligible activities within the Upton community. The period of the agreement is June 1, 2009 through June 30, 2010.

## MINUTES

DHCD - cont'd

**FOR THE FY 2010, MWBOO SET GOALS AT 0% FOR MBE AND 0% FOR WBE.**

**MWBOO GRANTED A WAIVER.**

4. **GREATER HOMEWOOD COMMUNITY CORPORATION** **\$ 51,900.00**

Account: 2089-208910-5930-427634-603051

Under the terms of this agreement, the organization will use the CDBG funds to subsidize the Greater Homewood's Adult Literacy and English for Speakers of Other Languages Program. Intensive literacy instruction will be provided to approximately 120 adult residents in basic reading, writing, and math skills. The period of the agreement is July 1, 2009 through June 30, 2010.

**FOR THE FY 2010, MWBOO SET GOALS AT 0% FOR MBE AND 0% FOR WBE.**

**MWBOO GRANTED A WAIVER.**

5. **LIVING CLASSROOMS FOUNDATION, INC.** **\$245,000.00**

Account: 2089-208910-5930-424964-603051

Under the terms of this agreement, the organization will clean and occasionally board a minimum of 1,960 vacant properties within predetermined eligible code enforcement areas of the City under the direction and control of the Department of Public Work's (DPW) Bureau of Solid Waste. The DPW will provide all service requests to the organization and will oversee each completed service request for satisfactory compliance with City procedures and codes. The period of the agreement is July 1, 2009 through June 30, 2010.

## MINUTES

DHCD - cont'd

**FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$20,000.00, AS FOLLOWS:**

**MBE: \$3,000.00**

**WBE: \$1,000.00**

On May 13, 2009, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2008 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME Investment Partnership Act (HOME)
3. American Dream Downpayment Initiative (HOME)
4. Housing Opportunity for People with AIDS (HOPWA)
5. Emergency Shelter Grant Program (ESG)

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2009 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**A PROTEST WAS RECEIVED FROM MMCA - MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC. AND WAS WITHDRAWN PRIOR TO THE MEETING.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing community development block grant (CDBG) agreements. The President **ABSTAINED** on item No. 1 and 5. The Comptroller **ABSTAINED** on item No. 3.

## MINUTES

Department of Housing and - Local Government Resolutions  
Community Development

The Board is requested to approve and authorize execution of the local government resolutions.

The following organizations are applying to the State of Maryland's Community Legacy Program (CLP). A local government resolution of support is required by the State for all applications to these programs for funding.

1. **PEOPLE'S HOMESTEADING GROUP** **\$ 88,000.00**  
**CLP**

The People's Homesteading Group, located at 410 E. North Avenue proposes the Barclay-Greenmount Historic District Project. Funding will be used to rehabilitate four vacant houses located at 429, 436, 440 and 446 E. 22<sup>nd</sup> Street into four single-family homes for sale to low and moderate-income families. These homes will be renovated to lead-safe, green building and historic preservation standards of the Maryland Historic Trust. In addition, these homes will utilize Energy Star products and incorporate sustainable green building practices and energy efficiency standards.

The rehabilitation of these homes will continue People's Homesteading Group's Anchors of Hope Development Strategy. Completion of these four homes will contribute to strengthening the blocks within which three community anchor institutions are located; Mother Seton Middle School, St. Ann Church and Anchorage Rectory and the Hardware Store, a youth jobs opportunity and construction skills training center.

**FILE NO. 57066**

2. **MARYLAND INSTITUTE COLLEGE OF ART** **\$150,000.00**  
**CLP**

The Maryland Institute College of Art proposes the MICA Studio Center Façade Renovation and Weatherization Project. Funding will be used to replace windows and reopen the storefront at The Studio Center located at 113-131 W. North Avenue. This building was formerly the home of Jos. Bank Clothiers and before that the Morgan Millworks. It is presently home to Maryland Institute College of Art's graduate and undergraduate programs and studios.

## MINUTES

DHCD - cont'd

These improvements will visually impact the community, revealing life and creating transparency, thereby engaging and contributing to the Station North Arts and Entertainment District. The new windows and storefront will maintain the area's eclectic historic nature.

3. **JOHNS HOPKINS LIVE NEAR YOUR WORK** **\$170,500.00**  
**PROGRAM (LNYW)** **CLP**

The LNYW program proposes The Johns Hopkins Live Near Your Work Program Project. The LNYW is working towards developing multiple funding sources for the Employer Assisted Homeownership Program. One of the current funding sources is The Rouse Company Foundation (TRCF). The funds requested will be used to match funds received from TRCF. The greatest impact area for these funds will be the A-1 tier area, which includes portions of Harwood, Barclay and Greenmount West neighborhoods of Central Baltimore.

The Employer Assisted Homeownership Program provides down payment and closing cost grants of up to \$17,000.00, technical support and other forms of home buying assistance in the designated Baltimore City areas. The LNYW will be able to provide 32 grants in the A-1 tier area.

4. **HARBOR DEVELOPMENT, LLC** **\$100,000.00**  
**CLP**

The Harbor Development, LLC proposes the Barclay Rowhouses Project. Funding will be used to rehabilitate 315 E. 23<sup>rd</sup> Street, 336 E. 21<sup>st</sup> Street and 2300 Guilford Avenue into market rate rental properties.

The project will increase density, encourage reinvestment and enhance the historic fabric of the neighborhood. It will also give Harbor Development, LLC a visible presence in the Barclay neighborhood, where they are becoming a major and deeply committed developer. In addition, this project and other Harbor Development projects in the Barclay neighborhood will improve the climate for the Barclay redevelopment project now being launched by Telesis.

## MINUTES

DHCD - cont'd

5. **HARBOR DEVELOPMENT, LLC** **\$176,159.00**  
**CLP**

The Harbor Development, LLC proposes the 338 E. 25<sup>th</sup> Street Project. Funding will be used towards the construction of a 6,160 square foot building on a vacant lot, located at 338 E. 25<sup>th</sup> Street in the Barclay neighborhood in Central Baltimore. This building will contain 1,500 square feet of office space on the ground floor and five residential units.

This project will accomplish two important goals. First, it will reclaim a vacant lot and bring a new investment to a key block. Second, it will give Harbor Development, LLC a visible presence in the Barclay neighborhood, where they are becoming a major and deeply committed developer. It will also create a market, or begin to create a market that does not already exist in this area. In addition, this project and Harbor Development, LLC's other projects in the Barclay neighborhood will improve the climate for the Barclay redevelopment project now being launched by Telesis.

6. **JUBILEE BALTIMORE, INC.** **\$500,000.00**  
**CLP**

The Jubilee Baltimore, Inc. located at 1228 N. Calvert Street proposes the City Arts Project. Funding will be used towards the construction of the \$13,500,000.00 apartment building, City Arts, which will have 69 units of affordable housing. This building is located at 1500 Greenmount Avenue in the Greenmount West, part of the Station North Arts & Entertainment District of Central Baltimore.

**MINUTES**

DHCD - cont'd

The building will encourage reinvestment in the community and increase the density while protecting long-term residents. The City Arts Project will combine affordable housing for artists with neighborhood revitalization. By creating a long-term affordable building for artists, it will strengthen the City's Arts & Entertainment District and help to revive Greenmount West.

**FILE NO. 56462**

UPON MOTION duly made and seconded, the Board approved and adopted the local government resolution.

## MINUTES

Department of Housing and Community - Agreements  
Development/Baltimore Homeless Services

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2009 through June 30, 2010, unless otherwise indicated.

1. **MARYLAND CENTER FOR VETERANS** **\$239,455.00**  
**EDUCATION AND TRAINING, INC. (MCVET)**

Account: 5000-529110-3570-333721-603051

The organization will provide 120 transitional beds and 50 emergency shelter beds to homeless veterans of Baltimore City. Funds will be utilized to offset the costs of providing services and the operating costs. Services will include, but not be limited to addiction services, transportation, meals, counseling, case management, employment training, life skills, and on-site staff to provide a clean and safe environment.

2. **GOVANS ECUMENICAL DEVELOPMENT** **\$ 22,795.00**  
**CORPORATION, INC. (GEDCO)**

Account: 4000-490910-3570-333650-603051

The organization will coordinate housing assistance resources for eligible persons and placement in permanent housing and provide follow-up for successful tenancy.

3. **CHASE BREXTON HEALTH SERVICES, INC.** **\$ 152,368.00**

Account: 4000-490910-3570-333640-603051

The organization will conduct an outreach program to serve individuals with HIV/AIDS related illness who are homeless or at risk of homelessness in Baltimore City. The main goal of the program is to 1) identify homeless and/or at-risk HIV/AIDS individuals who would otherwise be unable to access healthcare on their own and link these individuals, to comprehensive healthcare, and 2) assist existing clients with similar issues in remaining engaged in their own healthcare.

## MINUTES

DHCD/BHS - cont'd

4. **HEALTH EDUCATION, ADVOCACY, LIFE, INC. \$ 88,052.00**

Account: 4000-496309-3570-591209-603051

The organization will provide temporary rental assistance payments to homeless clients. The period of the agreement is June 27, 2009 through June 26, 2010.

**MBWOO GRANTED A WAIVER.**

5. **PRISONER'S AID, INC. \$765,063.00**

Account: 4000-496310-3570-591225-603051

The organization will provide housing and rental assistance for 76 clients who are disabled due to chronic substance abuse, serious mental illness and/or HIV/AIDS related illness. The period of the agreement is April 1, 2009 through March 31, 2010.

6. **HEALTH EDUCATION, ADVOCACY, LIFE, INC. \$132,954.00**

Account: 4000-496209-3570-591411-603051

The organization will provide case management and support services to six families (women with children). Services will include working with clients residing in scattered site apartments and providing aftercare and follow-up services to address their ongoing needs. The period of the agreement is September 1, 2009 through August 31, 2010.

The agreements are late because of a delay at the administrative level.

MINUTES

DHCD/BHS - cont'd

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAS NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acceptance of the acquisition of the leasehold interest in 1809 Walbrook Avenue, as a gift, from Newstart Properties, LLC, **SUBJECT** to any outstanding municipal liens, accrued interest, and penalties, other than water bills, through settlement.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Newstart Properties, LLC agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

The DHCD's Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Newstart Properties, LLC has offered to donate to the City its title to the property located at 1809 Walbrook Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. Newstart Properties, LLC will pay all current water bills up through the date of settlement. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The liens total approximately \$192.70, and are itemized as follows:

## MINUTES

DHCD - cont'd

1809 Walbrook Avenue  
Cumulative Real Property Taxes 2008-2010

\$	142.80		Total Tax
	13.90		Interest/Penalties
	0.00		Other
	0.00		Tax Sale Interest
	0.00		Miscellaneous Bills
	0.00		Metered Water (Tax Sale)
	36.00		Rental Registration
<b>\$</b>	<b>192.70</b>		<b>Total Municipal Liens</b>

The municipal liens, other than current water bills, will be administratively abated after settlement.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the acquisition of the leasehold interest in 1809 Walbrook Avenue, as a gift, from Newstart Properties, LLC, **SUBJECT** to any outstanding municipal liens, accrued interest, and penalties, other than water bills, through settlement.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acceptance of the acquisition of the leasehold interest in 1601 Normal Avenue, as a gift, from Ms. Aisha Murray, SUBJECT to any outstanding municipal liens, accrued interest, and penalties, other than water bills, through settlement.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Ms. Murray agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

The DHCD's Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Ms. Murray has offered to donate to the City her title to the property located at 1601 Normal Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. Ms. Murray will pay all current water bills up through the date of settlement. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The liens total approximately \$330.60, and are itemized as follows:

## MINUTES

DHCD - cont'd

1601 Normal Avenue  
Cumulative Real Property Taxes 2009-2010

\$	71.40		Total Tax
	0.00		Interest/Penalties
	0.00		Other
	0.00		Tax Sale Interest
	0.00		Miscellaneous Bills
	0.00		Metered Water (Tax Sale)
	259.20		Rental Registration
<b>\$</b>	<b>330.60</b>		<b>Total Municipal Liens</b>

The municipal liens, other than current water bills, will be administratively abated after settlement.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the acquisition of the leasehold interest in 1601 Normal Avenue, as a gift, from Ms. Aisha Murray, **SUBJECT** to any outstanding municipal liens, accrued interest, and penalties, other than water bills, through settlement.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acceptance of the acquisition of the leasehold interest in 2111 E. North Avenue, as a gift, from Emerald Bay Development Group One, Inc. SUBJECT to any outstanding municipal liens, accrued interest, and penalties, other than water bills, through settlement.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Emerald Bay Development Group One, Inc. agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

The DHCD's Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Emerald Bay Development Group One, Inc. has offered to donate to the City its title to the property located at 2111 E. North Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. Emerald Bay Development Group One, Inc. will pay all current water bills up through the date of settlement. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The liens total approximately \$1,624.08, and are itemized as follows:

## MINUTES

DHCD - cont'd

2111 E. North Avenue  
Cumulative Real Property Taxes 2008-2010

\$	47.60		Total Tax
	4.60		Interest/Penalties
	0.00		Other
	0.00		Tax Sale Interest
	1,292.68		Miscellaneous Bills
	0.00		Metered Water (Tax Sale)
	200.00		Environmental Fine
	79.20		Rental Registration
	<u>\$ 1,624.08</u>		<b>Total Municipal Liens</b>

The municipal liens, other than current water bills, will be administratively abated after settlement.

**MBE/WBE PARTICIPATION:**

N/A

**FILE NO. 56586**

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the acquisition of the leasehold interest in 2111 E. North Avenue, as a gift, from Emerald Bay Development Group One, Inc. **SUBJECT** to any outstanding municipal liens, accrued interest, and penalties, other than water bills, through settlement.

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

3131 - 3133

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

## MINUTES

PERSONNELDepartment of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>EARL L. SAVAGE</b>	\$24.76	<b>\$29,704.00</b>

Account: 5000-577710-4710-362600-601009

Mr. Savage, retiree, will continue to provide engineering services including the preparation of contract drawings and specifications for the renovation of recreation centers and park feasibility studies. The period of the agreement is August 23, 2009 through August 22, 2010.

Health Department

2. <b>LAURIE ELIZABETH SCUDDER,</b> <b>MS, RN-C, PNP</b>	\$41.82	<b>\$10,664.00</b>
3. <b>KATHLEEN LORD FEROLI, RN,</b> <b>MS, CRNP</b>	\$41.82	<b>\$11,793.00</b>

Account: 6000-624910-3100-297101-601009

These individuals will work as Nurse Practitioners under the supervision of the Clinical Director of School Based Health Centers. They will be responsible for providing services as needed in the Department's School Based Health Centers. The period of the agreement is effective upon Board approval through June 30, 2010.

Department of Transportation

4. <b>JAMES D'AMICO</b>	\$40.92	<b>\$75,000.00</b>
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Account: 3001-000000-2300-248700-601009

Mr. D'Amico will work as a Special System Administrator. He will be responsible for installing new or rebuild existing servers and configuring hardware, peripherals, services, settings, directories and storage in accordance with standards and project/operational requirements. He will also install and configure systems that support the

## MINUTES

PERSONNELDept. Transportation - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
GIS infrastructure applications asset management application and content management.		
5. <b>ERIC WOZNYSMITH</b>	\$52.37	<b>\$96,000.00</b>

Account: 3001-000000-5030-384500-601009

Mr. Woznysmith will work as a Special System Programmer. He will be responsible for performing computer programming, administrative, and GIS related tasks related to the Department's Capital Improvement Program. He will also be responsible for coordinating the implementation of an agency-wide Electronic Document Management System and assisting in the development of an agency-wide dynamic mapping function to better support capital and operational decision making.

6. <b>GRISHAE BLACKETT'E</b>	\$20.73	<b>\$38,000.00</b>
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Account: 3001-000000-2300-249000-601009

Ms. Blackett'e will work as a Special Community Liaison. She will be responsible for coordinating, organizing and heading efforts to represent the City and the Department of Transportation favorably in the community, fostering relationships with community leaders.

The period of the agreement is effective upon Board approval for one-year for item nos. 4, 5 and 6.

## MINUTES

PERSONNELPolice Department

7.    **NAWSATH BEGUM ASHARAFF**       \$14.42                               **\$30,000.00**

Account: 5000-567610-2010-210300-601009

Ms. Asharaff, will work as a Contract Services Specialist. She will be responsible for providing data entry for the Ex-Parte Protective Order Entry and Service Initiative. The period of the agreement is effective upon Board approval for one-year.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Purchases

- |  |                    |                    |
|--|--------------------|--------------------|
| 1. <u>PRESSURE SYSTEMS, INC.</u>   | <u>\$ 5,689.25</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - KPSI Brand Level and Pressure Transducers - Department of Public Works - Req. No. R529287 |                    |                    |

The vendor is the sole manufacturer and repair center for these items.

- |   |                    |                |
|---|--------------------|----------------|
| 2. <u>ORION SAFETY PRODUCTS</u>   | <u>\$10,587.60</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Road Flares - Police Department - Req. No. R528859 |                    |                |

- |   |                    |                    |
|---|--------------------|--------------------|
| 3. <u>PHILIP R. WALKER &amp; ASSOCIATES, INC.</u>                                   | <u>\$ 9,144.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Flow Meter - Department of Public Works - Req. No. R529855 |                    |                    |

The vendor is the exclusive authorized distributor of the required flow meter.

- |  |                    |                |
|--|--------------------|----------------|
| 4. <u>SARTORIOUS-MECHATRONICS</u>  | <u>\$13,300.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Microwave Moisture Analyzer - Department of Public Works - Req. No. R529681 |                    |                |

- |   |                    |                    |
|---|--------------------|--------------------|
| 5. <u>SMITH MICRO SOFTWARE, INC.</u>  | <u>\$14,528.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Software Maintenance Mobile Computers - Police Department - Req. No. R529432 |                    |                    |

The vendor is the sole provider of service and updates for this proprietary equipment software.

- |  |                    |                        |
|--|--------------------|------------------------|
| 6. <u>TARHEEL CANINE, INC.</u>   | <u>\$ 8,445.00</u> | <u>Selected Source</u> |
| Solicitation No. 06000 - Bomb Dog - Police Department - Req. No. R530064 |                    |                        |

The Police Department has tried other K-9 trainers and this vendor was found to best meet the Department's needs.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Purchases

7. USC CANTERBURY	\$ 6,960.20	Low Bid
Solicitation No. 07000 - Web Managed Switches for Network - Mayor's Office of Employment Development - Req. No. R529410		

8. FLOTTWEG SEPARATION TECHNOLOGY, INC.	\$11,220.00	Sole Source
Solicitation No. 08000 - Ball and Roller Bearings - Department of Public Works - Req. No. R530404		

The vendor is the sole authorized distributor of these required parts.

9. ROCHESTER SOFTWARE ASSOCIATES, INC.	\$ 6,000.00	Sole Source
Solicitation No. 08000 - Network Printer Software Licenses - Mayor's Office of Information Technology - Req. No. R529831		

All network printers are dependent on proprietary software applications developed by this vendor.

10. ROCHESTER SOFTWARE ASSOCIATES, INC.	\$ 5,276.00	Sole Source
Solicitation No. 08000 - Network Printer Maintenance - Mayor's Office of Information Technology - Req. No. R527237		

All network printers are dependent on proprietary software applications developed by this vendor.

11. SHI	\$12,317.86	Cooperative Purchase
State of Maryland Contract #050B7800011 - Microsoft Software Licenses - Req. No. R529255/R528978		

This is the vendor used for all Microsoft licensing and software for the City of Baltimore as part of a State of Maryland contract.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Purchases

12. GEIGER PUMP & EQUIPMENT CO.	\$ 9,335.40	Low Bid
Solicitation No. 08000 - Spare Parts for Alfa Laval Rotary Lobe Pump - Department of Public Works - Req. No. R530024		

13. TOWN & COUNTRY PET SUPPLY	\$13,277.25	Low Bid
Solicitation No. 07000 - Dog Food - Police Department - Req. No. R560163		

14. TACTICAL AND SURVIVAL SPECIALTIES	\$ 7,871.25	Sole Source
Solicitation No. 08000 - Simulated Ammunition - Police Department - Req. No. R530632		

The vendor is the manufacturer and sole distributor in Maryland of the required ammunition.

15. HOUGHTON MIFFLIN HARCOURT PUBLISHING CO.	\$ 8,714.53	Sole Source
Solicitation No. 08000 - Professional Development Books and Training - Department of Housing and Community Development - Req. No. R528379		

The vendor is the sole provider of the publications required.

16. DIALOGIC COMMUNICATIONS CORPORATION	\$ 8,500.00	Selected Source
Solicitation No. 06000 - Hosting Services - Mayor's Office of Information Technology - Req. No. R530339		

The vendor is uniquely qualified to provide hosting services for the City's back-up system configuration.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Purchases

## 17. MCGARD, LLC SPECIAL

PRODUCTS DIVISION	\$200,000.00	Increase
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Solicitation No. 08000 - Hydrant Locks - Department of Public Works, Bureau of Water and Wastewater - Req. Nos. Various

On March 11, 2009 the Board approved the initial award in the amount of \$50,000.00. This increase in the amount of \$200,000.00 is necessary due to increased usage, making the award amount \$250,000.00.

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 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

18. FRANKLIN MILLER, INC.      \$ 37,602.00      Sole Source

Solicitation No. 08000 - Franklin Miller Super Shredder Units - Department of Public Works, Bureau of Water and Wastewater - Req. Nos. R529648

The requested units must be compatible and interchangeable with the existing equipment and the vendor is the manufacturer and sole distributor of the requested equipment.

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 II (d)(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>
---------------	------------------------	--------------------

Bureau of Purchases

- |  |              |         |
|--|--------------|---------|
| 19. BADGER METER, INC.   | \$500,000.00 | Renewal |
| Solicitation No. B50000337 - Magnetic Water Meters -<br>Department of Public Works, Bureau of Water and Wastewater -<br>Req. No. R528924 |              |         |

On September 10, 2008 the Board approved the initial award in the amount of \$417,813.25. The award contained four 1-year renewal options at the sole discretion of the City. This is the first 1-year renewal in the amount of \$500,000.00, making the award amount \$917,813.25. The period of the renewal is September 15, 2009 through September 14, 2010.

**MWBOO GRANTED A WAIVER.**

- |  |                                 |                                |
|--|---------------------------------|--------------------------------|
| 20. EVERGREEN LANDSCAPE<br>& DESIGN, CORPORATION | \$ 2,320.00<br><u>10,200.00</u> | Ratification<br>and Term Order |
|  | <b>\$12,520.00</b>              |                                |

Solicitation No. 07000 - Landscape Service for the Library Systems - Agencies Various - Req. Nos. Various

On June 11, 2008, the Board approved the initial award B50000496 in the amount of \$20,400.00. Two attempts to re-bid this requirement as an informal solicitation were unsuccessful and the contract expired on June 30, 2009. However, the vendor continued to provide services to the City. A term order is necessary to provide time to re-bid this requirement this time as a formal solicitation. The period of the ratification is July 1, 2009 through August 19, 2009. The period of the term order is August 20, 2009 through December 31, 2009.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Purchases

21. HERSEY		Increase and Correction
METERS	\$600,000.00	to Expiration Date
Solicitation No. B50000563 - Fireline Water Meters - Agencies		
Various - Req. Nos. Various		

On September 10, 2008 the Board approved the initial award in the amount of \$249,470.00. The award was for a three-year term and contained two 1-year renewal options at the sole discretion of the City. Due to an administrative error, the Board was requested to approve only the first year. The Board is requested to change the expiration date to September 14, 2011, which will restore the initial term of the contract to its proper length and provide funding for the remainder of the initial term of the contract, making the award amount \$849,470.00.

**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>
---------------	------------------------	--------------------

Bureau of Purchases

22.HARVEY & HARVEY, ATTORNEYS AT LAW	\$51,000.00	Selected Source
Solicitation No. 06000 - Title Research Service - Department of Housing & Community Development (DHCD) - Req. No. R527136		

The DHCD obtains title reports from the vendor to file vacant building receiverships. The City, through collaborating agencies, has developed a sophisticated program for lien release and re-billing specific to vacant building receiverships. The vendor has worked with the receivership lien release process since its inception in 2006 and its expertise in the City's lien process is crucial.

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 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

**MWBOO GRANTED A WAIVER.**

**A LETTER OF PROTEST HAS BEEN RECEIVED FROM INTEGRITY TITLE & ESCROW COMPANY, LLC. AND MMCA - MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.**

This item was **WITHDRAWN**.

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards and increases and Extensions to Contracts.

## MINUTES

Office of the State's Attorney (OSA) - Grant Awards

The Board is requested to approve acceptance of the grant awards from the listed State of Maryland agencies. The period of the award is July 1, 2009 through June 30, 2010.

1. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP)** **\$584,682.00**

Account: 5000-544810-1150-128400-601001

The GOCCP awarded the grant funds to the OSA for the Inter-Agency War Room Coordination Project (A). Funds will be used to provide electronic information sharing that will identify violent offenders, determine probation and parole status, and apprehension and service of warrants. The funding will also provide judicial prioritization and reform of criminal case flow management through cooperation with local and State agencies.

2. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP)** **\$ 77,295.00**

Account: 5000-545010-1150-138300-601001

The GOCCP awarded the grant funds to the OSA for the Federal Prosecution of Violent Traffickers Project to address the large number of violent traffickers in the metropolitan area. This program will work closely with the U.S. Attorney's Office to prosecute locally arrested defendants under federal statutes. The funding is also for one cross-designated Assistant State's Attorney who will prosecute the cases.

## MINUTES

OSA - cont'd

3. GOVERNOR'S OFFICE OF CRIME CONTROL \$1,959,195.00  
AND PREVENTION (GOCCP)

Account: 5000-544710-1150-518700-601001

The GOCCP awarded the grant funds to the OSA for the Comprehensive Violence Prosecution Project. This will involve its F.I.V.E. Unit, which prosecutes non-fatal shootings and recidivist handgun offenders in Circuit Court. The Division works actively with the cold case squad to solve old homicides and supervises complex investigations into police involved shootings.

4. GOVERNOR'S OFFICE OF CRIME CONTROL \$ 100,000.00  
AND PREVENTION (GOCCP)

Account: 5000-545010-1150-138300-601001

The GOCCP awarded the grant funds to the OSA for its Project Exile Program. The funding will be used to reduce gun cases and gun violence in Baltimore City. To accomplish this goal, a cross-designated Assistant State's Attorney to the U.S. Attorney's Office will intensify the maximum effectiveness of the OSA's efforts in prosecution. In some instances, cases will be forwarded to the U.S. Attorney's Office for consideration of prosecution.

The grant awards are late because of delays in the administrative process.

**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 acceptance of the grant awards from the listed State of Maryland agencies.

**MINUTES**

Police Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Marye B. Peisinger. The period of the agreement is August 21, 2009 through August 20, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$59,280.00 - 4000-453509-2250-526602-601318 (\$38.00/hr.)

**BACKGROUND/EXPLANATION:**

On November 19, 2008, the Board approved the grant agreement with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, under the FY 2008 Award No. 2008-DJ-BX-0366.

Ms. Peisinger will serve as a grant specialist. She will be compensated at the rate of \$38.00 per hour. Ms. Peisinger will receive no benefits other than workmen's compensation and F.I.C.A.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Marye B. Peisinger.

## MINUTES

Baltimore Police Department (BPD) - Grant Agreement, Memoranda of Agreement, and Amendment No. 3 to Memorandum of Agreement

The Board is requested to approve and authorize execution of the grant agreement, memoranda of agreements, and amendment no. 3 to a memorandum of agreement.

GRANT AGREEMENT

1. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP)** **\$1,974,000.00**

Account: 5000-511410-2010-517300-600000

The grant funds will be used for the Baltimore City Neighborhood Community Policing Programs for example: Supervision and Focused Enforcement (CSAFE), Neighborhood Block Watch, Citizens on Patrol, Police Athletic League, and Operation Crime Watch. The grant will support the salaries, fringe benefits and overtime for 25 neighborhood police officers. The period of the grant agreement is July 1, 2009 through June 30, 2010.

MEMORANDA OF AGREEMENT (MOA)

2. **MARYLAND EMERGENCY MANAGEMENT AGENCY (MEMA)** **\$ 10,150.00**

Account: 4000-498110-2010-657800-600000

3. **MARYLAND EMERGENCY MANAGEMENT AGENCY (MEMA)** **\$ 368,462.00**

Account: 4000-498010-2010-657900-600000

MEMA will use the grant funds to support the FY07 Homeland Security Grant Program. This program is one tool among a comprehensive set of measures to help strengthen the nation and Maryland against risks associated with potential terrorist attacks. The period of the MOA is July 1, 2009 through March 31, 2010.

## MINUTES

Police Dept. - cont'd

The MOA are late because notification of the grant awards was recently received.

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

AMENDMENT NO. 3 TO MEMORANDUM, OF UNDERSTANDING

4. **MARYLAND EMERGENCY MANAGEMENT AGENCY (MEMA) \$0.00**

On October 25, 2006, the Board approved the original memorandum of agreement with MEMA to support the FY 2006 Office of Domestic Preparedness, Homeland Security Grant Program. This program is provided to enhance the ability of Maryland and its local jurisdictions to prevent, deter, respond to, and recover from threats and incidents of terrorism.

On March 26, 2008, the Board approved amendment no. 1 to the MOA to extend the period of the agreement through September 30, 2008. On March 18, 2009, the Board approved amendment no. 2 to the MOA to extend the period of the agreement through March 31, 2009.

This amendment no. 3 to the MOA is necessary to expend the remaining grant funds. This amendment will extend the period of the agreement through June 30, 2009.

The amendment no. 3 to the MOA is late because notification of the grant award was recently received.

**AUDITS NOTED THE TIME EXTENSION.**

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement, memoranda of agreement, and amendment no. 3 to a memorandum of agreement.

## 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:

3147 - 3148

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

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

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

Department of Recreation and Parks

1. EWO #08, \$39,034.00 - PB 06822R, Cylburn Arboretum  
Orientation and Education Center  
\$5,204,134.50    \$ 69,530.00    Towson Mechanical, -    -  
Inc.
2. EWO #09, \$56,747.00 - PB 06822R, Cylburn Arboretum  
Orientation and Education Center  
\$5,204,134.50    \$108,564.00    Towson Mechanical, -    -  
Inc.

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$100,000.00	9938-901728-9475	9938-901728-9474
Other	Reserve - Cylburn Arboretum Master Plan	Active - Cylburn Arboretum Master Plan

This transfer will provide funds to cover the costs associated with Change Order Nos. 8 and 9 for Cylburn Arboretum Orientation and Education Center under Project PB 06822R.

(FILE NO. 57076)

## MINUTES

Department of Transportation

- |    |   |                |              |                   |     |   |
|----|---|----------------|--------------|-------------------|-----|---|
| 4. | EWO # 001, \$496,859.00 - TR 08033, Conduit System Repairs<br>at Various Locations, Citywide (JOC)        | \$2,237,275.00 | -            | Allied Contrac-   | 365 | - |
|    |   |                |              | tors, Inc.        |     |   |
| 5. | EWO # 002, \$84,763.50 - TR 08033, Conduit System Repairs<br>at Various Locations, Citywide (JOC)         | \$2,237,275.00 | \$496,859.00 | Allied Contrac-   | -   | - |
|    |   |                |              | tors, Inc.        |     |   |
| 6  | EWO #001, \$176,876.91 - Project No. 939, Rehabilitation of<br>Pennington Avenue Bridge over Curtis Creek | \$ 398,483.00  | -            | Hardesty and      | -   | - |
|    |   |                |              | Hanover, LLP      |     |   |
| 7  | EWO #001, \$263,000.00 - TR 06301, Rehabilitation of the<br>Baltimore Ohio Railroad Museum South Car Shop | \$ 920,000.00  | -            | Trionfo Builders, | 75  | - |
|    |   |                |              | Inc.              |     |   |
| 8. | EWO #002, (\$34,500.00) - TR 06018, Pennsylvania Avenue<br>Rehabilitation                                 | \$ 945,923.95  | \$24,220.00  | LAI Construction  | -   | - |
|    |   |                |              | Services, Inc.    |     |   |

**MINUTES**

Department of Recreation and Parks - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve task assignment no. 5 to Grieves Worrall Wright & O'Hatnick, Inc., under On Call Consultant Services Project No. 1066, Architectural Design Services.

**AMOUNT OF MONEY AND SOURCE:**

\$397,641.09 - 9938-904744-9474-000000-703032

**BACKGROUND/EXPLANATION:**

Under Task No. 5, the consultant will perform the final design services for Clifton Park Recreation Center.

**MWBOO SET GOALS OF 18.27% MBE AND 7.88% WBE.**

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

**MINUTES**

Department of Recreation & Parks - cont'd

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$400,000.00</b>	9938-904744-9475	9938-904744-9474
24 <sup>th</sup> Rec. & Park Series	Reserve - Clifton Park Improvements	Active - Clifton Park Improvements

This transfer will provide funds to cover the costs associated with design service under On-Call Contract No. 1066, Task No. 5 assigned to Grieves Worrall Wright & O'Hatnick, Inc.

UPON MOTION duly made and seconded, the Board approved and authorized task assignment no. 5 to Grieves Worrall Wright & O'Hatnick, Inc., under On Call Consultant Services Project No. 1066, Architectural Design Services. 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.

**MINUTES**

Bureau of Water and Wastewater - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve task assignment no. 2 to Parsons, Brinckerhoff, Quade & Douglass, under On Call Consultant Services Project No. 1084P, Environmental Restoration Design Services.

**AMOUNT OF MONEY AND SOURCE:**

\$311,445.17 - 9958-904995-9525-900020-703032

**BACKGROUND/EXPLANATION:**

The National Pollutant Discharge Elimination System Permit for stormwater requires the City to study watersheds and open channels, identify opportunities to reduce stormwater pollution using state-of-the-art methods such as stream restoration, wetlands, stream day-lighting, green roofs, etc. A Watershed Water Quality Management Plan was prepared in 2006 to fulfill the stormwater permit for Baltimore City. The plan identified the Biddison Run Stream as very unstable. Approximately 1,400 feet of the stream from Moravia Road to its confluence with the Herring Run was restored in 2007.

The consultant will provide design services to restore approximately 6,900 linear feet of the Biddison Run open channel upstream of Moravia Road. The Maryland Port Authority will provide construction funds for this project.

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

## MINUTES

Bureau of Water and Wastewater - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$350,000.00	9958-907311-9526	9958-904995-9525-
MVR	000000-200001 - Constr. Res. Stream & Water Restoration Study	900020-3 - Engineering

The transfer will provide funds to cover the costs associated with the design services to restore approximately 6,900 linear feet of the Biddison Run.

UPON MOTION duly made and seconded, the Board approved and authorized task assignment no. 2 to Parsons, Brinckerhoff, Quade & Douglass, under On Call Consultant Services Project No. 1084P, Environmental Restoration Design Services. 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.

**MINUTES**

Bureau of Water and Wastewater - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve task assignment no. 2 to Parsons, Brinckerhoff, Quade & Douglass, under On Call Project No. 1084P, Bush Street Debris Collector.

**AMOUNT OF MONEY AND SOURCE:**

\$185,129.59 - 9958-916701-9525-900020-703032

**BACKGROUND/EXPLANATION:**

The consultant will perform installation of debris collection devices along Bush Street storm sewer system to help minimize floatable trash and debris littering the aquatic resource of the City and the Chesapeake Bay. The project goal is to maximize debris collection capability while minimizing the visibility of the debris collection to enhance the aesthetic effect on the Gwynns Falls Trail and to meet water quality regulatory requirements.

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

## MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$225,000.00	9958-907311-9526	9958-916701-9525
MVR	000000-200001 - Constr. Res. Stream & Watershed Restoration Study	900020-3 - Engineering

The transfer will provide funds to cover the costs of the design for the installation of the Debris Collector at Bush Street.

UPON MOTION duly made and seconded, the Board approved and authorized task assignment no. 2 to Parsons, Brinckerhoff, Quade & Douglass, under On Call Project No. 1084P, Bush Street Debris Collector. 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.

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3156 - 3158

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 President **ABSTAINED** on item No. 8.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Bureau of Water and Wastewater</u>		
1. <b>\$100,000.00</b>	9956-549-233	9956-906642-9551-
Wastewater	Constr. Res.	900020-3
Utility Funds	Wastewater Annual	Engineering
	Improvements	

The funds are required to cover the costs of procurement of property adjacent to the Back River Wastewater Plant.

2. \$400,000.00	9956-549-528	
State	Constr. Res.	
	Patapsco WWTP	
	Biological Ni	
68,000.00	" "	
Balto. Co.		
32,000.00	" "	
Wastewater		
Rev. Bonds		
<b>\$500,000.00</b>	-----	9956-905527-9551
		9000010-5
		Inspection

The funds are required to provide construction management and other support related functions for SC 845, ENR at Patapsco Wastewater Treatment Plant.

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
3. <b>\$ 10,000.00</b>	9916-908204-9194	9916-903204-9197
First Public	Wahl Building Roof	Wahl Building Roof
Building Loan	Replacement -	Replacement -
	Reserve	Active

The transfer of funds is necessary in order to abate an existing safety hazard that exists at a City-owned property located at 23-25 S. Gay Street. An exterior concrete portion of the rear wall broke away and crumbled onto an area of an adjoining property parking lot.

4. <b>\$120,000.00</b>	9916-911834-9194	9916-903834-9197
2 <sup>nd</sup> Public	Municipal Building	Municipal Building
Building Loan	Water Service	Water Service
	Replacement -	Replacement -
	Reserve	Active

The transfer of funds is necessary as part of the first phase of an overall plan to insure compliance with high rise code regulations regarding a sprinkler system for the Municipal building. This work will also address any ADA issues that exist on the targeted floors.

Department of Housing and Community Development

5. <b>\$763,000.00</b>	9910-914994-9587	9910-904096-9588-
29 <sup>th</sup> CDB	900000-700000	900000-700000
FY'10	Special Capital	Administration
	Projects	

This transfer will provide funds for the Department's administrative account for fiscal year 2010.

MINUTES

TRANSFERS OF FUNDS

Department of Housing and Community Development

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
6.	<b>\$100,000.00</b>	9910-913987-9587-	9910-909690-5880-
	General Funds	900000-700000	900000-700000
		Housing & Services	Montessori School

This transfer will provide funds to the Montessori School. The funds provided are a part of a lease agreement between the DHCD and the Montessori School.

(FILE NO. 57061)

Department of Recreation & Parks

7.	<b>\$ 20,000.00</b>	9938-901752-9475	9938-901699-9474
	General Funds	Reserve - Various	Active - Cylburn
		Park Improvements	Arboretum

This transfer will provide funds to cover the costs associated with Change Order No. 2 for Cylburn Arboretum Greenhouse Addition Project, under Contract PB 07808.

(FILE NO. 57076)

8.	\$ 63,000.00	9938-904793-9475	
	25 <sup>th</sup> Series	Reserve - City	
	Rec. & Pks.	Park Maintenance	
	7,950.00	9938-901632-9475	
	<u>Other</u>	Reserve - Balto.	
		Playlot Program	
	<b>\$ 70,950.00</b>	-----	9938-904793-9474
			Active - City Park
			Maintenance

This transfer will provide funds to cover the costs associated with the installation of the entry plaza mosaic at the Howard Peters Rawlings Conservatory and Botanic Gardens.

**MINUTES**

Department of Recreation - Right of Entry and Exclusive  
and Parks Negotiating Privilege Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the execution of a Right of Entry and Exclusive Negotiating Privilege agreement with the Parks and People Foundation (PPF). The period of the agreement is effective upon Board approval for one year.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The PPF seeks to negotiate exclusively for the development of and enter immediately upon a portion of Druid Hill Park, located on Auchentoroly Terrace. During the term of the agreement the PPF will continue to develop its plans and cost estimates for construction of their proposed new headquarters.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a Right of Entry and Exclusive Negotiating Privilege agreement with the Parks and People Foundation (PPF). The President **ABSTAINED**.

**MINUTES**

Baltimore Community Relations Commission - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize payment to the Baltimore City Foundation.

**AMOUNT OF MONEY AND SOURCE:**

\$25,000.00 - 1001-000000-1560-171501-607001

**BACKGROUND/EXPLANATION:**

The Department is responsible for Baltimore City's International Festival. This year it was scheduled for August 1<sup>st</sup> and 2<sup>nd</sup> at Poly Western High School Complex. The funds will cover costs associated with the International Festival 2009. These funds were just received from the Mayor's Office of Neighborhoods in support of the festival.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized payment to the Baltimore City Foundation.

## MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>			
1. Clyde M. Bohn Jr. deceased and Joyce F. Bohn Personal Representative	1610 Presbury St.	G/R \$36.00	\$ 240.00

Funds will be transferred prior to settlement into account 9910-908087-9588-900000-701040, Sandtown Winchester Site.

2. Peter and Julia Ben Ezra	433 E. 23 <sup>rd</sup> St.	G/R \$96.00	\$ 640.00
--------------------------------	-----------------------------	----------------	-----------

Funds will be transferred prior to settlement into account 9912-904713-9591-900000-704040, Barclay Project.

**FILE NO. 57066**

3. Edward Morris, Personal Representative of the Estate of Moses Morris, Jr.	2030 E. Hoffman St.	G/R \$48.00	\$ 320.00
--	---------------------	----------------	-----------

Funds will be transferred prior to settlement into account 9910-908087-9588-900000-704040, Miscellaneous Project.

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

## MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

	<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
	<u>DHCD - Quick-Takes</u>			
4.	Harry Lowenthal deceased	1326 Wirton St.	G/R \$360.00	\$ 240.00
5.	Harry Lowenthal deceased	1328 Wirton St.	G/R \$360.00	\$ 240.00

**FILE NO. 57069**

Funds will be transferred prior to condemnation into account 9910-904714-9588-900000-704040, Johnston Square Project.

6.	Fairfax Savings St.	2130 E. Federal \$96.00	G/R	\$ 640.00
----	------------------------	----------------------------	-----	-----------

Funds will be transferred prior to condemnation into account 9910-904488-9588-900000-704040, American Brewery Project.

**FILE NO. 57092**

7.	P.J. McEvoy, Inc.	104 N. Amity St.	G/R \$48.00	\$ 400.00
8.	William L. Adams	244 N. Amity St.	G/R \$42.00	\$ 280.00
9.	Unknown	948 W. Lexington St.	G/R \$0.01	\$ 0.25
10.	Unknown	931 W. Saratoga St.	G/R \$18.00	\$ 120.00
11.	Unknown	941 W. Saratoga St.	G/R \$15.00	\$ 100.00
12.	Diane Nochumowitz	1040 W. Saratoga St.	G/R \$25.00	\$ 208.00

## MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Quick-Takes</u>			
13. Unknown	263 N. Schroeder St.	G/R \$0.01	\$ 0.25

Funds will be transferred to account no. 9910-901780-9588-900000-704040, Poppleton Project.

**FILE NO. 57069**

The Board is requested to approve acquisition of the ground rent interest by condemnation and quick-take, 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 these properties.

Department of Law - Court Settlement

<u>Previous Owner</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
14. Ashland, LLC.	939 N. Chester St.	L/H	\$3,456.00

On February 20, 2008, the Board by condemnation approved the acquisition of the leasehold interest in 939 N. Chester Street for the amount of \$34,560.00, based upon the highest appraisal obtained by the City. The owner demanded \$58,000.00. The owner purchased the property for \$40,000.00. The parties agreed to settle the condemnation suit for 10% more than the Board previously approved amount of \$34,560.00. Therefore, the Board is requested to approve payment of the balance in the amount \$3,456.00 into the registry of the Circuit Court for Baltimore City in the settlement of this case.

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

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

On the recommendations of the City agencies

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

3165 - 3166

to the low bidders meeting the specifications,

or rejected bids on those 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.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Public Works

1.	WC 7756, Charles Street Box Culvert Rehabilitation at Stoney Run	Monumental Paving & Excavating Inc.	\$857,487.72
	<b>MBE:</b> Phipps Constr. Contractors, Inc.	\$ 42,874.39	5.00%
	Priority Constr. Corp.	<u>174,925.00</u>	<u>20.40%</u>
		<b>\$217,799.39</b>	<b>25.40%</b>
	<b>WBE:</b> Dirt Express Co.	\$ 27,645.00	3.22%
	William T. King, Inc.	4,262.00	.50%
	McCall Trucking, Inc.	<u>36,692.02</u>	<u>4.28%</u>
		<b>\$ 68,599.02</b>	<b>8.00%</b>

MWBOO FOUND VENDOR IN COMPLIANCE.

A LETTER OF PROTEST FROM V & S CONTRACTORS WAS WITHDRAWN.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,132,084.00	9958-526-350	
MVR	Constr. Res.	
	East Stoney Run	
	at Charles St.	
\$ 85,748.00	-----	9958-903350-9525-2
		Extra Work
85,748.00	-----	9958-903350-9525-3
		Engineering
51,550.28	-----	9958-903350-9525-5
		Inspection
857,487.72	-----	9958-903350-9525-6
		Construction
51,550.00	-----	9958-903350-9525-9
<u>\$1,132,084.00</u>		Administration

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Department of Public Works - cont'd

The funds are required to cover the costs of the award for WC 7756, Charles Street Culvert Box Rehabilitation at Stoney Run.

Bureau of Purchases

- |    |                                   |                                    |              |
|----|-----------------------------------|------------------------------------|--------------|
| 3. | B50001137, Oil<br>Filter Crushers | Salvo Limited<br>Partnership, LLLP | \$ 31,221.00 |
|----|-----------------------------------|------------------------------------|--------------|

**MWBOO GRANTED A WAIVER.**

- |    |  |                                |              |
|----|--|--------------------------------|--------------|
| 4. | B50001138, O.E.M.<br>Parts & Service for<br>for Harley-Davidson<br>Motorcycles | Harley-Davidson<br>Buell Store | \$150,000.00 |
|----|--|--------------------------------|--------------|

**MWBOO GRANTED A WAIVER.**

- |    |  |                              |                |
|----|--|------------------------------|----------------|
| 5. | B50001145, O.E.M.<br>Repair Service for<br>Chrysler Vehicles | Heritage Chrysler<br>Jeep VW | \$2,000,000.00 |
|----|--|------------------------------|----------------|

**MWBOO GRANTED A WAIVER.**

- |    |   |                              |             |
|----|---|------------------------------|-------------|
| 6. | B50001067, Street<br>Tree & Stump<br>Removal Group II | Asplundh Tree<br>Expert, Co. | \$47,762.54 |
|----|---|------------------------------|-------------|

**MWBOO SET GOALS OF 27% MBE AND 0% WBE.**

**MBE:** L. Johnson Tree Service, LLC                      27%

**MINUTES**

Department of Public Works/ - Developer's Agreement No.1151  
Bureau of General Services

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of developer's agreement no. 1151 with Restoration Gardens, LLC, developer.

**AMOUNT OF MONEY AND SOURCE:**

\$13,470.00

**BACKGROUND/EXPLANATION:**

The developer would like to install new water service to its proposed construction located in the vicinity of 3701 Cottage Avenue. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A Letter of Credit in the amount of \$13,470.00 has been issued to Restoration Gardens, 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. 1151 with Restoration Gardens, LLC.

**MINUTES**

Department of General Services - Supplemental Agreement  
No. 2 to On-Call Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of supplemental agreement No. 2 to the on-call agreement with Kann & Associates, Inc. for Project No. 997, On-Call Architectural Services Contract. The supplemental agreement No. 2 to the on-call agreement extends the period of the agreement through August 29, 2010 or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - Increase to upset limit

**BACKGROUND/EXPLANATION:**

On August 30, 2006, the Board approved the original agreement with Kann & Associates, Inc. in the upset amount of \$500,000.00 for a period of two years. On October 15, 2008, the Board approved an extension of the agreement through August 29, 2009 and increased the upset limit by \$250,000.00 for a total upset limit of \$750,000.00.

The Department has several on-call contracts with architectural firms to design improvements to City buildings. One of those firms, Kann & Associates, Inc., specializes in architectural work inherent to historic buildings. This consultant has designed improvements to historical buildings such as City Hall, the Mitchell Courthouse, and others. As a new Department, General Services will be responsible for a greater number of City buildings, including additional historic buildings.

## MINUTES

General Services - cont'd

Due to increased needs, the new Department of General Services plans to advertise this summer for on-call architectural firms specializing in historic structures. This supplemental agreement no. 2 to the on-call agreement will increase the upset limit by \$250,000.00 for a total upset limit of \$1,000,000.00.

This extension and increase will allow the Department to continue addressing problems with historic buildings until new and specialized contracts are executed. All other terms and conditions of the agreement remain unchanged.

**MBE/WBE PARTICIPATION:**

The consultant will continue to comply with the MBE and WBE goals established in the original agreement, applied to the new upset limit of \$1,000,000.00.

**AUDITS NOTED THE TIME EXTENSION AND THE INCREASE IN THE UPSET LIMIT FOR THE SUPPLEMENTAL AGREEMENT NO. 2 AND WILL REVIEW THE TASKS ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of supplemental agreement No. 2 to the on-call agreement with Kann & Associates, Inc. for Project No. 997, On-Call Architectural Services Contract.

**MINUTES**

Department of General Services - Temporary Permit to  
Enter Upon Property

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Temporary Permit to Enter Upon Property with the National Railroad Passenger Corporation (Amtrak). The period of the agreement is effective upon Board approval through the completion of the project however; in no event will it be extended beyond March 23, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$ 7,708.00 - Railroad protective liability insurance waiver  
 20,500.00 - Amtrak employees (Inspection and flagmen)  
 500.00 - Document preparation  
**\$28,708.00** - 9956-906625-9551-900020-704040

**BACKGROUND/EXPLANATION:**

The Department is proposing a project to inspect and clean approximately 3,400 linear feet of sanitary sewer, in the vicinity of Amtrak property near their Pennsylvania Station, in connection with Sanitary Contract SC876.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Temporary Permit to Enter Upon Property with the National Railroad Passenger Corporation (Amtrak).

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Baltimore Police Department</u>		
1. Frederick H. Bealefeld, III	Major Cities Chiefs Fall Meeting/International Association of Chiefs of Police Conf. Denver, CO October 01 - 07, 2009 (Reg. Fee \$275.00)	\$ 1,697.20
2. Carl H. Crenshaw Craig N. Hoover Floyd S. Werner Renonzo L Belcher Arnold P. Russo David J. Muller Thomas P. Davis	Recertification, Pilot Training Baltimore, MD September 21 - 25, 2009 (Reg. Fee \$2,157.00 ea.)	\$15,099.00
3. Cory M. Grochoswski	American Eurocopter Training Grand Prairie, TX August 23 - 28, 2009 (Reg. Fee \$5,980.00)	\$ 7,645.00

The Police Department is requesting the Board to approve additional funds for a six-day car rental. The rental car is needed due to lodging being 2.8 miles from the training facility.

If official City business at the event site will require extensive inspection trips, tours, or other unusual but necessary land travel, the Board of Estimates must approve funds for such expenses in advance of the trip. (AM-240-8)

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Department of Transportation</u>		
4. Traci McPhail	2009 Association for Commuter Transportation International Conf. Washington, DC August 30 - September 02, 2009 (Reg. Fee \$600.00)	\$ 1,347.00
<u>Law Department</u>		
5. George A. Nilson Suzanne Sangree	International Municipal Lawyers Association 74 <sup>th</sup> Annual Conf. Miami, FL October 17 - 20, 2009 (Reg. Fee \$350.00 ea.)	\$2,457.60
<u>Mayor's Office of Governmental Relations</u>		
6. Janelle Mummey		\$ 825.00

The Board is requested to approve and authorize reimbursement for travel expenses incurred by Ms. Mummey during February and March of the 2009 Legislative Session of the Maryland General Assembly. Ms. Mummey routinely traveled to important legislative meetings, hearings and conferences throughout Annapolis and its surrounding communities during the 2009 Maryland General Assembly. This request is late due to an administrative oversight.

An employee Expense Report must be received by the Bureau of Accounting and Payroll Services within 40 workdays for the last calendar day of the month in which the expenses were incurred. Expenses submitted after this time limit will not be reimbursed without written approval of the Board of Estimates. (AM-240-11)

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Office of the President</u>		
7. Stephanie Rawlings-Blake		\$ 147.62

On July 01, 2009, the Board approved a travel request for Ms. Rawlings-Blake to attend the NACO conference in Nashville, TN from July 24 through July 28, 2009 in the amount of \$1,634.57. The approved travel request included \$939.87 for subsistence. However, the hotel cost totaled \$779.88, which left Ms. Rawlings-Blake \$159.99 for subsistence (meals & incidentals). Her subsistence expenses actually totaled \$1,782.19. Therefore, the Board is requested to approve a reimbursement in the amount of \$147.62 to Ms. Rawlings-Blake for the additional costs.

	<u>Actual Cost</u>	<u>Approved Costs</u>
Hotel	\$ 779.88	\$ 939.87 (Subsistence for hotel, meals, & incidentals)
Meals	179.41	
Airfare	229.70	229.70
Taxi from Airport	30.00	
Taxi from Hotel to luncheon	28.20	
Taxi to Airport	30.00	
BWI Parking	40.00	
Registration Fee	465.00	465.00
	<u>\$1,782.19</u>	<u>\$1,634.57</u>

**MINUTES****TRAVEL REQUESTS** - cont'd

The Board, UPON MOTION duly made and seconded, approved the foregoing travel request and travel reimbursements. Item No. 3 was **WITHDRAWN**. The City Solicitor **ABSTAINED** on item No. 5. The Mayor **ABSTAINED** on item No. 6. The President **ABSTAINED** on item No. 7.

**MINUTES**Baltimore Development Corporation - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement with CHI ETA PHI Sorority, Inc. tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suite 202E, at the Business Center @ Park Circle, consisting of approximately 173 square feet. The period of the agreement is September 1, 2009 through August 31, 2011, with one two-year renewal option.

**AMOUNT OF MONEY AND SOURCE:**

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Installments</u>
1	\$3,120.00	\$260.00
2	\$3,244.80	\$270.40

The lessee will have the option to renew for one additional two-year term. The annual rent will be increased annually by an amount equal to 4% of the annual rent each year of the renewal term beginning with the anniversary date of the lease.

**BACKGROUND/EXPLANATION:**

The tenant is a community based non-profit nursing sorority founded in 1944. The premises will be used for an administrative office and for maintaining and displaying the organizations historical information.

The space is leased on an "As Is" basis and does not require the landlord to make any modifications. The tenant will be responsible for any additional improvements or build out of the premises.

All other landlord services such as utilities, limited janitorial services, maintenance and repairs to the premises are included in the base rent.

**MINUTES**

In addition, the tenant is obligated to maintain and keep in force general public liability, contractual liability and property damage insurance protection for the premises and name the City as additionally insured under the insurance policies.

**FILE NO. 57075**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a lease agreement with CHI ETA PHI Sorority, Inc. tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suite 202E, at the Business Center @ Park Circle, consisting of approximately 173 square feet.

**MINUTES**

Department of Transportation - Project Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a project agreement with the Waterfront Partnership of Baltimore, Inc. The period of the agreement is effective upon Board approval for one year or until the partnership has completed all work, services and requirements pursuant to the terms of the agreement to the City's satisfaction, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

\$140,000.00 - 4000-414910-2300-251600-603026

**BACKGROUND/EXPLANATION:**

The Department and Waterfront Partnership of Baltimore, Inc. jointly sought and obtained a grant from the Baltimore Regional Transportation and State Highway Administration under the Congestion and Mitigation and Air Quality Program. This public/private partnership is established to develop solutions to the unique traffic congestion and transportation related air quality issues in specific corridors. The grant funds will be utilized to develop and implement a Transportation Management Association in Southeast Baltimore. Joint efforts will be exercised to work together to reduce traffic congestion, improve air quality and promote sustainable transportation alternatives.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a project agreement with the Waterfront Partnership of Baltimore, Inc. The President **ABSTAINED**. The Comptroller **ABSTAINED**.

**MINUTES**Department of Transportation - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Whitman, Requardt & Associates, LLP, for Project No. 1055 Phase IC, Rehabilitate Roadways around the East Baltimore Life Science Park. The period of the agreement is effective upon Board approval for three years, or until the upset limit is reached whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$584,894.71 - 9950-902335-9527-900010-703032

**BACKGROUND/EXPLANATION:**

Under this agreement, the consultant will provide design services for pavement reconstruction, field survey, curbs and gutters, ADA pedestrian ramps, street lighting, storm drainage, electric duct banks, water lines, and other related design services.

**THE CONSULTANT HAS COMPLIED WITH THE DISADVANTAGED BUSINESS ENTERPRISE GOAL OF 25% FOR THIS PROJECT.**

<b>DBE:</b>	Sabra, Wang & Assoc.	\$108,968.73	18.63%
	Prime Engineering & Architecture, Inc.	\$ 35,902.58	6.14%
	Datta Consultants, Inc.	\$ 40,663.51	6.96%

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

**(FILE NO. 57080)**

MINUTES

Dept. of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$128,676.83	9950-903335-9528	
MVR	EDBI Life Sciences	
	Constr. Res.	
514,707.35	" "	
Federal		
<b>\$643,384.18</b>	-----	9950-902335-9527-3
		Design & Studies
		EDBI Life Sciences

(FILE NO. 57080)

Park, Phase IC

This transfer will provide funds to cover costs associated with Project 1055, EBDI Life Sciences Park, Phase IC by Whitman, Requardt & Associates, Task No. 001.

UPON MOTION duly made and seconded, the Board approved and authorized execution of an agreement with Whitman, Requardt & Associates, LLP, for Project No. 1055 Phase IC, Rehabilitate Roadways around the East Baltimore Life Science Park. 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.

## MINUTES

Department of Transportation - Relocation Agreements

The Board is requested to approve and authorize execution of the relocation agreements with the following service providers, in connection with the Uplands Visionaries Funding Agreement approved by the Board on July 30, 2008:

1. **VERIZON-MD** **\$596,989.63**

Account: 9950-904493-9527-900020-707063

The purpose of the agreement is for the relocation of Verizon's Serving Area Interface. Verizon will transfer all existing services and cables along N. Athol Avenue, as well as Old Frederick Road and the intersection of Old Frederick Rd. and N. Athol Avenue. This infrastructure work will include removing and disposing of all of their existing poles and associated hardware. The following is a cost breakdown:

estimated construction cost	\$397,895.34
engineering cost	\$ 24,054.29
conduit construction cost	\$175,040.00

(FILE NO. 55899)

2. **COMCAST OF BALTIMORE CITY** **\$ 50,010.17**

Account: 9950-904493-9527-900020-707063

To facilitate the relocation of the Comcast Plant servicing the customers of the Pen Lucy area and the Westside Skills Center area, Comcast will relocate its existing coaxial plant in the Pen Lucy area and the Westside Skills Center area. This work is needed to provide uninterrupted services to Comcast customers. The infrastructure work will consist of a new underground feeder system in both Pen Lucy and Westside Skills Center areas. The following is a cost breakdown:

Pen Lucy Area Re-route	\$25,591.60
Westside Skills Center	\$24,418.57

## MINUTES

President: "We have two protests and I am going to ask that they be heard together. Items number one and two on Page 79, Department of Transportation Relocation Agreements. I would ask the protestant and the agency to come forward. Page 79, items number one and two, Department of Transportation Relocation Agreements. Good morning. Over on this side sir, and if you would state your name for the record."

Mr. Arnold M. Jolivet: "Good morning, Arnold M. Jolivet with the Maryland Minority Contractors Association. I just wish to protest item number two and three."

President: "Item one and two."

Mr. Jolivet: "One and two related to the cable transfer. I think the issue is very clear on this. I tried to lay out the awarding of the Ordinance and this particular provision of the Ordinance was in the original Ordinance and it was contemplated to apply in exact situations as the present cases, and that is, when the City gives monies to a third party or third parties for purposes of doing construction-related, renovation-related maintenance, the Ordinance says very unequivocally that the provisions of the MBE/WBE Ordinance shall apply to this particular contract. I don't see how we can argue anything to the contrary. Historically, and I will be very brief. Historically, the minority businesses did not get any of the

## MINUTES

subcontract work or any of the work that was funded by City agencies, when the City gave monies to third parties. The purpose of this Ordinance is to change that and in cases of this exact situation, the Ordinance should apply. And I am here simply asking this Board to apply the Ordinance as was contemplated by the legislature, and how this could be a difficulty for you, I don't know, I don't know. It pains me that this would be a problem that the agency would submit this to you without requiring the agency, the recipient to comply. It is a very simple issue here. I am just appalled that this would be an issue."

President: "Is that the entirety of your argument?"

Mr. Jolivet: "I am sorry."

President: "Is that the entirety of your argument?"

Mr. Jolivet: "Yes Madam President. Yes."

President: "Are there any questions for Mr. Jolivet?"

City Solicitor: "One question. Not that I am trying to expand the scope of your protest, because it would be too late to do that."

Mr. Jolivet: "No, you can do it. I don't have a problem."

City Solicitor: "No, that is alright. But I am curious as to you have not made a protest with regard to item number three on Page 80 which is BGE. Also, it is City funds to allow BGE to

## MINUTES

relocate utilities under the new road alignment. Do you see a distinction between the BGE work on the one hand and the Verizon, Comcast work on the other hand?"

Mr. Jolivet: "No. It is just that I didn't -- no one called it to my attention."

City Solicitor: "You did not turn the page far enough."

Mr. Jolivet: "No one called it to my attention, and I was unaware of it. I am here basically today in response to someone else's request to me and no one asked me to challenge BGE."

City Solicitor: "But, I take it that your position is that whenever under an agreement between the City and anybody who has facilities or infrastructure in City rights-of-way, those facilities get relocated and the City has to bear some expense, because of that. That in all of those instances, the MBE Ordinance would apply?"

Mr. Jolivet: "I am not saying in all instances. But, the very plain and unambiguous language of the Ordinance would say just that what you just said. That is my position. The Ordinance in itself, I am simply asking you to interpret and enforce the Ordinance as written. The plain language and is intended by the City Council."

City Solicitor: "Does it matter in your view of the Ordinance and this issue whether the relocation work is being done by the

## MINUTES

utility company itself or whether the utility company is contracting out to others?"

Mr. Jolivet: "It may matter. It may matter, if assuming that the City agency determines that the utility company is in fact performing 99% of the work with its own forces, I believe that if I were arguing the other side, I would understand that there might be a basis for not enforcing the Ordinance, but only on the certification of the City's MBE Officer in granting a waiver. That would be the proper procedure. But I note here that there was no effort even to grant a waiver. There was no effort here to even determine whether or not the utility company was performing all of the work with its own forces. But, I do believe, to answer your question, I do believe that one can make a case that perhaps the Ordinance should not apply just out of common sense, because there is no subcontractor item. But, what we got now, we don't know that. We don't have any effort on the part of the City to discern that and certify that to this Board. In the past, and it has been the practice that when those kind of cases present itself the MBE or the agency will certify to this Honorable Board that there is a case for a waiver because it is not practicable to put the MBE provisions, and I would subscribe to that. I would not have a problem with that. But

## MINUTES

the problem that we have here, we don't know that. The agency has failed here. The agency did not do its job."

City Solicitor: "I am sure that Mr. Kendrick will address that."

Mr. Jamie Kendrick, Deputy Dir. of Transportation: "Good morning. Items one and two on Page 79 as Mr. Jolivet indicated, do deal with the relocation of private utilities at the proposed Uplands Redevelopment Project. As Mr. Nilson pointed out, there is the same exact item but in a different vendor on page 80. I would submit to the Board that in fact what we are doing here is carrying out the provisions of an underlying agreement, which is the City's franchise agreement with Verizon and Comcast in moving these utilities. And so, if in deed, the protest is with regard to an agreement, it ought to be a protest on the underlying franchise agreement, which requires that, the utilities move their own, when directed by the City. I would also submit to the Board, that in fact we would be revisiting dozens, if not hundreds of cases over the years since those agreements have been in effect. If that is the direction this Board wishes to take, I am sure we could have that conversation. But, it would require a change to the underlying franchise agreement with the utilities."

Mr. Jolivet: "Madam President, may I just say in rebuttal?"

## MINUTES

President: "Yes."

Mr. Jolivet: "I am not asking the Board to revisit the franchise agreement. I think that the Board certainly can, but it is not necessary to revisit the franchise agreement. I think that in this case the Ordinance is plain and unequivocal; that it should be applied if certain circumstances exist. What I would suggest to this Board, perhaps it would make sense for the Board to ask the City's MBE people to look at the contract, to see whether or not the utility company is in fact performing all of the work with its own forces and if it is subcontracting, if it is feasible to subcontract, then I think it would be appropriate for our minority firms to be a part of it. Because that was the contemplation of the Ordinance. In the cases like this one the City is giving money to third parties, the Ordinance would apply very simply."

City Solicitor: "I think if you were going to evaluate this issue going forward, putting aside for the moment what action we take today on these two items, we also ought to look at the issue of if as Mr. Kendrick has suggested, this is all pursuant to a pre-existing contractor agreement, between the City and the utilities, can we ensure that the MBE Ordinance be applied in essence retroactively to that pre-existing contract. That is a legitimate question to be looked at."

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Ms. Leslie Winner, Law Department: "These are not City construction contracts. The City is embarking on the Uplands Project. In order to build the Uplands Project, we require that Comcast and Verizon and BGE move their utilities, and they would not be expending any funds whatsoever to move their utilities, but for the fact that the City has the Uplands Project. So, we have asked them to move their utilities and we are paying them to move their utilities so that the City can move forward with its project, which is the Uplands Project. These are not City contracts per se. We are paying these utilities, which use their own forces to move their own utilities from one conduit, move the conduit and this is what this is all about. This is not bid-out. We are requiring them to move from into the right-of-way."

City Solicitor: "But, is it your understanding, Ms. Winner that they move these utilities with their own personnel and with their work force."

Mr. Jolivet: "We don't know that."

Ms. Winner: "We don't know if they will or not."

Mayor: "That is what the issue is."

Ms. Winner: "That is up to them. But they are being required by the City, it is not a construction contract."

## MINUTES

City Solicitor: "I understand that. But I also understand Mr. Jolivet argument based on the legal awards and MBE Ordinance that we probably ought to take a look at going forward. I am not persuaded that they apply here. But there is some broad language in the Ordinance that may or may not have been intended to reach this situation but might literally if read in a literal very broad fashion in a circumstance where it is done by the utilities own workforce. I think it is a fair thing for us to take a look at going forward at least."

Mr. Jolivet: "Just one fast final, Ms. Winner makes issue out of the fact it is not a City contract, but I would urge this Board that we have applied the Ordinance to agreements that were not technically City contracts before, so her argument is somewhat diluted and probably abrogated by the fact that we never in any case required a -- recipient the transaction to be City contract. We have never done that in the past. So, I don't know why she would even mention that to the Board."

Mr. Kendrick: "I guess if I may, I would go back to the point that Ms. Winner raised at the very end. The agreement if one would read the plain language of the agreement between the City and the utilities, the agreement is simply that they vacate the public right-of-way, and in doing so, we have to reimburse them for their expenses. But the agreement, if you will, is simply

## MINUTES

the requirement that we would have directed them to vacate the public right-of-way per the City's authority."

Mr. Al Foxx, Director of Transportation: "As Mr. Kendrick pointed out, this movement is done for the benefit of a City project. Therefore, when we say we are asking for -- we are actually directing BGE to move their utilities, Comcast to move their utilities. Therefore, by the franchise agreement, because it is in our best interest we are paying them to do that. To move it from one location into the City's right-of-way."

President: "I think we are done. Is there a Motion?"

City Solicitor: "I would MOVE that we deny the bid protest and authorize the items as requested by the Department of Transportation."

Director of Public Works: "Second."

President: "All those in favor say AYE. All Opposed NAY. Please note that the Council President Abstains. Motion carries. Thank you."

\* \* \* \* \*

**MMCA-MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.**

A Chapter of American Minority Contractors and Businesses Association, Inc.

Baltimore, MD 21210

443-413-3011

410-323-0932 Fax

arnoldmjolivet@starpower.net

August 18, 2009

VIA FACSIMILE 410-685-4416

The Honorable President and Members

Baltimore City Board of Estimates

Second Floor, City Hall

Baltimore, Maryland 21202

Attention: Ms. B. Harriett Taylor, Esquire

Clerk to the Board

**Subject: Protest Against Various Contract Awards-  
Board of Estimates' Agenda, August 19, 2009**

Dear Madam President:

I represent the Maryland Minority Contractors Association, Inc. (MMCA) in its own independent right, and its members and constituents in protesting Your Honorable Board's approval of the above referenced Board Agenda item. It is well settled that an association, like MMCA herein, possesses the requisite standing to represent its members, its constituents and itself:

"[A]n Association [like MMCA] has standing to bring suit on behalf of its members when:

- (a) its members would otherwise have standing to sue in their own rights;
- (b) the interest it seeks to protect are germane to the organization's purpose; and
- (c) neither the claim asserted nor relief requested requires the participation of individual members in the lawsuit."

See Hunt v. Washington Apple Advertising Commission, 432 U. S., 333, 343 (1977); See also NAACP v. Button, 371 U.S. 415 (1963). ("An association and its members are one and the same.")

I hereby protest the following described proposed City contracts/grants for reason(s) that said contracts/grants do not appear to comply with the provisions of Article 5, Subtitle 28 of the Baltimore City Code (M/WBE Utilization goals) or with Article VI, § 11 of the Baltimore City charter (competitive bidding).

President and Members  
Baltimore City Board of Estimates  
August 18, 2009

The proposed City contracts/grants for which this protest is directed include, but is not limited to the following:

1. Item 5, on page 21, a proposed Public Works contract for \$254, 000.00 with the Living Classrooms Foundation, Inc. This proposed contract clearly violates the mandatory competitive bidding requirement of Article VI, § 11 of the City Charter, as well as the City's M/WBE Ordinance.
2. Item 22, on page 43, a proposed \$51,000.00 non-competitive contract with Harvey & Harvey, Attorneys-at-Law – for land title research services. There isn't anything unique in nature regarding this procurement which justifies circumventing the City's competitive bidding requirement contained in Article VI, § 11.
3. Item 1, on page 79 – proposed \$596, 989.00 City funded agreement with Verizon-MD for the relocation of Verizon's "Serving Area Interface."
4. Item 2, on page 79 – a proposed \$50,000.00 City funded agreement with Comcast of Baltimore City to facilitate the relocation of the Comcast plant, servicing the customers of the Penn Lucy and Westside skills Center areas.

It is our position that both of these proposed agreements must comply with the City's M/WBE Utilization requirements by virtue of the coverage of Article 5, § 28-4 (a) and (b). Subsection (a), in general, states that "this subtitle applies to all contracts awarded by the City." Subsection (s) "Third-Party contracts," states:

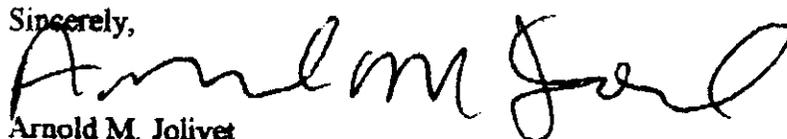
"Every contract or other agreement between the City . . . and quasi-governmental agency, corporation, developer, or contractor, under which the agency corporation, developer, or contractor receives any fiscal assistance from or through the City for the purpose of contracting with businesses to perform real estate development renovations, maintenance or other services must require the agency, corporation, developer, or contractor to comply with this subtitle in awarding and administering that contract or agreement."

See Article 5, § 24-4 (b), Baltimore City Code.

If these proposed contracts are approved, MMCA's members and MMCA will be injured.

Please be informed of my intent to be present at your 8/19/1009 public meeting to present this case. Thank you for your kind consideration of this matter.

Sincerely,



Arnold M. Jolivet  
Managing Director

## MINUTES

Department of Transportation - cont'd

## 3. BGE

\$134,134.00

Account: 9950-904493-9527-900020-707063

The purpose of this contract is to allow the BGE to relocate utilities under the new road alignment upon mass grading which includes relocation of electric main, service, or meter work. This infrastructure work consists of the relocation/extension and abandonment of the BGE gas facilities and the excavation of the removal of the BGE Overhead/Under-ground facilities due to the Uplands Development site improvements. The following is a cost breakdown:

Contract WMS Number 1827326	\$80,507.00
Contract WMS Number 1830699	\$40,268.00
Contract WMS Number 1830491	\$13,359.00

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing relocation agreements. The Mayor and the President **ABSTAINED** on item no. 3.

**MINUTES**

Department of Transportation - Conduit Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the execution of a conduit lease agreement with Bravo Health, Inc. The period of the agreement is July 1, 2009 through June 30, 2010 with one 1-year renewal option.

**AMOUNT OF MONEY AND SOURCE:**

\$1,021.05 - semi-annually

**BACKGROUND/EXPLANATION:**

Bravo Health, Inc. is requesting to lease approximately 2,150 linear feet of conduit space in the City's conduit system.

**(FILE NO. 56533)**

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a conduit lease agreement with Bravo Health, Inc.

**MINUTES**

Office of Councilman - Agreement  
James B. Kraft

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an agreement with the University of Maryland Foundation, acting on behalf of the Shriver Peaceworker Program. The agreement is effective upon Board approval through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$10,000.00 - 1001-000000-1000-106300-601029

**BACKGROUND/EXPLANATION:**

Under an agreement with the University of Maryland Foundation acting on behalf of the Shriver Peaceworker Program the City will reimburse the Foundation directly for the Peaceworker Fellow assigned to assist Mr. James B. Kraft.

The Peaceworker Fellow will work 20 hours a week and act as a legislative intern for Mr. Kraft. The Fellow will 1.) perform legislative research, 2.) provide constituent services, 3.) provide policy analysis, 4.) attend meetings of the City Council Committees and neighborhood groups, as requested, and 5.) perform other similar tasks as requested by Mr. Kraft.

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

UPON MOTION duly made and seconded, the Board approved and authorized the agreement with the University of Maryland Foundation, acting on behalf of the Shriver Peaceworker Program.

The President **ABSTAINED**.

**MINUTES**

Bureau of Water and Wastewater - Amendment No. 1 to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 1 to the agreement with KCI Technologies, Inc. for Project No. 1015, Engineering and Technical Services for Consent Decree (CD) Wet Weather Program. The amendment no. 1 to the agreement extends the period of the agreement through August 7, 2010 or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$1,482,020.74 - 9956-902639-9551-900020-703032

**BACKGROUND/EXPLANATION:**

On August 9, 2006, the Board approved an agreement with KCI Technologies, Inc. to address the requirements of the CD with the Environmental Protection Agency and the Maryland Department of the Environment relative to improvements to the City's Wastewater Collection System. The agreement included an option for up to three 1-year extensions.

On March 26, 2008, the Board approved the first renewal option in the amount of \$1,499,999.69 to extend the agreement through August 8, 2009. The City wishes to exercise the second 1-year renewal option, in the amount of \$1,482,020.74.

The consultant's engineering and technical services will include implementation of the flow monitoring plan; development and validation of Citywide sewer model; and development and implementation of operation and maintenance enhancements. In addition, the consultant will coordinate and manage sewershed studies; coordinate management of data associated with sewersheds; attend CD progress meetings; attend meetings with regulatory agencies and communities; and review emergency response plans.

The consultant was approved by the Architectural and Engineering Awards Commission.

MINUTES

BW&WW - cont'd

**MBE/WBE PARTICIPATION:**

<b>MBE:</b>	EBA Engineering, Inc.	\$112,174.52	7.6%
	Transviron, Inc.	203,901.24	13.8%
<b>WBE:</b>	Peer Consultants, PC	\$104,075.01	7.0%

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

**(FILE NO. 57079)**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 572,853.94	9956-549-627	
Counties	Constr. Res.	
	Wet Weather	
	Program	
1,061,139.06	" "	
Wastewater Rev.		
Bonds		
<b><u>\$1,633,993.00</u></b>		
\$1,482,992.86	-----	9956-902639-9556-3
		Engineering
<u>151,000.14</u>	-----	9956-902639-9556-9
		Administration
<b>\$1,633,993.00</b>		

This transfer will cover the cost of amendment no. 1 for Project No. 1015, Engineering and Technical Services for Consent Decree Wet Weather Program.

**(FILE NO. 57079)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 1 to the agreement with

## MINUTES

BW&WW - cont'd

KCI Technologies, Inc. for Project No. 1015, Engineering and Technical Services for Consent Decree (CD) Wet Weather Program.

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.

**MINUTES**

Bureau of Water and Wastewater - Amendment to On-Call Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to the on-call agreement with EA Engineering, Science and Technology, Inc. for Project No. 1067E, On-Call Environmental Engineering Services for Handling Hazardous Waste Materials. The amendment no. 1 to the agreement extends the period of the agreement through January 16, 2011 or until the upset limit is reached, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

\$500,000.00

**BACKGROUND/EXPLANATION:**

On January 16, 2008, the Board approved an on-call agreement with EA Engineering, Science and Technology, Inc. for Project No. 1067E for a period of two years. Due to the ongoing design and construction project costs, in addition to the fact that the consultant has used most of the upset limit under previous tasks, this amendment to the agreement will allow for an increase in the upset limit by \$500,000.00 for a total of \$1,000,000.00. As in the original agreement, the costs of services rendered will be based on a not to exceed negotiated price for each task. All other terms and conditions of the agreement remain unchanged.

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION AND INCREASE TO THE UPSET LIMIT IN THE AMENDMENT TO THE ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.**

**MINUTES**

Bureau of Water and Wastewater - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the amendment to the on-call agreement with EA Engineering, Science and Technology, Inc. for Project No. 1067E, On-Call Environmental Engineering Services for Handling Hazardous Waste Materials. The Comptroller **ABSTAINED**.

**MINUTES**

Bureau of Water and Wastewater - Amendment No. 1 to  
On-Call Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 1 to the on-call agreement with KCI Technologies, Inc. for Project No. 1043A, Urgent Need Water Design and Engineering Services. The amendment no. 1 to the agreement extends the period of the agreement through July 17, 2010 or until the upset limit is reached, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On July 18, 2007, the Board approved an agreement with KCI Technologies, Inc. for a two-year period for Project No. 1043A. Due to ongoing tasks relating to the Baltimore water system, this amendment no. 1 to the agreement will allow an extension for the consultant to continue to provide services through July 17, 2010. All other terms and conditions of the agreement remain unchanged.

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION FOR AMENDMENT NO. 1 TO THE AGREEMENT.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 1 to the on-call agreement with KCI Technologies, Inc. for Project No. 1043A, Urgent Need Water Design and Engineering Services.

**MINUTES**

Department of Real Estate - Agreement of Sale

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an agreement of sale with WBC Community Development Corporation, purchaser, for the sale of 3917 Fairview Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$10,000.00 - appraised value

**BACKGROUND/EXPLANATION:**

The authority to sell this property was approved by City Council Ordinance No. 477 approved on December 6, 1973.

The City will sell the property known as 3917 Fairview Avenue, Block 2752A, Lot 024 to the purchaser. The purchaser has paid a down-payment of \$1,000.00. The remaining balance of \$9,000.00 is payable at settlement.

UPON MOTION duly made and seconded, the Board approved and authorized the agreement of sale with WBC Community Development Corporation, purchaser, for the sale of 3917 Fairview Avenue.

**MINUTES**

Space Utilization Committee - Amendment to Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to lease agreement with Baltimore Harbor Properties, LLC, landlord, for the rental of approximately 10,500 square feet of space located at 5610 Harford Rd., 2<sup>nd</sup> and 3<sup>rd</sup> floors. The period of the agreement is September 01, 2009 through August 31, 2014 with an option to renew for an additional 3-year term.

**AMOUNT OF MONEY AND SOURCE:**

4000-425500-3110-537000-603013 - AERS  
4000-426200-3110-297300-603013 - Personal Care

<u>Annual Rent</u>	<u>Monthly Rent</u>
Year 1 - \$141,750.00	\$11,812.50
Year 2 - \$148,128.75	\$12,344.07
Year 3 - \$154,794.55	\$12,899.55
Year 4 - \$161,760.31	\$13,480.03
Year 5 - \$169,039.53	\$14,086.63

**BACKGROUND/EXPLANATION:**

The Baltimore City Health Department's Adult and Geriatric Services, will use the leased premises for office space.

The landlord will be responsible for structural maintenance, utilities, maintenance and repairs, trash removal, fire insurance, real estate taxes, janitorial services, and snow removal. The tenant shall be responsible for telephone and computer services to the leased premises and liability insurance under the City's self-insured program.

**MINUTES**

Space Utilization Committee - cont'd

The Space Utilization Committee approved this amendment to lease agreement at its meeting on August 11, 2009.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of an amendment to the lease agreement with Baltimore Harbor Properties, LLC, landlord, for the rental of approximately 10,500 square feet of space located at 5610 Harford Rd., 2<sup>nd</sup> and 3<sup>rd</sup> floors.

MINUTES

President: "The Board is in recess until twelve o'clock noon  
for the opening and receiving of bids."

\* \* \* \* \*

**MINUTES**

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 had issued an Addendum extending the dates for receipt and opening of bids on the following contract. There were no objections.

**THERE WERE NO ADDENDUM RECEIVED.**

## MINUTES

Thereafter, UPON MOTION duly made and seconded, the Board received, opened and referred the following bids to the respective departments for tabulation and report:

Department of Recreation & Parks - RP 09817, Fort Armistead  
Breakwater Replacement FY'09

Garden State Highway  
Products, Inc.  
Hall Signs, Inc.  
Rocal Inc.  
Custom Products Corp.  
Lightle Enterprises of  
Ohio, LLC

Bureau of Purchases - B50001162, Extruded Street  
Name Sign Blanks

Allied Contractors, Inc.  
Corman Marine Construction  
Dissen & Juhn LLC  
Edwin A & John O Crandell Inc.  
McLean Contracting Company

Bureau of Purchases - B50001170, Aftermarket Parts  
and Service for Detroit  
Engines

Davis Engine Repair  
Multiparts and Services

**MINUTES**

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, August 26, 2009.

JOAN M. PRATT  
Secretary