

MINUTES

REGULAR MEETING

Honorable Bernard C. "Jack" Young, President
Honorable Stephanie Rawlings-Blake, Mayor
Honorable Joan M. Pratt, Comptroller and Secretary
George A. Nilson, City Solicitor
Alfred H. Foxx, Director of Public Works
David E. Ralph, Deputy City Solicitor
Ben Meli, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

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The meeting was called to order by the President.

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ANNOUNCEMENT

Deputy Comptroller: "I would like to also announce that the Board of Estimates will be in recess on July 6, 2011. The Board of Estimates will not receive or open bids on July 6, 2011. The Board of Estimates will reconvene on July 13, 2011."

Comptroller: "Thank you."

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President: "I would direct the Board members attention to the memorandum from my office dated June 27, 2011 identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

MINUTES

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

Comptroller: "Second."

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

Motion carries. The routine agenda has been adopted."

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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:

Arthur Construction Co., Inc.	\$ 8,000,000.00
Cianbro Corporation	\$261,477,000.00
Cynergy Electric Company, Inc.	\$ 8,000,000.00
Driscoll Construction Co., Inc.	\$ 83,997,000.00
Dustin Construction, Inc.	\$ 69,786,000.00
Enterprise Electric Company	\$144,945,000.00
G. Krug & Son, Inc.	\$ 711,000.00
MEB General Contractors, Inc.	\$162,693,000.00
Midlantic Piling, Inc.	\$ 8,000,000.00
S.E. Fields, Inc.	\$ 846,000.00
S.J. Louis Construction, Inc.	\$ 76,446,000.00
Santos Construction Company, Inc.	\$ 2,457,000.00
Trenton Contracting Co., Inc.	\$ 1,500,000.00

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:

Navarro & Wright Consulting Engineers, Inc.	Engineer, Land Survey
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Rubeling & Associates, Inc.	Architect
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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.

MINUTESSpace 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 Mr. Jay Davis, Landlord, for the rental of approximately 1,000 square feet of space located at 5132-34 Park Heights Avenue (Block 4582, Lot 011A). The amendment will extend the period of the lease through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$8,000.00	\$2,000.00

Account: 5000-560110-2250-248201-603013

BACKGROUND/EXPLANATION:

The leased space will be used for municipal purposes in the operation of the Baltimore City Police Department/Mayor's Office of Criminal Justice CSAFE Program.

On July 1, 2009, the Board approved a lease agreement with Mr. Jay Davis for the rental of the property located at 5132-34 Park Heights Avenue (Block 4582, Lot 011A) consisting of approximately 1,000 square feet. The period of the original lease agreement is July 1, 2009 through June 30, 2010, with an option to renew for one year. On July 1, 2010, the City exercised its one year renewal option commencing on July 1, 2010 through June 30, 2011.

The amendment to agreement will extend the original term of the lease agreement for one year, commencing on July 1, 2011 through June 30, 2012. All other terms and conditions of the original lease will remain in full force and effect.

The Space Utilization Committee approved this amendment to lease agreement on June 21, 2011.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57100)

MINUTESSpace Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the amendment to lease agreement with Mr. Jay Davis, Landlord, for the rental of approximately 1,000 square feet of space located at 5132-34 Park Heights Avenue (Block 4582, Lot 011A).

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

The Board is requested to approve and authorize execution of a lease agreement with the Oliver Community Association, Tenant, for the rental of approximately 2,952 square feet of space, being on the 2nd floor, located at 1400 E. Federal Street. The period of the lease agreement is January 1, 2011 through February 29, 2012.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$7,200.00	\$600.00

BACKGROUND/EXPLANATION:

The lessee has an option to renew for an additional one year term commencing March 1, 2012 through February 28, 2013 at a negotiated rate.

The tenant will use rooms 1-6 for its administrative services and other activities. The tenant will accept the property as-is condition. The tenant will furnish janitorial services and security. The tenant will provide trash removal services to exterior dumpster. The tenant will provide liability insurance.

The City will be responsible for all utilities, snow removal, maintenance and repairs, and trash removal from the exterior of the building.

The Space Utilization Committee approved this amendment to lease agreement on June 21, 2011.

(FILE NO. 56631)

UPON MOTION duly made and seconded, the Board approved and authorized the lease agreement with the Oliver Community Association, Tenant, for the rental of approximately 2,952 square feet of space, being on the 2nd floor, located at 1400 E. Federal Street.

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

The Board is requested to approve and authorize execution of a sub-lease agreement with Community Media of Baltimore City, sub-tenant, for the use of office space located at 34 Market Place, being on the 2nd Floor, consisting of 117 square feet. The period of the sub-lease agreement is December 1, 2010 through November 30, 2012.

AMOUNT OF MONEY AND SOURCE:

	<u>Total Rent</u>	<u>Monthly Rent</u>
Dec. 1, 2010 - May 31, 2011	\$ 819.00	\$136.50
June 1, 2011 - May 31, 2012	\$1,731.60	\$144.30
June 1, 2012 - Nov. 30, 2012	\$ 900.90	\$150.15

BACKGROUND/EXPLANATION:

The Community Media of Baltimore City will use the leased premises for office space.

The sub-landlord will be responsible for all inclusions such as maintaining the premises in good, clean and safe repair and condition, ordinary wear and tear expected per the Master Lease with Thirty Four Market Place, LLC.

The sub-tenant shall be responsible to maintain the interior of the Premises in good, clean, and safe repair and condition, ordinary wear and tear expected.

The sub-lease agreement is late because of a change in the organization's Officers.

The Space Utilization Committee approved this lease agreement on June 21, 2011.

MINUTES

Space Utilization Committee - cont'd

(FILE NO. 56621)

UPON MOTION duly made and seconded, the Board approved and authorized the sub-lease agreement with Community Media of Baltimore City, sub-tenant, for the use of office space located at 34 Market Place, being on the 2nd Floor, consisting of 117 square feet.

MINUTES

Department of Real Estate - Option Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an option agreement with Shelter Development, LLC, (Optionor) for the purchase of a portion of Ward 27, Section 69, Block 4758, Lot 1B, known as 4805 Tamarind Road, consisting of approximately 30,667 square feet, more or less.

AMOUNT OF MONEY AND SOURCE:

\$22,000.00 - 9938-901718-9474-000000-704040
Appraised Value

BACKGROUND/EXPLANATION:

The property is shown on Subdivision Plat 323-A-10 dated June 3, 2011, Jones Falls Trail Tamarind Road. The property is the Jones Falls Trail Phase IV (Plat) subject to an approximate 911 square foot easement for ingress and egress reserved in the Optionor as also shown on the Plat (Property).

On June 27, 2007 the Board approved an Agreement between the City and the State of Maryland for Jones Falls Trail Phase IV through grant funds from the Federal SAFETY-LU program. The acquisition of approximately 30,667 square feet area of land is necessary for the construction of an 8-12 foot wide trail from the Woodberry Light Rail station to Clyburn Arboretum.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57244)

UPON MOTION duly made and seconded, the Board approved and authorized the option agreement with Shelter Development, LLC, for the purchase of a portion of Ward 27, Section 69, Block 4758, Lot 1B, known as 4805 Tamarind Road, consisting of approximately 30,667 square feet, more or less.

MINUTESDepartment of Real Estate - Tax Sale Certificates**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Tax Sale Certificates to the Coppin Heights Community Development Corporation (CHCDC) for amounts that are less than the lien amount for the properties listed below:

AMOUNT OF MONEY AND SOURCE:

<u>Property Address</u>	<u>Assessed Value</u>	<u>Flat Taxes & Water</u>	<u>Total Liens</u>	<u>Assignment Amount</u>
2703 W. North Ave.	\$3,000.00	\$ 868.20	\$ 42,820.47	\$3,000.00
2705 W. North Ave.	\$3,000.00	\$1,082.92	\$ 21,409.03	\$3,000.00
2707 W. North Ave.	\$3,000.00	\$ 998.09	\$ 56,302.92	\$3,000.00
2709 W. North Ave.	\$3,000.00	\$3,728.59	\$ 73,844.71	\$3,728.59
2745 W. North Ave.	\$3,000.00	\$1,390.78	\$ 7,710.67	\$3,000.00
2755 W. North Ave.	\$3,000.00	\$2,170.32	\$ 10,660.85	\$3,000.00
2776 W. North Ave.	\$3,000.00	\$ 998.09	\$153,759.38	\$3,000.00

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificates for the indicated properties on May 17, 2010 for the lien amounts. The CHCDC has offered to purchase the Tax Sale Certificates for the assignment amounts, file petitions to foreclose, acquire title to the properties and return them to productive use. The assignment amounts for these properties for the Tax Sale Certificates is the assessed value and will cover the flat taxes and water bills on the properties.

(FILE NO. 56662)

MINUTESDepartment of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Tax Sale Certificates to the Coppin Heights Community Development Corporation for amounts that are less than the lien amount for the foregoing properties.

MINUTES

Department of Audits - TRANSFER OF LIFE-TO-DATE
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Beverly Reich.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Gail Adams	1
Darlene Armstrong	1
Veronica Buencamino	2
Rena Chernoff	1
Gerald Domonkos	2
Abraham Elgamil	3
Jack Evans	1
Anehru Hamadu	2
Juliet Handy	1
Sharon Lockley	1
Berta Lorenza	1
Michael Maguire	1
Robert McCarty	1
Anthony Moon	1
Miriam Moses	2
Jonastine Stanley	2
Joann White-Burnett	2
Carla Winchester	2
Milton Wolinski	3
	<u>30</u>

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved and the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Beverly Reich.

MINUTESBaltimore Development Corporation - Office Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement with Tuskegee Enterprises, LLC, tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suites 302, at the Business Center @ Park Circle, consisting of approximately 754 square feet. The period of the agreement is June 1, 2011 through May 31, 2012, with one one-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Installments</u>
1	\$11,698.80	\$974.90

BACKGROUND/EXPLANATION:

The tenant is a mortgage banking and financial services company that specializes in Reverse Mortgages. The firm has been a tenant in the building since 2007 and will have approximately three to five employees.

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.

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.

MINUTES

Baltimore Development Corporation - cont'd

(FILE NO. 56445)

UPON MOTION duly made and seconded, the Board approved and authorized the lease agreement with Tuskegee Enterprises, LLC, tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suites 302, at the Business Center @ Park Circle, consisting of approximately 754 square feet. The Comptroller **ABSTAINED**.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. MFM Real Estate & Development, LLC	914 N. Patterson Park Ave.	L/H	\$ 7,100.00
2. Etting Fay, LLC	1228 N. Gay St.	F/S	\$22,000.00

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

(FILE NO. 56017)

DHCD - Condemnations

3. Cross Atlantic Realty, LLC	1034 N. Castle St.	F/S	\$ 5,250.00
4. George Solomon	Block 1529, Lot 087	F/S	\$ 4,150.00

(FILE NO. 56017)

Funds are available in account 9910-906416-9588-900000-704040, EBDI, Phase 2 Project.

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

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 25** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on June 8 and June 15, 2011.

The Board **NOTED** the **25** reports.

MINUTES

TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2072 - 2075

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 Mayor **ABSTAINED** on item nos. 5 and 8.

The President **ABSTAINED** on no. 8

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
1. \$ 10,000.00	9938-913001-9475	
MVR	Reserve	
	Unallotted	
45,000.00	9938-902691-9475	
MVR	Reserve	
	Western Run	
	Greenway	
<u>\$ 55,000.00</u>	-----	9938-907740-9474
		Active
		Jones Falls Greenway
		Phase V

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1064, Task # 37 to Greenman-Pederson, Inc.

2. \$ 45,468.81	9938-901653-9475	
MVR	Reserve Unallotted	
58,000.00	9938-907740-9474	
MVR	Reserve	
	Jones Falls	
	Greenway	
<u>\$103,468.81</u>	-----	9938-907740-9474
		Active
		Jones Falls
		Greenway

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1064, Task # 38 to Greenman-Pederson, Inc.

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
3. \$ 85,000.00	9938-905793-9475	9938-904793-9474
Rec. & Parks	Reserve	Active
25 th Series	Citywide Park	Citywide Park
	Maintenance	Maintenance

This transfer will provide funds to cover the costs associated with the renovation of the City Spring Athletic Field.

Department of General Services

4. \$250,000.00	9916-907170-9194	9916-908170-9197
3 rd Public	Reserve	Gen. Fund
Building Loan	Municipal Bldgs.	Revenue
	Master Plan	Active
		Municipal Bldgs.
		Master Plan

The funds will provide for in-house staff to survey over 100 buildings, an estimated 1,000,000 sq. ft. of space, and develop building system condition assessments. The assessment will enable staff to evaluate the remaining design life of each system and to develop replacement costs estimates for each system. These condition assessments will enable the City to develop an optimal capital budget investment strategy for its facilities.

5. \$ 85,000.00	9916-902204-9194	9916-903204-9197
1 st Public	Wahl Building	Wahl Building
Building GO	Roof Replacement	Roof Replacement
Bond	Reserve	Active

This transfer will provide funds to cover the costs associated with completion of the roof improvements made to the Baltimore Convention Center.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
6. \$295,000.00 Federal	9950-902784-9509 Constr. Reserve People Mover System	9950-901428-9506-6 Structures and Improvements Jones Falls Trail - Phase I
This transfer will provide funds for the purchase of Transit Passenger Shelters and benches through the Requisition relating to the project Jones Falls Trail - Phase I.		
7. \$ 150,000.00 MVR	9950-909981-9509 Const. Reserve In-house Street Resurf. Prog.	9950-904981-9508 In-house Street Resurf. Prog.
This transfer will provide funding for the purchase of a Compaction Roller, Lowboy Trailer and Tandem Axle Trailer cab through Req. No. 570305 and 570314 for internal milling and paving operation under the project "In-house Street Resurfacing Program."		
8. \$ 245,982.00 Federal	9950-917001-9507 Constr. Res. - Highways Aid	9950-905662-9508-3 Design & Studies Water Taxi - Maritime Training Project
This transfer will fund costs associated with PO #P508538 with Living Classrooms to provide education in operational and equipment safety to existing and potential maritime operators in Baltimore's harbors and waterways.		

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation - cont'd</u>		
9. \$1,164,000.00	9950-919001-9509	9950-905980-9508-6
Federal	Constr. Reserve	Structures and
	Downtown Shuttle	Improvements Down-
	System	town Shuttle System

This transfer will fund the purchase of four BRT Hybrid buses from Daimler Buses North America through Req. No. R577151 to provide additional capacity on the Charm City Circulator.

MINUTES

Department of Recreation - Joint Use Agreement
and Parks (Rec. & Parks) and Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a joint use agreement with the MD Department of Natural Resources (DNR), and the Baltimore Board of School Commissioners (BBSC) and Attachment B, grant agreement with the Baltimore Board of School Commissioners. The period of the joint use agreement is effective upon Board approval for the useful life of the project. The period of the grant agreement is effective upon Board approval through Completion of the project.

AMOUNT OF MONEY AND SOURCE:

\$75,000.00 - 9938-907808-9474-900000-706063

BACKGROUND/EXPLANATION:

On July 28, 2010, the Maryland Board of Public Works approved the commitment of Program Open Space/Community Parks and Playgrounds funds to the City for the renovation of the Northwestern High School Track. As a condition precedent to the receipt of the funding, a written agreement between the City, the DNR and the BBSC is required to establish the terms, conditions and mutual responsibilities with respect to the project. A grant agreement between the City and the BBSC is required in order for the BBSC to receive the funds.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Department of Recreation and Parks - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 75,000.00	9938-908808-9475	9938-907808-9474
State	Reserve	Active
	Community Park	Community Park
	and Playground	and Playground
	FY11	FY11

This transfer will provide funds to cover the costs associated with the renovation of the Northwestern High School Track.

UPON MOTION duly made and seconded, the Board approved and authorized the joint use agreement with the MD Department of Natural Resources, and the Baltimore Board of School Commissioners and Attachment B, grant agreement with the Baltimore Board of School Commissioners. 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

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

2079 - 2088

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. The President **ABSTAINED** on

item nos. 4 - 11. The Comptroller voted **NO** on

item nos. 4 - 11.

MINUTES**EXTRA WORK ORDERS**

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

Department of Transportation

1. EWO#003, \$0.00 - TR 10308, Resurfacing Highways @ Various Locations Citywide

\$2,143,832.06	\$102,869.73	P. Flanigan & Sons, Inc.	150	-
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2. EWO#008, \$372,883.04 - TR 05312, Lombard Street Resurfacing from Martin Luther King Boulevard to President Street

\$1,657,500.00	\$721,495.73	Machado Construction Co., Inc.	-	-
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3. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$137,000.00	9950-919001-9509	
Others	Constr. Reserve	
	Unallotted	
131,290.90	9950-908980-9509	
<u>MVR</u>	Constr. Reserve	
	Downtown Shuttle System	
\$268,290.90	-----	9950-905980-9508-2
		Contingencies
		Downtown Shuttle System

This transfer will provide funds to clear the deficit in the account and fund costs associated with Change Order No. 8, Project No. TR 05312 with Machado Construction Co., Inc.

MINUTES

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time Ext.	% Compl.
<u>Bureau of Water & Wastewater</u>				
4. EWO#019, \$369,965.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$4,887,433.93	Spiniello Companies	0	76
5. EWO#020, \$697,250.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$5,257,398.93	Spiniello Companies	0	76
6. EWO#021, \$514,225.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$5,954,648.93	Spiniello Companies	0	77
7. EWO#022, \$1,483,468.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$6,468,873.93	Spiniello Companies	0	77
8. EWO#023, \$895,502.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$7,952,341.93	Spiniello Companies	180	80 Days
9. EWO#024, \$701,040.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$8,847,843.93	Spiniello Companies	0	84
10. EWO#025, \$619,630.00 - W.C. 1198, Urgent Need Work Infra- Structure Rehabilitation Various Locations	\$10,473,325.00 \$9,548,833.93	Spiniello Companies	0	84

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water & Wastewater11. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 250,000.00	9960-907101-9558	
Baltimore County	Constr. Reserve	
	Small Water Main	
	Program	
4,750,000.00	9960-909100-9558	
Water Revenue	Constr. Reserve	
<u>Bonds</u>	Water Infrastr.	
	Rehab	
\$5,000,000.00	-----	9960-903682-9557-2
		Extra Work

The funds are required to cover the costs of extra work under W.C. 1198, Infrastructure Rehabilitation at Various Locations.

President: "The first item on the non-routine agenda can be found on Pages 20 and 21 #4 through 11. Extra Work Orders for Urgent Need Work Infrastructure Rehabilitation at Various Locations and an associate Transfer of Funds. Will representatives from the Bureau of Water and Wastewater please come forward?"

Mr. Chow: "Good morning."

President: "Good morning."

Mr. Chow: "Good morning Mr. President, Madam Mayor and fellow Board members."

MINUTES

Comptroller: "State your name."

Mr. Chow: "My name is Rudolph Chow, Bureau Head of Water and Wastewater. Before I start let me just hand out some documents."

Mayor: "Two is fine I will give one to the --."

Mr. Chow: "Sure. Thank you. WC 1198, Urgent Water Infrastructure Rehabilitation was first of all given notice of August of 2009, with a two year contracting period to address the basic needs -- the Urgent Needs work. The original award was for \$10.47 million was based upon competitive bidding. In principle, the planned work as routinely accomplished within the Bureau of Water and Wastewater encumbers a normal design and bid process of one to two years. This Urgent Needs contract was aimed in response to infrastructure rehabilitation which required attention upon a shorter time scale, however, did not represent characteristics attributed to emergency work such as large water main breaks. However, in practice, what this contract has basically handled or augmented for all three categories namely; the Urgent, Planned, as well as Emergency Work. There was a table listed in the memo that DOT driven basically needs \$8,000,000.00 was accomplished due to the resurfacing or the reconstruction of the roadways. So, before they do that we need to do our water main replacement in so it doesn't have to be dug

MINUTES

up again. As well as the emergency work we called the 72 inch Dundalk PCCP water main break. That emergency repair was accomplished via this particular Urgent Needs contract. As well as there is about \$8,000,000.00 or \$9,000,000.00 worth of what we call urgent and planned water main replacement work. To date, WC 1198 has incurred 18 extra work tasks over the original contract for an additional amount of \$4,887,433.91. The current agenda requests permission for extra work orders 19 through 25 for an additional \$5,281,080.00 and time extension of six months through January 2012. This time extension is necessary to allow for revised design subsequent water infrastructure rehabilitation projects which will span four planned projects with a value of approximately \$15.3 million dollars and one urgent needs contract with a value of \$5,000,000.00 over a two year period. The Bureau anticipates that through the completion of 1198, there will be a need for additional approval leading up to January 2012 totaling approximately additional \$4,000,000.00. for approval for new work as well as any unforeseen needs. Going forward, however, the Bureau will make a much concerted effort of sorting out required needs in the respective categories. As mentioned above, the four planned projects will follow the traditional design build process where the lowest bidder is awarded with a contract. In addition to

MINUTES

the \$5,000,000.00 for truly urgent needs, and any unforeseen emergencies will procedures as outlined under the City Charter. And I am available for any questions that you might have."

Mr. Bob McCarty: "Good morning Mr. President, members of the Board."

President: "Good morning."

Mr. McCarty: "My name is Bob McCarty I am the City Auditor. We basically had two concerns with these six change orders going to the Board today, numbers 19 through 25 on page 20. The first was that based on what we found, they range from being 75% to 100% completed already and the work started on these back in October 2010 through March of 2011. And change orders are required to have the prior approval of the Board of Estimates. The Green Book which is the City of Baltimore Specifications for Materials, Highways, Bridges, Utilities and Incidental structures under the section for construction change orders and directive states that obtaining prior Board approval will cause substantial delay in the work or substantial additional cost to the City because of the delay, the engineer with the written concurrence of the Director has the authority to change -- to order the change without obtaining the prior approval of the Board. If that occurs, an early written notification to the Board shall state that the reason why it was necessary to order

MINUTES

the change without first obtaining the Board approval. We do not see where this was done. We also found that there are approximately 12 more change orders that are planned to come to the Board for approval and they total an estimated \$2,000,000.00 and we found that some of this work has already been completed. Some for over a year. We also had, I guess, confusion on the Urgent Need and that we were not sure if planned work and maybe Emergency work was included. We found - we informed that the planned work is something that needs to be completed within one to 1½ years and must be bid out and can be postponed, and Urgent Need work must be completed in less than 1½ years and of course the Emergency Work goes by the Charter. Basically, we have two recommendations, one is that DPW comply with the Green Book requirements obtaining Board of Estimates approval and we also recommended DPW establish clear written definitions for what is planned and what is Urgent Need work."

Comptroller: "I have a couple of questions."

President: "Madam Comptroller."

Comptroller: "Is DPW aware of the Green Book requirement that change orders need prior Board approval?"

Mr. Chow: "Yes we do. However, in practices you know we have to always obtain the Director's approval. However, we might not have come forward until we have a bundle of them. Is that

MINUTES

practice the best management practice, perhaps not? But going forward we'll make sure that we follow the proper approval process."

Comptroller: "Okay. And are you aware of the procedures when prior approval cannot be obtained. Are you aware of the procedures when prior Board approval cannot be obtained?"

Mr. Chow: "Am I not."

Comptroller: "You are aware?"

Mr. Chow: "Yes I am."

Comptroller: "Okay. When can the Board receive written clarification for the difference between Planned and Urgent, because we know what the Charter says about Emergency?"

Mr. Chow: "Well the memo I just handed to you basically gets into some what of the definition of what we view as "Planned" versus "Urgent" versus "Emergency"."

Comptroller: "Okay. Now I have a question, the Emergency, were they Emergency when the Department of Audits reviewed them?"

Mr. McCarty: "We couldn't tell. It is possible. It was more of the other side between the Urgent Need and the Planned. We thought there was a better chance that might have occurred."

Director of Public Works: "But -- Al Foxx --, in several cases that Mr. Chow indicated the Dundalk Avenue clearly an Emergency because destruction of property was at stake and they had to

MINUTES

react very quickly and a lot of things that he talked as far as water main breaks where you have to respond very quickly does fit into the category of Urgent where the Director gives the approval and comes back and asks for the Board's permission if it is above the dollar limit on that particular contract. So, I think as Mr. Chow stated, they are putting in place the mechanisms to make sure that the proper procedures are followed for each of the categories and that's -- and I think that is the key thing, -- proper procedure followed for each of the categories."

Comptroller: "So, the original contract was \$10,000,000.00 and the total contract amount will be approximately?"

Mr. Chow: "\$27,000,000.00."

Comptroller: "So the original contract was \$10,000,000.00 and the -- it will be \$27,000,000.00 when the job is completed?"

Mr. Chow: "Right. In essence under the new process that we are going to be moving forward with, the Planned Work amounts to about \$15,000,000.00. Those works will be carried out under the traditional bidding process."

Comptroller: "That was my next question."

Mr. Chow: "Rather than Urgent."

Comptroller: "Okay."

Mr. Chow: "Correct."

MINUTES

Comptroller: "I have no other questions."

President: "Okay. I will entertain a Motion. Thank you. Move to approve the request as submitted by the Department."

Director of Public Works: "Second."

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

Comptroller: "I **OPPOSE** because the proper procedure was not followed."

President: "Please note that I **ABSTAIN**. The Motion carries."

* * * * *

MINUTES

Health Department - Employee Expense Report

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense report for Ms. Paulette Tucker for the month of December 2010.

AMOUNT OF MONEY AND SOURCE:

\$70.90 - 1001-000000-3100-295900-604003

BACKGROUND/EXPLANATION:

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


Ms. Tucker submitted her request for reimbursement several months after purchasing uniforms due to her lack of understanding of the policy.

The Department apologizes for the lateness.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense report for Ms. Paulette Tucker for the month of December 2010.

FROM	NAME & TITLE	Rudolph S. Chow, P.E. – Bureau Head	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of Water & Wastewater 300 Abel Wolman Municipal Building		
	SUBJECT	WC 1198 Urgent Needs Water Infrastructure Rehabilitation		

TO The Honorable President and Members
of the Board of Estimates

DATE: June 29, 2011

Dear Mr. President and Members:

Water Contract 1198 Urgent Needs Water Infrastructure Rehabilitation was given notice to proceed on August 26th, 2009 with an original scope of work addressing “Urgent Needs” work over a period of two years. The award amounted to \$10.47 million and was based upon competitive bidding.

In principle, “Planned Work” as routinely accomplished within the Bureau of Water and Wastewater encumbers a normal design and bid process of one to two years. This Urgent Needs contract was aimed in response to infrastructure rehabilitation which required attention upon a shorter timescale, however did not represent characteristics attributed to “Emergency Work” such as large water main breaks.

In practice, the scope of the contract has been augmented in response to all three categories. The urgent needs repairs related to repair of water and sewer lines in advance of Department of Transportation resurfacing and reconstruction work. In addition, the contract has been utilized for emergency repairs including the 72” Dundalk water main break. The table presented below summarizes a breakdown of the three types of work currently released under the contract and the corresponding cost per the engineers estimate.

<i>Type</i>	<i>Cost</i>
DOT Driven	\$ 8,001,000
Emergency	\$ 2,740,000
Urgent Needs/Planned	\$ 8,980,000
Total	\$19,730,000

To-date WC 1198 has incurred eighteen extra task orders over the original contract for an additional amount of \$4,887,433.91. The current agenda requests permission for extra work orders nineteen through twenty-five for an additional \$5,281,080.00 and time extension of six months through January 2012. The time extension is necessary to allot for revised design of subsequent water infrastructure rehabilitation projects which will spawn four planned projects with a value of approximately \$15.3 million and one urgent needs contract with a value of \$5M over a two year period.

The Bureau anticipates that through the completion of WC 1198 there will be a need for additional approval leading up to January 2012 totaling approximately additional \$4,000,000 for released and new work as well as unforeseen needs.


The Honorable President and Members of the Board of Estimates

June 29, 2011

Page 2

Going forward, the Bureau will make a much concerted effort of sorting out required needs in the respective categories. As mentioned above, the four planned projects will follow the traditional design-bid-build process, the \$5M urgent needs contract will be utilized for true urgent needs. Any unforeseen emergency work will follow the procedure as outlined under the City Charter.

If you may have additional questions regarding this matter, please do not hesitate to contact me at 410-396-3500.



Rudolph S. Chow, P.E.
Bureau Head

RSC:bb

cc: Mr. Alfred H. Foxx
Mr. Benjamin Meli, Jr.
Opinder Singh, P.E.
Mr. Samuel Atolaiye
Mr. Blake Bornkessel

Health Department - Agreements

1.	THE JOHNS HOPKINS UNIVERSITY	\$182,279.00
----	------------------------------	--------------

MWBOO GRANTED A WAIVER.

- | | | |
|----|----------------------------------|--------------|
| 2. | THE AFTER-SCHOOL INSTITUTE, INC. | \$ 25,000.00 |
|----|----------------------------------|--------------|

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

3. **SISTERS TOGETHER AND REACHING, INC. (STAR) \$ 8,000.00**

Account: 1001-000000-3041-274005-603051

STAR is collaborating with the Department's Needle Exchange Program on a project called "The Block Project". STAR will supply work space on its mobile unit for the Department to offer reproductive health services each Thursday evening of the month during the contract term. STAR will also conduct counseling, testing and referral services. The period of the agreement is October 1, 2010 through June 30, 2011.

The agreement is late due to an oversight and the award to STAR was never processed. Approval of this agreement will allow the Department to reimburse STAR for services provided.

4. **JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE \$ 34,070.00**

Account: 4000-425611-3023-606109-603051

Under this agreement the Johns Hopkins HIV Women's Health Program will provide comprehensive services to HIV/AIDS infected women during pregnancy to minimize the risk of mother to child transmission of HIV while maintaining optimal health of the mother and provide antiretroviral treatment during pregnancy.

MWBOO GRANTED A WAIVER.

5. **THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE \$ 25,273.00**

Account: 4000-425611-3023-274407-603051

Under this agreement the Johns Hopkins Women's Health Program will serve the obstetrical needs of HIV infected women in Maryland as part of overall reproductive health services. Services will be provided through the Ryan White Part D program and will include outpatient ambulatory health care, medical case management, non-medical case management and psychosocial support.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

6. THE JOHNS HOPKINS UNIVERSITY \$ 95,000.00
(JHU)

Account: 4000-424511-3023-274413-603051

The JHU will provide HIV counseling, testing and referral (CTR) services in the obstetrical clinic and community base centers. The JHU will also facilitate clients identified as HIV infected into primary care and case management, engage people in HIV prevention through health education and prevention counseling while providing CTR Services. In addition, they will provide linkage with and referral to outreach programs.

MWBOO GRANTED A WAIVER.

7. THE JOHNS HOPKINS UNIVERSITY \$ 71,670.00
(JHU)

Account: 4000-425611-3023-274404-603051

The JHU will provide comprehensive service to HIV infected women during pregnancy to minimize the risk of mother to child transmission of HIV while maintaining optimal health of the mother and antiretroviral treatment during pregnancy.

MWBOO GRANTED A WAIVER.

8. THE JOHNS HOPKINS UNIVERSITY \$ 13,987.00
(JHU)

Account: 4000-425611-3023-606110-603051

The JHU will provide HIV psychosocial support services to women receiving prenatal services through peer support groups and individual counseling with an emphasis on treatment adherence and HIV and STD prevention.

MINUTES

Health Dept. - cont'd

9. **CHASE BREXTON HEALTH SERVICES, INC.** **\$100,000.00**

Account: 4000-424511-3023-274450-603051

The organization will provide HIV counseling, testing and referral services. Clients can get tested confidentially or anonymously and may request HIV counseling and testing as part of their medical visit. Services will include pre and post-test counseling sessions, specimen collection and handling and documentation, as well as partner notification services for 14,135 patients.

MWBOO GRANTED A WAIVER.

The agreements are late because the Maryland Department of Health and Mental Hygiene Infectious Disease and Environmental Health Administration programmatically manages Ryan White Part D services. The Department is responsible for processing contracts after receipt of an approved budget and scope of services and making payments to the provider after the State selects the provider through the Request for Proposal process.

10. **BALTIMORE SUBSTANCE ABUSE SYSTEMS, INC.** **\$253,930.00**
(BSAS)

Account: 4000-421911-3041-268400-603051

The BSAS will provide risk-reduction strategies to decrease the incidence of HIV/STI infection among intravenous drug users and other substance abusers living in Baltimore City.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

11. **THE JOHNS HOPKINS UNIVERSITY** **\$ 14,740.00**
(JHU)

Account: 4000-422311-3030-513200-603051

The JHU will provide an Evening Outreach Supervisor. This individual will provide the evening scheduling and staffing for all evening outreach testing and van activities. They will also be responsible for onsite supervision of van activities providing feedback to outreach staff to ensure goals are met as well as outreach testing.

The agreement is late because of the delay in receipt of an acceptance scope and budget.

12. **HARBEL COMMUNITY ORGANIZATION INC.** **\$ 6,977.00**

Account: 4000-432510-3100-546015-603051

The organization will provide services in the area of one part-time substance abuse counselor or alcohol and drug trainee and one part-time supervisor for the Harford Heights Elementary School-Based Health Center. Substance abuse prevention and treatment will focus on drugs, alcohol and tobacco as specific substances to avoid. The period of the agreement is March 1, 2011 through June 30, 2011.

The agreement is late because it was awarded late in the funding period and was just finalized.

MINUTES

Health Department - cont'd

13. **HEBRON HOUSE, INC.** **\$ 2,900.00**

Account: 4000-433412-3023-273300-601009

The Department will partner with the organization to provide the following services: identify clients who are Medicare beneficiaries, screen clients using the Senior Health Insurance Program (SHIP) referral form, refer screened beneficiaries who need enrollment assistance into one or more benefit programs to SHIP by fax or email, and provide outreach in the mental health community. The SHIP will provide outreach materials, identified partnering agency staff must attend SHIP training, provide monthly summary reports to include number of persons identified, screen and referred, no later than 15th of each month, provide training to identify the Commission on Aging and Retirement Education services staff regarding mental health issues, with permission from clients. SHIP will also refer appropriate clients to the Hebron House, Inc. who need mental health intervention. The period of the agreement is May 1, 2011 through December 31, 2011.

The agreement is late because the signatory was not available earlier and because of budget revisions.

14. **THE JOHNS HOPKINS UNIVERSITY** **\$ 82,733.00**
(JHU)

Account: 4000-424511-3023-274430-603051

The JHU will provide integrated behavioral care for HIV positive patients with co-occurring substance abuse and mental health disorders who receive medical care at the Moore Clinic.

MWBOO GRANTED A WAIVER.

The agreement is late because the State AIDS Administration programmatically manages Ryan White Part B services. The Department is responsible for processing contracts after receipt of an approved budget and scope of services and making payments to the provider after the State selects the provider through the request for proposal process.

MINUTES

Health Dept. - cont'd

15. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS** **\$100,330.00**

Account: 5000-587410-5750-672217-603051 \$ 54,495.00
5000-585811-5750-668806-603051 \$ 45,835.00

The organization will provide various therapy/evaluation services on as as-needed basis. The organization will also provide continuation of early intervention services for children from three years old to kindergarten; coordinate services with the Department's Infants and Toddler program staff in compliance with the local early intervention system. The program will include a combination of home and center-based evaluation and groups for three through five year olds. The period of the agreement is July 1, 2009 through June 30, 2011.

MWBOO GRANTED A WAIVER.

16. **KENNEDY KRIEGER INSTITUTE (KKI)** **\$ 60,000.00**

Account: 5000-587410-5750-672217-603051

The KKI will provide service coordinators to provide coordination of early intervention services to children found eligible for Part B services when parents choose the extended option from year 3 - kindergarten age. The coordinators will also provide advertising on a quarterly basis in Spanish language publications reaching the Hispanic population and advertising twice a year in a publication reaching the orthodox Jewish community. The period of the agreement is July 1, 2009 through June 30, 2011.

MWBOO GRANTED A WAIVER.

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BOARD OF ESTIMATES

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MINUTES

Health Dept. - cont'd

The agreement is late because of several reasons. On September 30, 2009, the Board approved the original grant award for July 1, 2009 through September 30, 2011. On June 9, 2010, the Board approved amendment no. 1 for additional funds for the extended Individualized Family Service Plan Option and changed the grant term to July 1, 2009 through September 30, 2011. Because the grant award was amended, the sub-grantee budgets had to be revised to reflect those changes and some of the budget information was misplaced.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing agreements. The Mayor **ABSTAINED** on item no. 10. The President **ABSTAINED** on item nos. 1, 4 through 8, 10, 11 and 14.

MINUTES

Health Department - Agreements**ACTION REQUESTED OF B/E:**

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

SENIOR COMPANION PROGRAM

- | | | |
|----|---|---------|
| 1. | ASSOCIATED CATHOLIC CHARITIES,
INC./ST. ANN ADULT DAY CARE | \$ 0.00 |
| 2. | CHARLES STREET HEALTH CARE, LLC | \$ 0.00 |
| 3. | KESWICK MULTI-CARE CENTER, INC. | \$ 0.00 |
| 4. | SANDTOWN WINCHESTER NURSING HOME, LLC. | \$ 0.00 |
| 5. | FUTURE CARE HEALTH AND MANAGEMENT
OF IRVINGTON, INC. | \$ 0.00 |

The above-listed organizations will serve as Volunteer Stations for the Senior Companion Program. Through a grant from the Corporation for National and Community Services, the Department sponsors the Senior Companion Program. The grant pays for 100% of the cost of Senior Companions to volunteer to assist special needs clients who want to remain in their homes. While the senior companions are on duty, the grant provides for their life insurance, transportation and other benefits. The period of the agreement is July 1, 2011 through June 30, 2012.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

- | | | |
|----|---|---------|
| 6. | ST. PETER'S ADULT LEARNING CENTER,
INC. | \$ 0.00 |
| 7. | ASSOCIATED BLACK CHARITIES, INC./
ST. ELIZABETH REHABILITATION &
NURSING CENTER | \$ 0.00 |

MINUTES

Health Dept. - cont'd

- | | | |
|----|--|---------|
| 8. | MARYLAND DEPARTMENT OF HEALTH AND
MENTAL HYGIENE, MARYLAND BOARD OF
PHARMACY | \$ 0.00 |
| 9. | ECHO HOUSE MULTI SERVICE CENTER
INC. | \$ 0.00 |

The above-listed organizations will serve as host agencies for the Senior Community Service Employment Program. This program provides part-time work experience or volunteer service opportunities for persons, aged 55 years or older, with no upper age limitation. The placement of Senior Citizen Aides in non-profit or governmental agencies will allow those agencies to provide services that would otherwise not be available because of the lack of funds. The period of the agreement is July 1, 2011 through June 30, 2012.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing agreements. The Comptroller **ABSTAINED** on item nos. 7 and 9.

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

The Board is requested to approve an expenditure of funds to purchase gift cards from Thor Eastpoint Mall, LLC.

AMOUNT OF MONEY AND SOURCE:

\$3,000.00 - 6000-625211-3080-289400-604015

BACKGROUND/EXPLANATION:

The Department will purchase 120 gift cards @ \$25.00 each.

The Department's Adolescent & Reproductive Health Program runs two successful comprehensive after school pregnancy preventive programs. The Mi Espacio Program site launched in 2000 and targets Latino/Hispanic youth in East Baltimore. This after school program is modeled after the Children's Aid Society pregnancy prevention approach, designed by Dr. Michael Carrera. His model which has been rigorously evaluated, has proved effective in decreasing births and pregnancies by half among its female participants for up to three years.

The Department has a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy account for: 1) a single means of procuring all incentive cards through the Board of Estimates, 2) the documentation of each incentive card and its recipient, 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards, and 4) periodic internal reviews of program's activity vis-à-vis the internal policy.

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

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to purchase gift cards from Thor Eastpoint Mall, LLC.

MINUTES

Health Department - Revised FY 2011 Notification of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the revised FY 2011 notification of grant award (NGA) from the Maryland Department of Aging (MDOA). The period of the grant award is July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 1,195.00	-	5000-535711-3024-268405-603051	-	Action in Maturity
1,150.00	-	5000-535711-3024-268401-603051	-	Allen Senior Ctr.
1,150.00	-	5000-535711-3024-268414-603051	-	Ed. A. Myerberg
1,150.00	-	5000-535711-3024-268403-603051	-	Forest Park Ctr.
1,150.00	-	5000-535711-3024-268409-603051	-	Greenmount Ctr.
1,150.00	-	5000-535711-3024-268410-603051	-	Hatton Center
1,150.00	-	5000-535711-3024-268406-603051	-	Harford Center
1,150.00	-	5000-535711-3024-268408-603051	-	Oliver Senior Ctr.
1,150.00	-	5000-535711-3024-268411-603051	-	Sandtown- Winchester Center
1,150.00	-	5000-535711-3024-268404-603051	-	Senior Network
1,150.00	-	5000-535711-3250-268412-603051	-	Southwest Center
1,150.00	-	5000-535711-3250-268402-603051	-	Waxter Senior Ctr.
<u>\$13,845.00</u>				

BACKGROUND/EXPLANATION:

On February 9, 2011, the Board approved the original Senior Center Operating Funds NGA in the amount of \$129,269.00 for the period July 1, 2010 through June 30, 2011.

The revised FY 2011 NGA in the amount of \$13,845.00 provides additional Senior Center Operating funds to cover supplies and materials for recreational activities and will make the total FY 2011 award \$143,113.00.

The revised NGA is late because it was just received from MDOA.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved the acceptance of the revised FY 2011 notification of grant award from the Maryland Department of Aging.

MINUTES

Police Department - Grant Award Agreements**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of the following grant awards.

1. GOVERNOR'S OFFICE OF CRIME CONTROL \$35,000.00
AND PREVENTION (GOCCP), FAMILY CRIMES
VICTIM ADVOCATE PROGRAM

Account: 5000-516212-2013-688000-600000

The goal of the "Baltimore's Family Crimes Victim Advocate Program" is to provide swift and comprehensive services to victims of domestic violence. Working closely with the detectives assigned to the Family Crimes Unit, a full-time Victim Advocate will be hired and will be responsible for providing crisis counseling, safety planning, and resource identification to victims. The Victim Advocate will also continue to provide supportive services to victims throughout the course of the investigation and prosecution of the case. The period of the award is July 01, 2011 through June 30, 2012.

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

2. GOVERNOR'S OFFICE OF CRIME CONTROL \$17,498.00
AND PREVENTION (GOCCP),
FY2012 CLINICAL CASE MANAGER

Account: 5000-515912-2252-691000-600000

The Baltimore Police Department's "Clinical Case Manager" focuses on properly assessing the needs of relocated crime victims and witnesses, connecting them to needed services and improving coordination and communication among

MINUTESPolice Department - cont'd

agencies. The grant funds will pay the salary and mileage for a part-time licensed Social Worker (Case Manager) who will perform psychosocial assessments of crime victims and witnesses who are temporarily relocated to a safe house by the Baltimore Police Department, in coordination with the Baltimore City Department of Housing and Community Development. The Case Manager connects victims and witnesses to services and programs and helps them with developing a permanent housing plan. The period of the award is July 01, 2011 through June 30, 2012.

AUDITS REVIEWED AND HAD NO OBJECTION.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing grant awards.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Rummel, Klepper & Kahl, LLP, for Project 1143R, On-Call Construction Project Management, Scheduling, Inspection, and Engineering Services. The period of the agreement is effective upon Board approval for four years or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$750,000.00 - amounts to be determined with each task
(not-to-exceed)

BACKGROUND/EXPLANATION:

The consultant will provide construction engineering, construction inspection, technical and administration assistance in all aspects of quality assurance for proposed improvements in the City's water and wastewater system. The services provided include, but are not limited to construction observation and inspection, preparation of daily reports, maintenance of project records and documentation, review of contractors' applications for payment, and attendance at project meetings, preparation of record drawings, and review of contractor claims. Depending on the nature of other work and City staff requirements, personnel representing the selected firm will be available on an as needed basis.

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

MBE/WBE PARTICIPATION:

MBE:	Daniel Consultants, Inc.	\$0-\$810,000.00	0-27%
	EBA Engineering, Inc.	\$0-\$810,000.00	<u>0-27%</u>
	TOTAL MBE (In the aggregate)		27%

MINUTES

BW&WW - cont'd

WBE: Ross Technical Services,
Inc.

9%

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

**AUDITS NOTED THE ON-CALL CONSULTANT AGREEMENT AND WILL REVIEW
TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized the agreement with the Rummel, Klepper & Kahl, LLP, for Project 1143R, On-Call Construction Project Management, Scheduling, Inspection, and Engineering Services. The President **ABSTAINED.**

MINUTES

Bureau of Water and Wastewater - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 10 to EMA, Inc. under Project 1082, On-Call Computerized Maintenance Management System (CMMS) Assessment and Selection Services.

AMOUNT OF MONEY AND SOURCE:

\$147,490.67 - 2070-000000-5501-630102-603026

BACKGROUND/EXPLANATION:

Under this task, EMA, Inc. will assist the City in the assessment and selection of a CMMS for both Water facility and Wastewater facility groups.

EMA, Inc. will identify and review available documents, strategic business plans, enhancement requests, customer surveys, business process analyses, technical architectures, maintenance procedural documentation and key performance reports. EMA, Inc. will identify expected business results, assess current system adequacy, risks, prepare budget and time estimates, and develop business memoranda. EMA, Inc. will assess the CMMS's functional interface and performance requirements, evaluate the CMMS applications, prepare request for proposals and vendor demonstration. They will assist with vendor negotiations and monthly progress reports.

EMA, Inc. was approved by the Office of Boards and Commissions and the Architectural & Engineering Awards Commissions.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE.

MINUTES

Bureau of Water and Wastewater - cont'd

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 10 to EMA, Inc. under Project 1082, On-Call Computerized Maintenance Management System Assessment and Selection Services. The President **ABSTAINED**.

MINUTES**TRAVEL REQUESTS**

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Transportation</u>				
1.	Adrienne Barnes	2011 National Meeting and Conf. COMTO Philadelphia, MD Jul. 16 - 20, 2011 (Reg. Fee \$590.00)	MVR	\$1,458.00
<u>Health Department</u>				
2.	Iris Allen	National HIV Prevention Conf. Atlanta, GA Aug. 14 - 17, 2011 (Reg. Fee \$350.00)	Federal Ryan White	\$1,249.80

The Department has paid Ms. Allen's registration in the amount of \$350.00 on EA000067526. Airfare in the amount of \$216.40 has been paid by Training Resources Network, Inc. (TRN). The disbursement to the attendee will be in the amount of \$683.40.

Training Resources Network, Inc. is contracted through the Health Department's Ryan White Office for the provision of capacity building and technical assistance. In their current work plan Objective D.1. is the provision of logistical support to the Ryan White Office for conducting professional development, technical assistance and capacity-building as requested.

Line item funding is included in the annual budget of TRN to support staff attendance at conferences and professional development activities.

MINUTES**TRAVEL REQUESTS**

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of Aging and CARE Services</u>				
3.	Dayna M. Brown	National Assoc. of Area Agencies On Aging 36 th Annual Conf. and Tradeshow Washington, DC July 16 - 20, 2011 (Reg. Fee \$480.00)	State	\$ 854.30

The Department has paid Ms. Brown's registration in the amount of \$480.00 on EA000066473. The disbursement to the attendee will be in the amount of \$374.30.

Mayor's Office of Information Technology

4.	Samantha Luckhardt	ESRI International User Conference Nashville, TN July 09 - 17, 2011 (Reg. Fee \$0.00)	Homeland Sec. Grant	\$3,593.70
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The subsistence rate for this location is \$176.00 per day. The hotel rate for this location is \$326.14 per night plus occupancy taxes in the amount of \$41.06 per night. The Department is requesting an additional \$150.14 per night to cover the cost of the hotel and \$40.00 per day for meals and incidental expenses.

MINUTES

TRAVEL REIMBURSEMENT

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of Civil Rights & Wage Enforcement</u>				
5.	Susan P. Randall	2011 EEOC/FEPA National Training Conference Chicago, IL May 16 - 19, 2011 (Reg. fee \$0.00)	Federal	\$1,016.06

On May 16 - 19, 2011, Susan P. Randall attended the 2011 EEOC/FEPA National Training Conference in Chicago, Illinois. The subsistence rate for this location is \$237.00 per day. The expenses incurred for the employee included airfare, ground transportation, hotel, occupancy taxes and meals.

Airfare	\$ 300.40
Ground Transp.	50.00
Hotel	465.00
Occ. Taxes	71.64
Meals	79.02
	<u>\$1,016.06</u>

The Board, UPON MOTION duly made and seconded, approved the travel requests and travel reimbursement. The President **ABSTAINED** on item no. 4.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|--|-------------|---------|
| 1. R & S NORTHEAST | \$24,966.00 | Renewal |
| Solicitation No. 06000 - Ortho Contraceptives - Health Department - Req. No. TBD | | |

On May 26, 2010, the Board approved the initial award in the amount of \$24,966.00. The award contained two 1-year renewal options. This renewal in the amount of \$24,966.00 is for the period June 26, 2011 through June 25, 2012.

- | | | |
|---|-------------|-------------|
| 2. CHESAPEAKE FIRE & RESCUE EQ., INC. | \$30,000.00 | Sole Source |
| Solicitation No. 08000 - Holmatro Tools, Maintenance, and Repair - Fire Department - Req. No. R577144 | | |

The vendor is the only local representative of Holmatro, Inc. and is the sole source of parts and maintenance for maintaining the integrity of warranties. The period of the award is July 1, 2011 through June 30, 2012.

- | | | |
|--|--------------|---------|
| 3. SMG | \$100,000.00 | Renewal |
| Solicitation No. 06000 - Manage and Operate First Mariner Arena - Department of Finance - Req. No. TBDL. | | |

On June 3, 1998, the Board approved the initial award in the amount of \$435,000.00. The award contained renewal options. Subsequent actions have been approved. This is the final renewal in the amount of \$100,000.00 is for the period June 30, 2011 through June 29, 2012.

MWBOO SET GOALS OF 20% MBE AND 3% WBE.

MBE: South American Mechanical Contractor	34.58%
Special Events Medical Services	0.00%
WBE: Crown Foods	29.43%
Eddie Brown & Assocs.	0.75%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---|--------------|-------------|
| 4. CDP MID-ATLANTIC, INC. | \$176,000.00 | Sole Source |
| Solicitation No. 08000 - Primavera Phase V Contract Management Compliance - Department of Transportation - Req. No. R576478 | | |

On March 4, 2009, the Board approved the initial award in the amount of \$379,125.00. Subsequent actions have been approved. The vendor is the sole provider of this proprietary software for Maryland.

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 equipment and/or service is recommended.

- | | | |
|---|---------|-----------|
| 5. COALITION TO END CHILDHOOD LEAD POISONING, INC. | \$ 0.00 | Extension |
| Solicitation No. BP 07203 - Lead Abatement at Low Income Residences (Part II) - Health Department - P508318 | | |

On July 25, 2007, the Board approved the initial award in the amount of \$475,600.00. Subsequent actions have been approved. A coordinated lead abatement/weatherization bid solicitation is being prepared. This extension is necessary to ensure continuity of services available for this important program until this solicitation is issued and awarded. The period of the extension is July 18, 2011 through November 30, 2011.

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

MBE: Adapt Home Improvement, LLC 34.83%

WBE: Baltimore Window Factory 4.72%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

6. FUTURE CARE HOMEWOOD

PROPERTIES, LLC	\$ 326,511.96	Increase
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Solicitation No.08000 - Annual Rent - Department of Housing and Community Development - Req. No. R556181

On July 18, 2007, the Board approved the initial award in the amount of \$274,032.00. Subsequent actions have been approved. This increase in the amount of \$326,511.96 is necessary to fund the fifth year of the award and will make the total award amount \$1,492,613.24.

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 equipment and/or service is recommended.

(FILE NO. 55527)

7. RSM MCGLADREY, INC. \$1,050,000.00 Increase

Solicitation No. BP 07105 - Local Government Integrated Financial Systems - Department of Finance - Req. No. R577474

On October 3, 2007, the Board approved the initial award in the amount of \$5,441,471.00. Subsequent actions have been approved. This increase in the amount of \$1,050,000.00 will be used to fund the Fiscal Year 2012 licenses, maintenance and the continued integration of the City Dynamics Financial System, the City's Oracle Budget System, and the City's Financial Reports System with on-site City agency support, training and documentation. This increase will make the award amount \$9,446,973.00. The contract expires September 18, 2012 with one 5 year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

MWBOO SET GOALS OF 3% MBE AND 2% WBE.

MBE: Full Circle Solutions, Inc. 3.0%

WBE: Aggarwal dba New Horizon
Computer, Inc. 2.0%

MWBOO FOUND VENDOR IN COMPLIANCE.

8. ROCKY MOUNTAIN HOLDINGS,
LLC \$ 250,000.00 Renewal
Solicitation No. 06000 - Non Emergent Air Transportation
Services - Health Department - Req. No. TBD.

On June 16, 2010, the Board approved the initial award in the amount of \$250,000.00. The award contained three 1-year renewal options. This renewal in the amount of \$250,000.00 is for the period July 1, 2011 through June 30, 2012, with two 1-year renewal options remaining.

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 equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

9. PHI AIR MEDICAL
TRANSPORTATION \$400,000.00 Renewal
Solicitation No. 06000- Multi-level Medical Air Transportation
Services - Health Department - Req. No. TBD.

On June 25, 2008, the Board approved the initial award in the amount of \$250,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This is the final renewal in the amount of \$400,000.00 and is for the period July 1, 2011 through June 30, 2012.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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 equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

10. MILTON S. HERSHEY

MEDICAL CENTER	\$ 50,000.00	Renewal
Solicitation No. 06000 - Multi-Level Medical Air Transportation Services - Health Department - Req. No. TBD		

On June 25, 2008, the Board approved the initial award in the amount of \$50,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This is the final renewal in the amount of \$50,000.00 and is for the period July 1, 2011 through June 30, 2012.

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 equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

11. CRITICAL CARE MEDFLIGHT, INC.

	\$100,000.00	Renewal
Solicitation No. 06000 - Medical Fixed Wing Air Transportation - Health Department - Req. No. TBD.		

On June 25, 2008, the Board approved the initial award in the amount of \$50,000.00. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This is the final renewal in the amount of \$100,000.00 and is for the period July 1, 2011 through June 30, 2012.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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 equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

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|--|--------------|-------------|
| 12. MEDSTAR/MID ATLANTIC | | Renewal and |
| TRANSPORTATION | \$250,000.00 | Increase |
| Solicitation No. 06000 - Non Emergent Air Transportation Services - Health Department - Req. Nos. TBD. | | |

On June 25, 2008, the Board approved the initial award in the amount of \$405,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This increase in the amount of \$250,000.00 will make the award amount \$1,310,000.00 and is for the period July 1, 2011 through June 30, 2012.

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 equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

- | | | |
|---|---------------------|---------|
| 13. ATLANTIC TACTICAL, INC. | \$200,000.00 | |
| FIRING LINE INC. | 150,000.00 | |
| | \$350,000.00 | Renewal |
| Solicitation No. B500001477 - Ammunition - Police and Sheriff Departments - P.O. Nos. P514475 and P414476 | | |

On August 18, 2010, the Board approved the initial award in the amount of \$350,000.00. The award contained four 1-year renewal options. This renewal in the amount of \$350,000.00 is for the period August 11, 2011 through August 10, 2012, with three 1-year renewal options remaining.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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|---|--------------|-------------|
| 14. MASIMO AMERICAS, INC. | \$ 50,000.00 | Sole Source |
| Solicitation No. 08000 - Rad-57 CO-Oximimeters - Fire Department - Req. No. R577825 | | |

The Rad-57 CO-Oximimeters are currently the standardized system used throughout the Fire Department. This equipment is only available from the manufacturer and sole distributor, Masimo Americas, Inc.

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 equipment and/or service is recommended.

- | | | |
|---|----------------|-------------|
| 15. ADP INC. | \$2,400,000.00 | Sole Source |
| Solicitation No. 08000 - Human Resource Information, E-time and Enterprise Payroll Systems Licensing - Department of Finance - Req. NO. R577476 | | |

The vendor is the sole provider of licensing for the Human Resource Information, E-time and Enterprise Payroll Systems in use by the Bureau of Accounting and Payroll Services.

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 equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
--------	-----------------	-------------

Department of General Services

- | | | |
|--|-------------|---------|
| 16. TOP ROOFING, INC. | \$49,500.00 | Low Bid |
| Solicitation No. IC546 - Roof Replacement at the Dypski Park Pavilion located at 1225 S. Ellwood Avenue. | | |
| 17. YOUNG'S FLOOR & REMODELING, INC. | \$31,900.00 | Low Bid |
| Solicitation No. IC547 - Fire Damaged Floor Repairs at Municipal Employees Credit Union Building - 401 E. Fayette Street, 4 th Floor. | | |

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

MINUTES**CITY COUNCIL BILL**

11-0673 - An Ordinance concerning City Property - Grant of Easement - A Portion of 215 Park Avenue and 207 Park Avenue for the purpose of authorizing the Mayor and City Council of Baltimore to grant a Perpetual Easement for Egress through the parcel or parcels of land known as a portion of 215 Park Avenue (Block 600, Lots 12/14), and 207 Park Avenue (Block 600, Lot 10) as shown on Plat R.W. 20-36328 and filed in the Office of the Department of General Services; and providing for a special effective date.

ALL REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved bills 11-0673 and directed that the bill be returned to the City Council with the recommendation that it also be approved and passed by that Honorable Body. The President **ABSTAINED.**

MINUTES

Mayor's Office of Employment - TRANSFER OF LIFE-TO-DATE
Development SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Tina Stallworth.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Sonia Bullock-Sneed	5
Nicole Hargrove	5
Edith Brown-Johnson	5
Cheryl Horton	5
Patricia Williams	5
Larry Martin, Jr.	2
Leslie Saunders, Jr.	2
Anthony Greene	<u>1</u>
	30

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Tina Stallworth. The President **ABSTAINED**.

MINUTES

Mayor's Office of - Memorandum of Understanding
Information Technology (MOIT)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the City of Annapolis, Anne Arundel County, Baltimore County, The County Commissioners of Carroll County, The Board and County Commissioners of Fredrick County, Harford County, Howard County, Montgomery County, and Prince George's County (collectively, The Inter-County Broadband Network Consortium or ICBN). The period of the MOU is effective upon Board approval through August 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 1001-000000-1474-165700-605003
160,000.00 - In-kind matching funds from staff administrative
time and the contribution of City owned
underground conduit.
\$260,000.00 - Total

BACKGROUND/EXPLANATION:

The federal grant is from the National Telecommunications and Information Administration. The State of Maryland is the prime recipient of the \$115,240,581.00 award. The ICBN is a sub-recipient receiving \$72,155,682.00 in grant funds.

The MOU is to establish efficient administration of the federal Broadband Technology Opportunities (BTOP) grant. The value of the new fiber optic network cable, engineering costs, construction and electronics is \$4,500,000.00. Howard County is the designated administrator of the grant for the ICBN.

The project will bring to the City 37 miles of new fiber optic cable and connect 45 city public safety facilities to a high speed network. The optimized routing will provide reduced costs for new close circuit television installations. In addition, it will link all Maryland jurisdictions to a common high speed network and reduce annual fees the City currently pays to private suppliers of broadband service.

MINUTES

MOIT - cont'd

All newly constructed assets within the City of Baltimore will transfer to City ownership at the end of the project in August 2013.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the City of Annapolis, Anne Arundel County, Baltimore County, The County Commissioners of Carroll County, The Board and County Commissioners of Fredrick County, Harford County, Howard County, Montgomery County, and Prince George's County. The President **ABSTAINED.**

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:

2125 - 2136

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:Bureau of Purchases

- | | | |
|---|--------------------------------|---------------|
| 1. B50001962, School Bus
and General Liability
Claim Services | Johns Eastern
Company, Inc. | \$ 205,525.00 |
|---|--------------------------------|---------------|

MWBOO GRANTED A WAIVER.Department of Transportation

- | | | |
|---|---|----------------|
| 2. TR 10001R, Replacement
of Bridge BC 6521-
George's Creek Road
over George's Run | John W. Brawner
Contracting Co. Inc. | \$1,357,005.00 |
|---|---|----------------|

MBE: Machado Construction Co. Inc.	\$ 71,500.00	5.27%
Priority Construction Corp.	<u>268,000.00</u>	<u>19.75%</u>
	\$339,500.00	25.02%

WBE: Sunrise Safety Services, Inc.	\$11,000.00	0.81%
Guardrails, Etc. Inc.	12,800.00	0.94%
Axiom Engineering Design, LLC	<u>17,000.00</u>	<u>1.25%</u>
	\$40,800.00	3.00%

MWBOO FOUND VENDOR IN COMPLIANCE.**A PROTEST WAS RECEIVED FROM AMERICAN INFRASTRUCTURE-MD, INC.**

President: "The second item on the non-routine agenda can be found on page 56 item no. 2. Replacement of Bridge BC 6521 George's Creek Road over George's Run. Will the parties please come forward?"

Mayor: "Are these the protestants?"

Mr. Coon: "Curtis Coon for the protestant."

Mayor: "You need to use the mic."

Mr. Coon: "Thank you. Curtis Coon for the protestant."

MINUTES

Mayor: "I thought the protestants go first. Am I wrong."

President: "Thank you."

Mayor: "Isn't that how they usually do?"

President: "Normally we let the agency."

Mayor: "Oh sorry, sorry."

President: "But its cool, they can go first."

Mayor: "No, no don't listen to me."

Mr. Murphy: "Good morning Frank Murphy from the Department of Transportation. We are here to support the award to the second lowest bidder J.W. Brawner."

Ms. Shirley Williams, Chief MWBOO: "The low bidder for this contract was American Infrastructure. We found that bidder in non-compliance with the MBE program for the following reasons. Number one, with one of the MBE's name Interlock Steelworkers, there is a question as to whether one element of the work named in the program is actually in the project. Number two, there was an MBE, C. Jones Trucking, where the Statement of Intent the Form C had been changed after it had been signed. The scope of services had been changed and it was not initialed by the MBE. On the second MBE, Machado, the amount of the contract had been reduced and it had not been initialed by the MBE. With one WBE, J & M Sweeping, the amount of the contract had been reduced and it had not been initialed. Bear in the mind that the Statement

MINUTES

of Intent represents an agreement between the prime contractor and the subcontractor as to the scope of services and the amount of the contract that is agreed to. So, when there is a change it should be initialed by both parties."

President: "Sir."

Mr. Coon: "Thank you. Curtis Coon for American Infrastructure. American Infrastructure is the apparent low bidder, we had submitted our protest with some exhibits. I hope each of you received a copy. The first exhibit of course is the statement of the award and the order in which the bids were submitted. However, at the time of the bid opening, the proposed awardee was not announced. Their bid was not announced but was rather set aside. At this time, we are protesting also on that basis as well as the fact that my client was never given any formal basis for its being disqualified other than the scope of work of Interlock Steel Workers, Inc. and the issue of the scope. This was done really by an informal email. As to the suggestions about Machado and J & M Sweeping I am not as versed on what the basis there is. However, let me address the basis that we have in front of us and that we were informed of which was that the minority contractor, Interlock Steel Workers, Inc. which is a Native American company and certified to do concrete construction and erection and structural steel, was somehow

MINUTES

properly categorized when in fact what it was -- part of what it was presenting for its scope of work included the beams of the bridge, and also the interlocking steel reinforcement that is contained within the concrete structure that precedes the beam itself. Many of you have traveled over a bridge and you hit a typical piece of metal before you hit the bridge itself. It is a transitioning sort of structure that is below grade that supports the load of the vehicular traffic whatever it may be. I would like to point out that the term structural steel is not really defined. However, the term structures is defined as including bridges, culverts, catch basins, drop inlets, the list goes on and includes such things as under drains and foundation drains, and then it says other features which maybe encountered in the work and not otherwise classified. Certainly the primary and really the only objection that we have heard until long after the bid opening had to do with this steel component as to whether the certified minority was operating within their classification, and certainly we feel that it is clear that it is. We've included in our protest under exhibit 3, the detailed drawings in part that show the structural steel that is in question here, and shows clearly to be of a supportive nature and certainly it is not an architectural type of steel. We have also included an affidavit of a professional engineer, Richard

MINUTES

Duncan, to the effect that this steel that is in question is in fact structural steel and we have also included the certification of the Interlock Steel Workers, showing that they are classified and accredited in the area that includes reinforcing steel, post tensioning, structural steel and concrete construction. This very same sub is the subcontractor that is going to fabricate and erect the steel beams or concrete beams that are steel reinforced will actually span over the George's Creek. This is out at Prettyboy Reservoir and part of the water system. This road serves that area. As to the matter of the scope of Jones Trucking, all that occurred here is this is a trucking item of a certified minority where the bidder simply eliminated part of the scope of Jones Trucking and I guess this is a question of how much trucking you allot to a subcontractor, whether you allot trucking and something else or just trucking. American Infrastructure felt that it had a signed and understood agreement with Jones Trucking that it could eliminate part of the scope and assign more trucking in the purest sense and we have included as exhibit no. 2 the entire MBE participation disclosure form for American Infrastructure. In terms of C Jones Trucking, LLC that is found in tab 2 of the protestants package, and it indicates that local trucking partial in the subcontract amount was set out to simply

MINUTES

exclude the construction management line and include only local trucking. My client in terms of these matters with Machado and J & -- and uhm has not been previously aware of any specific complaint or problem in that regard and as I say in fact had only been given the most informal email type notification of the issues that we have brought up. I would also point out that in terms of the affidavit of compliance and in terms of the goals being met, my client has 25% MBE and 3% WBE. The affidavits are included and simply would suggest that it is quite possible that a last minute bid numbers that there could be some changes that occur in the fray of submitting a bid. But, my client feels that it has in every material respect completely complied with the requirements. That there is no requirement found in any of the regulations that indicate that there must be an initial of any kind of a minor change. My client is not attempting to obtain any advantage or in fact in this case the only advantage would be obtained by the second bidder costing the City an additional \$150,000.00. This is the second time this project has been bidded. The first time it was rebid. The second time here we have a proposal of the bid to a bidder whose bid wasn't even announced at the bid opening and was referred over to the legal department, we don't know why. So, with this in mind, I would suggest that American Infrastructure being the responsible

MINUTES

and responsive low bidder be awarded the contract for this offering. Thank you. Mr. Lewis Glasmire the project manager is here if there are any specific questions that you might have to him."

City Solicitor: "Ms. Williams could you comment specifically on issue of the failure to have the substantive changes in the Part C's initialed by the subcontractors?"

Ms. Williams: "Absolutely. When we look at that Statement of Intent, that is our indication when we are evaluating participation that indeed the prime contractor and the subcontractor have agreed on the scope and also have agreed on a price. When there is a change and we consider those to be substantive issues. So, when we have a change in scope that is not initialed by the subcontractor that means we don't know if that subcontractor has agreed to perform that work or even if that subcontractor knows that that portion of the work has been deducted from his contract. When we have a change in the amount, especially a reduction, we are not aware whether that subcontractor that the overall contract has been reduced. If the contractor agrees to perform that same work for a lesser amount, we don't know. So, in that instance, we don't really have a meeting of the minds when that form is signed."

President: "Thank you."

MINUTES

City Solicitor: "Could you excuse me for a minute. We are going to take a very brief recess, If you don't mind."

Mayor: "Second."

City Solicitor: There's a gentlemen in the room or in City Hall, can you quietly escort him out?"

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

City Solicitor: "Move to resume the meeting."

President: "The meeting of the Board of Estimates is now back from recess. Ms. Williams, were you finished? Okay. Any further comments from anyone?"

City Solicitor: "Any information by the way just on the Brawner allegation that it was not read out. Another customary practice is to read out the bid but then to refer to the Law Department if there is an issue. Circumstances here if you know, if the agency knows?"

Ms. Griffith: "Good morning Laetitia Griffith, Department of Transportation. All the bids were read and announced and verified at the bid opening."

President: "Okay. Thank you. Any questions? Comments?"

City Solicitor: "I would MOVE the approval of the --."

Mr. Glasmire: "I would like to comment Lou Glasmire, American Infrastructure. Our fellow that turned the bid in said that their bid had two totals. It may have been Ms. Griffith is it?"

MINUTES

Ms. Griffith: "Yes."

Mr. Glasmire: "That said, this thing has two totals and then referred it to legal."

Ms. Griffith: "That is not what it indicated on the bid."

President: "Yes."

Mr. Glasmire: "That is what happened at the bid opening."

Ms. Griffith: "I can't speak to that but I have the bid results as they were written at the bid opening."

Deputy Comptroller: "If I may address, I am the Clerk to the Board. Bernice H. Taylor, and on the date of the bid opening which was 5/18/2011, all bids are noted here as the amounts being read publicly and notation that there was a bid bond received. So, I have no recollection or reviewing this can determine for any reason that any of the bids did not go directly to the agency afterwards."

President: "There was a Motion on the floor."

City Solicitor: "I would MOVE to accept the recommendation of the agency and deny the bid protest."

Comptroller: "Second."

Director of Public Works: "Second."

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

COON & COLE, LLC
ATTORNEYS AT LAW
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TOWSON, MARYLAND 21204

CURTIS C. COON*, P.C.
Direct Dial: 410-630-4425
cccoon@ccclaw.net

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Facsimile (410) 825-5941

KATHERINE EARLS BUKOWSKY
JUSTIN B. ARONSON
COLIN J. CASLER
ZACHARY J. A. COON

DAVID H. COLE, P.C.

* Admitted in MD and DC

June 20, 2011

Via Hand Delivery
BID PROTEST

The Honorable President and Members of the Board of Estimates,
c/o the Office of Comptroller
City Hall, Room 204
100 N. Holliday Street
Baltimore, Maryland 21202

ATTN: Clerk, Board of Estimates

**Re: Bid Protest of American Infrastructure – MD, Inc. (“American”)
regarding Department of Transportation
Proposal for: TR 10001R, Replacement of Bridge, BC 6521, George’s
Creek Road over George’s Run (Bid Opening May 18, 2011).**

Dear Honorable President and Members:

Please be advised that I represent American Infrastructure – MD, Inc. (“American”), the apparent low bidder by about \$150,000.00. The Tally of Bids is attached as **Exhibit 1**.

This letter is written in protest to the City passing over American because of a perceived inadequacy in describing a MBE’s scope of work. In this case, the Subcontractor in question is Interlock Steelworkers, Inc. (“Interlock”), a Certified MBE (Native American) that was nominated to perform the Placement of Reinforcing Steel, Erection of Structural Steel, and Concrete Construction on the bridge project. American also protests the award to Brawner because its bid was not read at the bid opening, a serious irregularity that could be the sound basis for either passing over Brawner or re-bidding the contract.

My client’s protest (presuming that it correctly heard the basis for its alleged disqualification) is as follows:

- a. American submitted a full MBE package showing it met the 25% MBE requirement. See Exhibit 2.
- b. Of the MBE Subcontractors, Interlock constituted 14.08% of the MBE goal.
- c. Interlock's disclosure showed it was to provide "placement of reinforcing steel, erection of structural steel and concrete construction". See Exhibit 3.
- d. Interlock is certified under the MBE program for "reinforcing steel and post tensioning, structural steel and concrete construction". See Exhibit 4.
- e. City of Baltimore Specifications defines "Substructure" and "Superstructure"¹ but not "Structure" or "Structural".
- f. American intended Interlock to perform, among other things, work on the "Steel Nosing" which ties to reinforcing concrete approach to the span ("rebar") of the bridge. See detail of Steel Nosing, Exhibit 3 (circled in yellow).
- g. Thus, American contends that the Steel Nosings are part of the Superstructure, as they are integral to it.
- h. The City has challenged, and based upon such challenge disqualified American from meeting the MBE goal because the Steel Nosing was determined to not be "Structural".
- i. The Steel Nosing is integral to the span in that it provides the transition from pavement to the beams for the bridge.

Participation requirements set out in §28-32, simply require that a certified business perform a "commercially useful function". There is no requirement that the function be explained in a particular way, providing the MBE is performing within its certified scope of qualifications. Here, Interlock is qualified, among other things, for "reinforcing steel and concrete construction". See Certification, Exhibit 4.

While American does not believe Interlock's scope is problematic, it points to the fact that minor defects and errors in WBE or MBE submissions may be waived by the board, in its discretion under Article 5, § 28-14 (b) of the City Code. Since the policy of Article 5, § 28 is to "...promote equal business opportunity in the City's contracting process by encouraging full and equitable participation by minority and women's business enterprises..", and the Code, pursuant to §28-5 is "...to be liberally construed to accomplish its policies and purposes", a minor defect and error should not serve to disqualify a bid that is otherwise responsible and responsive.

Achieving a MBE goal is a matter of *responsibility*, not *responsiveness*; as such, in several cases, the Contract Board of Appeals (by analogy) has ruled that determinations of a bidder's responsibility may be made *after* the opening of bids. In light of the trivial and negligible nature of the alleged defect in [the apparent successful bidder's] bid as noted above, [the apparent successful bidder] will be given the opportunity to cure the alleged defect and request a waiver from the requirement to meet the MBE contract subgoal.

Belatedly, the City has also criticized American for not having certain "initials" put on strike-outs on the MBE Participation forms. This practice, however, cannot be found in the "Minority

¹ "Superstructure" is defined to mean "All of that part of the structure above the bearings of simple and continuous spans, skewbacks of arches and the tops of footings of rigid frames, except as noted above for the substructure."

and Women's Business Enterprises Law", and if anything, would represent the most minor of all alleged defects, and was submitted as an afterthought.

No advantage would be allowed to my client in the event the bid is qualified; and, if my client's bid was to be disqualified, no clear public purpose would be served. It is only where the contractor could gain advantage over others or the City that such an insignificant and unintentional slip should rightfully disqualify it.

Because of the short notification, it may be that we may advance additional grounds at the meeting of the Board of Estimates on Wednesday, the 10th, which I understand is to include this contract and protests on its agenda.

Respectfully submitted,

Very truly yours,

A handwritten signature in blue ink, appearing to read "Curtis C. Coon" followed by a flourish and the word "permission" written vertically.

Curtis C. Coon

CCC

LIST OF EXHIBITS:

1. Tally of Bids
2. American's MBE Bid Package
3. Details of Steel Nosing
4. Interlock's Certification as MBE
5. Affidavit of Richard Dungan, P.E.

EXHIBIT 1

PROPOSAL FOR: TR 1001R, Replacement of Bridge, BC 6521, George's Creek Road Over George's Run

OPENING DATE: **REC'D:** 05/18/11
OPENED: 05/18/11

[illegible]

EXHIBIT 2

PART B: MBE PARTICIPATION DISCLOSURE FORM

Use this form to list MINORITY Business Enterprises that you will use to meet the MBE Participation Goal. Please be reminded that:

- The same subcontractor may not be used to meet both the MBE and WBE goals.
- If Bidder is an MBE or WBE, Bidder may not use itself to meet either of the contract goals.
- Only 25% of each contract goal may be attained by expenditures to MBEs or WBEs that are non-manufacturing suppliers (i.e., if bid amount is \$100,000 and MBE goal is 15% or \$15,000; then participation limit for MBE suppliers that are non-manufacturers is \$3,750 or 25% of the 15% MBE goal).
- If MBE sub goals apply to this contract, each pre-determined sub-goal must be achieved and their total must equal or exceed the overall MBE contract goal.

Prime Contractor's Name: American Infrastructure MD, Inc. d/b/a American Infrastructure, Inc.

Prime Contractor's Address P. O. Box 278 Fallston, Md 21047

Contract Number and Title: TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S CREEK ROAD OVER GEORGE'S RUN

MBE SUBCONTRACTORS

Name	Certification Number	Expiration Date	\$ Amount of Subcontract	% of Total Contract
Interlock Steelworkers, Inc.	88-000194	7/16/11	170,000.00	14.08
C Jones Trucking, LLC	07-004860	5/13/11	19,500.00	1.61
Machado Construction Co., Inc.	91-001811	3/31/12	112,500.00	9.31

TOTAL DOLLAR AMOUNT OF CONTRACT \$ 1,207,777.00

TOTAL DOLLAR AMOUNT OF MBE SUBCONTRACTS \$ 302,000.00

TOTAL MBE PERCENTAGE OF ENTIRE CONTRACT 25.00 %

Form Prepared by:



Name and Title Butch Ziegler Chief Estimator Phone # 410-879-3055 Date 5/18/2011

(If necessary, make additional copies of this page. Each additional page must be signed and dated.)

PART B: WBE PARTICIPATION DISCLOSURE FORM

Use this form to list **WOMEN'S Business Enterprises** that you will use to meet the **WBE Participation Goal**. Please be reminded that:

- The same subcontractor may not be used to meet both the MBE and WBE goals.
- If Bidder is an MBE or WBE, Bidder may not use itself to meet either of the contract goals.
- Only 25% of each contract goal may be attained by expenditures to MBEs or WBEs that are non-manufacturing suppliers (i.e., if bid amount is \$100,000 and WBE goal is 6% or \$6,000; then participation limit for WBE suppliers that are non-manufacturers is \$1,500 or 25% of the 6% WBE goal).

Prime Contractor's Name: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Prime Contractor's Address P. O. Box 278 Fallston, Md 21047

Contract Number and Title: TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S CREEK ROAD OVER GEORGE'S RUN

WBE SUBCONTRACTORS

Name	Certification Number	Expiration Date	\$ Amount of Subcontract	% of Total Contract
Guardrails Etc.	02-004106	4/12/11	12,808.00	1.05
Sunrise Safety Services, Inc.	95-002928	12/2/11	11,058.00	0.92
J & M Sweeping, LLC	10-357896	4/18/12	12,400.00	1.03

TOTAL DOLLAR AMOUNT OF CONTRACT \$ 1,207,777.00

TOTAL DOLLAR AMOUNT OF WBE SUBCONTRACTS \$ 36,266.00

TOTAL WBE PERCENTAGE OF ENTIRE CONTRACT 3.00 %

Form Prepared by:



Name and Title Butch Ziegler Chief Estimator Phone # 410-879-3055 Date 5/18/2011

(If necessary, make additional copies of this page. Each additional page must be signed and dated.)

**PART C: MBE/WBE AND PRIME CONTRACTOR'S
STATEMENT OF INTENT**

COMPLETE A SEPARATE FORM FOR EACH AND EVERY MBE AND WBE NAMED IN PART B
OR BID WILL BE CONSIDERED NON-RESPONSIVE.
(Make additional copies of this form as needed.)

Contract Number and Title: TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S
CREEK ROAD OVER GEORGE'S RUN

Name of Prime Contractor: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Name of MBE or WBE: INTERLOCK STEELWORKERS INC.

MBE or WBE Certification Number: BS-026/BB-000194

Work/Service to be performed by MBE or WBE:

PLACEMENT OF REINFORCING STEEL

ERECTION OF STRUCTURAL STEEL AND CONCRETE CONSTRUCTION

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ 170,000.00 (If this is a requirements contract, the
subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 13.75 % BB
14.00

(If MBE sub-goals apply, please indicate the sub-goal covered by this
Statement of Intent.)

African American % Asian American ... %

Hispanic American % Native American.. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the
work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE
participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore for
the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or
WBE with the City of Baltimore Minority and Women's Business Opportunity Office.

[Signature]
Signature of Prime Contractor (REQUIRED)

5/17/11
Date

[Signature]
Signature of MBE or WBE (REQUIRED)

5-10-11
Date

**PART C: MBE/WBE AND PRIME CONTRACTOR'S
STATEMENT OF INTENT**

COMPLETE A SEPARATE FORM FOR EACH AND EVERY MBE AND WBE NAMED IN PART B
OR BID WILL BE CONSIDERED NON-RESPONSIVE.
(Make additional copies of this form as needed.)

Contract Number and Title: TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S
CREEK ROAD OVER GEORGE'S RUN

Name of Prime Contractor: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Name of MBE or WBE: C JONES TRUCKING, LLC

MBE or WBE Certification Number: 07-004860

Work/Service to be performed by MBE or WBE:

LOCAL TRUCKING - PARTIAL
CONSTRUCTION / PROJECT MANAGEMENT *DJA*

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ 19,500.00 (If this is a requirements contract, the
subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 4.50 % *DJA*
1.61

**(If MBE sub-goals apply, please indicate the sub-goal covered by this
Statement of Intent.)**

African American % Asian American ... %

Hispanic American % Native American.. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the
work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE
participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore for
the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or
WBE with the City of Baltimore Minority and Women's Business Opportunity Office.

Diana DJA
Signature of Prime Contractor (REQUIRED)

5/17/11
Date

DJA
Signature of MBE or WBE (REQUIRED)

5-10-11
Date

**PART C: MBE/WBE AND PRIME CONTRACTOR'S
STATEMENT OF INTENT**

COMPLETE A SEPARATE FORM FOR EACH AND EVERY MBE AND WBE NAMED IN PART B
OR BID WILL BE CONSIDERED NON-RESPONSIVE.
(Make additional copies of this form as needed.)

Contract Number and Title: **TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S
CREEK ROAD OVER GEORGE'S RUN**

Name of Prime Contractor: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Name of MBE or WBE: MACHADO CONSTRUCTION COMPANY, INC.

MBE or WBE Certification Number: 91-001811

Work/Service to be performed by MBE or WBE:

MANUFACTURER OF READY MIX CONCRETE
TRUCKING - PARTIAL

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ 112,500.00 120,000.00 100% (If this is a requirements contract, the
subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 9.69 %
9.31 % 100%

**(If MBE sub-goals apply, please indicate the sub-goal covered by this
Statement of Intent.)**

African American % Asian American ... %

Hispanic American ... % Native American .. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the
work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE
participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore for
the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or
WBE with the City of Baltimore Minority and Women's Business Opportunity Office.

[Signature]
Signature of Prime Contractor (REQUIRED)

5/18/11
Date

[Signature]
Signature of MBE or WBE (REQUIRED)

5-17-11
Date

CHRISTOPHER D. CASILL OPERATIONS/SALES
108

**PART C: MBE/WBE AND PRIME CONTRACTOR'S
STATEMENT OF INTENT**

COMPLETE A SEPARATE FORM FOR EACH AND EVERY MBE AND WBE NAMED IN PART B
OR BID WILL BE CONSIDERED NON-RESPONSIVE.
(Make additional copies of this form as needed.)

Contract Number and Title: TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S
CREEK ROAD OVER GEORGE'S RUN

Name of Prime Contractor: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Name of MBE or WBE: Guardrails, etc., Inc.

MBE or WBE Certification Number: 10-757 (MDOT)
02-004120 (City of Baltimore)

Work/Service to be performed by MBE or WBE:

Items 601-605

GUARDRAILS AND BRIDGE CONSTRUCTION

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ 12,808.00 (If this is a requirements contract, the
subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 1.04 % 100%
1.05

(If MBE sub-goals apply, please indicate the sub-goal covered by this
Statement of Intent.)

African American % Asian American %

Hispanic American % Native American %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the
work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE
participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore for
the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or
WBE with the City of Baltimore Minority and Women's Business Opportunity Office.

Ronald J. Smith
Signature of Prime Contractor (REQUIRED)

5/17/11
Date

Marnie Beech
Signature of MBE or WBE (REQUIRED)

5/9/2011
Date

**PART C: MBE/WBE AND PRIME CONTRACTOR'S
STATEMENT OF INTENT**

COMPLETE A SEPARATE FORM FOR EACH AND EVERY MBE AND WBE NAMED IN PART B
OR BID WILL BE CONSIDERED NON-RESPONSIVE.
(Make additional copies of this form as needed.)

Contract Number and Title: **TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S
CREEK ROAD OVER GEORGE'S RUN**

Name of Prime Contractor: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Name of MBE or WBE: SUNRISE SAFETY SERVICES, INC.

MBE or WBE Certification Number: 95-002928

Work/Service to be performed by MBE or WBE:

SUPPLY AND INSTALL TRAFFIC SIGNS, PERMANENT
MARKINGS, TRAFFIC CONTROL, MISC. TRAFFIC CONTROL
ITEMS

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ 11,058.00 (If this is a requirements contract, the
subcontract amount may be omitted; however, the subcontract percentage must be included.)
Subcontract percentage of total contract: 0.92 % 11000

**(If MBE sub-goals apply, please indicate the sub-goal covered by this
Statement of Intent.)**

African American % Asian American ... %

Hispanic American % Native American.. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the
work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE
participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore for
the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or
WBE with the City of Baltimore Minority and Women's Business Opportunity Office.

[Signature]
Signature of Prime Contractor (REQUIRED)

5/17/11
Date

[Signature]
Signature of MBE or WBE (REQUIRED)

5/9/11
Date

Replacement of Bridge BC-6521 on
Georges Creek Road over Georges Run

CONTRACT NO. TR10001R

**PART C: MBE/WBE AND PRIME CONTRACTOR'S
STATEMENT OF INTENT**

COMPLETE A SEPARATE FORM FOR EACH AND EVERY MBE AND WBE NAMED IN PART B
OR BID WILL BE CONSIDERED NON-RESPONSIVE.
(Make additional copies of this form as needed.)

Contract Number and Title: **TR-10001R REPLACEMENT OF BRIDGE BC 6521 - GEORGE'S
CREEK ROAD OVER GEORGE'S RUN**

Name of Prime Contractor: American Infrastructure - MD, Inc. d/b/a American Infrastructure, Inc.

Name of MBE or WBE: J + M Sweeping LLC

MBE or WBE Certification Number: 04-009 / 10-357896

Work/Service to be performed by MBE or WBE:

Street Sweeping

Materials/Supplies to be furnished by MBE or WBE:

N/A

Subcontract Amount: \$ 12,400.00 13,260.00 100% (If this is a requirements contract, the
subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 1.03 % 100%

**(If MBE sub-goals apply, please indicate the sub-goal covered by this
Statement of Intent.)**

African American % Asian American ... %

Hispanic American % Native American.. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the
work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE
participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore for
the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or
WBE with the City of Baltimore Minority and Women's Business Opportunity Office.

[Signature]
Signature of Prime Contractor (REQUIRED)

5/17/11
Date

[Signature]
Signature of MBE or WBE (REQUIRED)

5-17-11
Date

PART D: MBE/WBE PARTICIPATION AFFIDAVIT

The Undersigned authorized representative of Contractor does hereby make the following Affidavit:

Contractor acknowledges the MBE goal of 25% and the WBE goal of 3% for the contract shown at the top of this page.

My firm will make good faith efforts to achieve the MBE and WBE participation goals for this contract. I understand that, if awarded the contract, my firm must submit to the Minority and Women's Business Opportunity Office (MWBOO) copies of all executed agreements with the MBE and WBE firms being utilized to achieve the participation goals and other requirements of Article 5, Subtitle 28 of the Baltimore City Code (2007 Edition). I understand that these documents must be submitted prior to the issuance of a notice to proceed.

I understand that, if awarded the contract, my firm must submit to the MWBOO canceled checks and any other documentation and reports required by MWBOO on a quarterly basis, verifying payments to the MBE and WBE firms utilized on the contract.

I understand that, if I am awarded this contract and I find that I am unable to utilize the MBEs or WBEs identified in my Statements of Intent, I must substitute other certified MBE and WBE firms to meet the participation goals. I understand that I may not make a substitution until I have obtained the written approval of MWBOO.

I understand that, if awarded this contract, authorized representatives of the City of Baltimore may examine, from time to time, the books, records and files of my firm to the extent that such material is relevant to a determination of whether my firm is complying with the MBE and WBE participation requirements of this contract.

I do solemnly declare and affirm under the penalty of perjury that the contents of the foregoing Affidavit are true and correct to the best of my knowledge, information and belief.

AMERICAN INFRASTRUCTURE - MD, INC
D/B/A AMERICAN INFRASTRUCTURE

Contractor Company Name

P.O. Box 278, Fallston, MD 21047
Address

Richard W. Dungan
Signature
Richard W. Dungan
Vice President/General Manager
Print Name and Title

Sworn and subscribed before me this 18th day of MAY, in the year 2011.

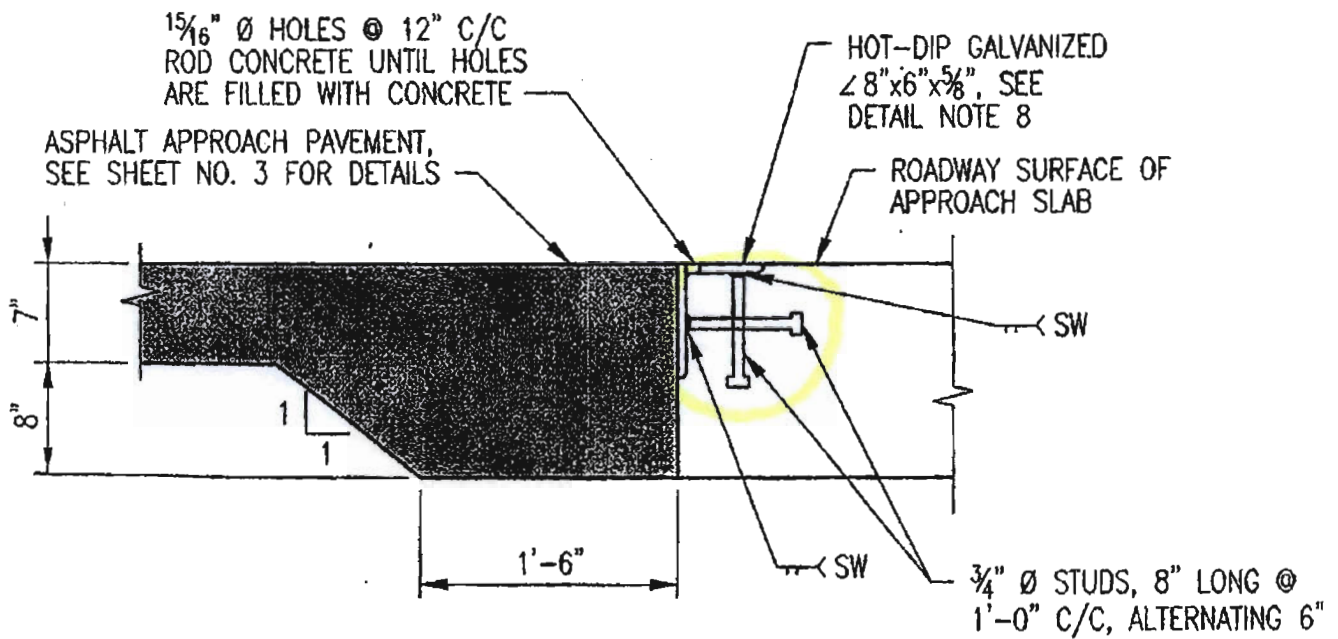
JANENE BUCHLER
Notary Public-Maryland
Harford County
My Commission Expires
March 11, 2015

Janene Buchler
Notary Public

EXHIBIT 3

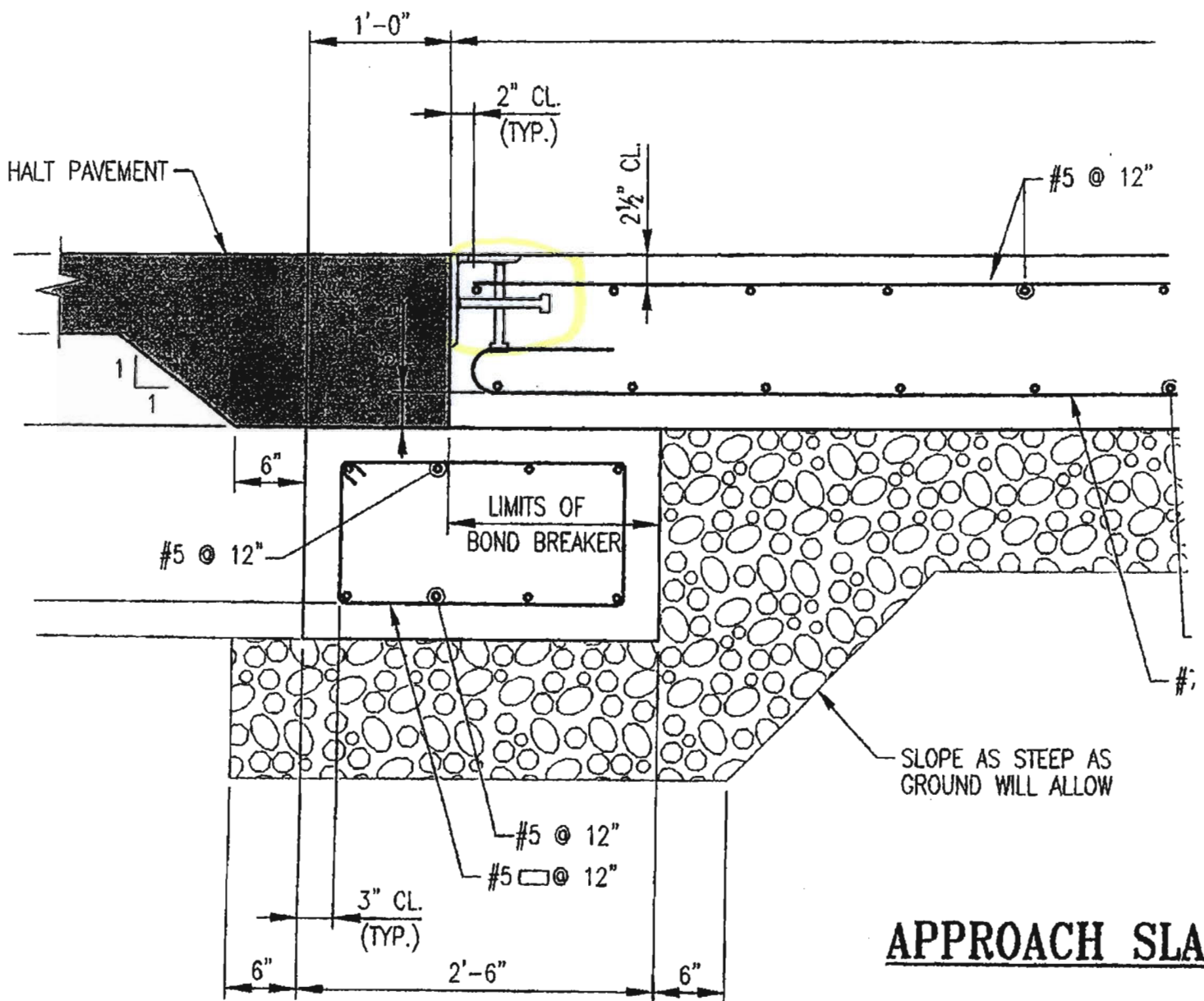
TYPICAL APPROACH END

SCALE: 1/2"=1'-0"



DETAIL 'A'

SCALE: 1"=1'-0"



APPROACH SLA

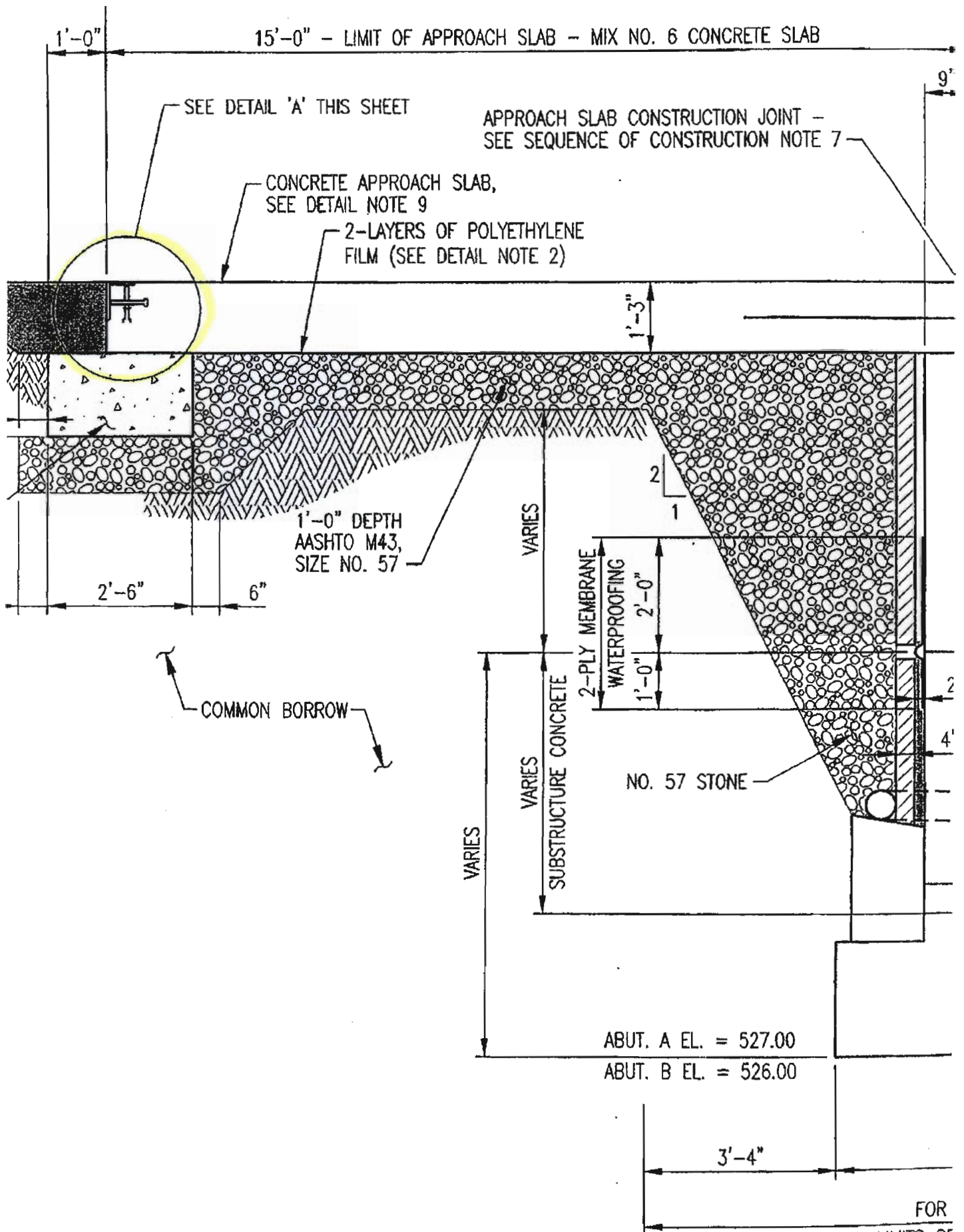


EXHIBIT 4

CITY OF BALTIMORE
DEPARTMENT OF LAW
MINORITY AND WOMEN'S
BUSINESS OPPORTUNITY OFFICE

Printed Results from Search

Company	Cert No	Type
Interlock Steelworkers, Inc. (MBE) - Native American		
Address: P. O. Box 25, 16012 Frederick Road Lisbon, Md 21765-	88-000194	
Title: Mr. David L. Blessing E-Mail:		
Phone: Phone: (410)489-0777 Fax: (410)489-6622 Fax: (410)489-6622		
Certified Date: Jun 6 2011		
Expiration Date: Jun 5 2013		
Extension Date: Aug 16 2011		
Services: REINFORCING STEEL AND POST TENSIONING, STRUCTURAL STEEL AND CONCRETE CONSTRUCTION		

STRUCTURES	Bridges, culverts, catch basins, drop inlets, retaining walls, cribbing manholes, end walls, buildings, sewers, water mains, service pipes, under drains, foundation drains and other features which may be encountered in the Work and not otherwise classified.
SUBCONTRACTOR	An individual, firm or corporation that contracts with a Contractor to perform part of the latter's Contract.
SUBGRADE	The material in excavations (cuts), embankments (fills), and/or foundations immediately below the first layer of sub-base, base or pavement or bottom of pipe, foundations, or other structure, and to such depth as may affect the structural design.
SUBGRADE FOR ROADWAY	The material in excavation (cuts) and/or embankment (fills) upon which is placed the first layer of sub-base, base, stabilization, or pavement.
SUBGRADE FOR SANITARY SEWERS, STORM WATER DRAINS AND WATER MAINS	The subgrade for Sewers and Drains referred to is described as follows: (1) For masonry drains, it is the lowest outside surface of the bottom of the masonry foundation. (2) For pipes without concrete encasement, it is the lowest point of the underside of the invert of the pipe. (3) For pipes encased in concrete, it is the lowest surface of the bottom of the concrete. (4) For pipes and inlet connections on concrete cradle, it is the lowest outside surface of the bottom of the concrete cradle.
SUBSTRUCTURE	All of that part of the structure below bottoms of bearings of simple and continuous spans, skewbacks of arches and tops of footings of rigid frames, together with the back walls and wing walls.
SUPERSTRUCTURE	All of that part of the structure above bearings of simple and continuous spans, skewbacks of arches and tops of footings of rigid frames, except as noted above for the substructure.
SUPERINTENDENT	The executive representative of the Contractor authorized to receive and execute instructions from the Engineer, and who shall supervise and direct the construction.
SUPPLEMENTAL SPECIFICATIONS	Additions and revisions to the Standard Specifications, generally includes new or improved procedures, construction items or materials developed subsequent to the publication of Standard Specifications or precise Specifications for an individual contract.

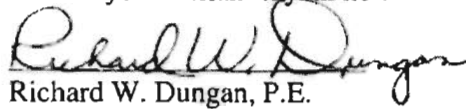
EXHIBIT 5

AFFIDAVIT OF RICHARD DUNGAN

I, RICHARD DUNGAN do hereby affirm under the penalty of perjury:

1. I am over the age of 18 and am competent to serve as a witness.
2. I am a Professional Engineer, licensed in the State of Maryland and in the Commonwealth of Pennsylvania.
3. I am the Executive Vice-President of American Infrastructure – MD, Inc.
4. In construction of highways and bridges, generally steel that is used is either “structural” or “architectural”.
5. Structural, as contrasted to Architectural, generally means that the member is to support the load of traffic.
6. The work described as “Steel Nosings” in the drawings accompanying the Bid Package for the contract, # TR-0100001 are not architectural, but are structural, as they are incorporated into the concrete approach slabs, are below the road surface, and will carry the load of the traffic. This steel serves to strengthen the “Approach Slab” and protect approach slabs.

Further your Affiant sayeth not.


Richard W. Dungan, P.E.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation - cont'd

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,031,911.20	9960-902070-9558	
Rev. Bonds	Constr. Res.	
759,333.80	Watershed Road &	
Counties	Bridge Repairs	
<u>\$1,791,255.00</u>		
 \$ 135,700.00	 -----	 9960-906627-9557-2
		Extra Work
135,700.00	-----	9960-906627-9557-3
		Engineering
81,420.00	-----	9960-906627-9557-5
		Inspection
1,357,005.00	-----	9960-906627-9557-6
		Construction
81,420.00	-----	9960-906627-9557-9
<u>\$1,791.245.00</u>		Administration

The funds are required to cover the cost of the award for the construction of TR 10001R, Replacement of George's Creek Bridge.

4. TR 05032, Newkirk Street Monumental Paving \$1,776,837.31
 Reconstruction from & Excavating, Inc.
 Keith Ave. to Boston St.

DBE: AJO Concrete Construction, Inc.	\$ 15,350.85	0.86%
William T. King, Inc.	1,231.25	0.07%
McCall Trucking, Inc.	49,400.00	2.78%
Phipps Construction Co., Inc.	46,200.00	2.60%
Priority Construction Corp.	148,067.75	8.33%
Janis Rettaliata	6,300.00	0.35%

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Department of Transportation - cont'd5. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,634,690.33 Federal	9950-902106-9528 Constr. Res. Canton Indus. Park	
295,104.00 MVR	9950-902106-9528 Constr. Res. Canton Indus. Park	
113,568.58 MVR	9950-906139-9528 Constr. Res.	
<u>\$2,043,362.91</u>	Pennsylvania Ave.	
\$1,776,837.31	-----	9950-901106-9527-6 Structures & Improve.
177,683.73	-----	9950-901106-9557-5 Inspection
88,841.87	-----	9950-901106-9557-2
<u>\$2,043,362.91</u>		Contingencies

This transfer will cover the costs associated with the award of Contract No. TR 05032, Newkirk Street Reconstruction - Keith Ave. to Boston St. to Monumental Paving & Excavating, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

6. B50001812, Wellness and Fitness Program for the Fire Department	Professional Health Services	\$1,000,000.00
--	---------------------------------	----------------

MWBOO SET MBE GOALS AT 15% AND WBE GOALS AT 5%.

MBE: West Office Supplies 1.5%

WBE: Excel Staffing & Personnel 2.5%
Services, Inc.

The bidder requested a waiver and demonstrated good faith efforts to achieve the MBE/WBE participation goals for this contract.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

Department of Housing and - Amendment No. 1
Community Development (DHCD) to Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve an amendment No. 1 to grant agreement with Jobs, Housing and Recovery, Inc. (JHR).

AMOUNT OF MONEY AND SOURCE:

\$2,687,756.00 - Original Grant Award
 117,436.00 - Supplemental Award
\$2,805,192.00 - 1001-000000-3572-327259-603051 (Total Award)

BACKGROUND/EXPLANATION:

On June 23, 2010, the Board approved an agreement with the JHR to operate a shelter for homeless men, women and children at their facility located at 210 Guilford Avenue, 24 hours a day, seven days a week, with a capacity of 350 beds for the months of July through October, and 275 beds for November through June. At the City's request, due to unexpected demand from the homeless clients, the JHR increased the capacity of the shelter to provide 350 beds for the entire term of the agreement. This amendment No. 1 to grant agreement is necessary to allocate additional funds to the JHR so that they can provide such services to this higher than expected number of homeless clients. All other terms and conditions remain unchanged.

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

UPON MOTION duly made and seconded, the Board approved the amendment No. 1 to grant agreement with Jobs, Housing and Recovery, Inc.

MINUTES

Department of Housing and - Progress Report for
Community Development (DHCD) Lexington Square

ACTION REQUESTED OF B/E:

The Board is requested to accept the June 9, 2011 Progress Report for Lexington Square, submitted by the Lexington Square Partners, LLC (LSP).

AMOUNT OF MONEY AND SOURCE:

NA

BACKGROUND/EXPLANATION:

On December 22, 2010, the Board approved the second amendment to the land disposition agreement (LDA) with the Lexington Square Partners. The second amendment extended the LDA to June 30, 2011. The second amendment also authorizes the DHCD to extend the termination date for one additional six month period from July 1, 2011 to December 31, 2011, in the event that Developer has not abandoned the Project and continues to pursue actively such approvals and satisfaction of such conditions as may be required to allow Settlement to be completed as expeditiously as possible.

The Lexington Square Progress Report substantiates the progress of the project during the first six-month extension. The report notes two significant actions: the Commission on Historic and Architectural Preservation approved, with conditions, the treatment of the former Read's Drug Store building and the Urban Design and Architectural Review Panel approved, with conditions, the schematic design for the development on May 10, 2011 and May 12, 2011, respectively.

During the additional six-month extension, the LSP intends to on continuing forward with implementing the project. The LSP will seek to secure letters of intent or term sheets with prospective

MINUTES

DHCD - cont'd

tenants, continue with design development in support of the leasing efforts and engage with a general contractor of construction of the project.

MBE/WBE PARTICIPATION:

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

A LETTER OF PROTEST HAS BEEN RECEIVED FROM BALTIMORE HERITAGE AND DR. HELENA HICKS.

(FILE NO. 56420)

President: "The third item on the non-routine agenda can be found on pages 60 and 61, Progress Report for Lexington Square. Will the parties please come forward? Good morning."

Mr. Graziano: "Good morning. Do you want me to --?"

President: "Yes."

Mr. Graziano: "Mr. President and members of the Board --."

Comptroller: "State your name."

Mr. Graziano: "My name is Paul Graziano, Commissioner of Housing for the City of Baltimore and I am here today to report our action on an item that the Board had authorized on December 22nd which was an extension of the Land Disposition Agreement for Lexington Square Partners, LLC, and at that time there was a six month extension granted to June 30 2011, which is tomorrow and it also authorized me in my capacity as Housing Commissioner to accept a report from the developer and to consider an additional

MINUTES

extension if it was indicated that the developer was in fact continuing to work on this project, and the pertinent language which is in the background explanation would be that the developer has not abandoned the project and continues to pursue actively such approvals and satisfaction of such conditions as may be required to allow settlement to be completed as expeditiously as possible. I have received a report from the developer, which was signed off by Mr. Brodie and it did indicate that it met those conditions. They had met those conditions and in fact there were two significant actions taken. One was the Commission on Historic and Architectural Preservation approved with conditions the treatment of the former Reads Drug Store Building and then two days later the Urban Design and Architectural Review Panel or UDARP approved the schematic designs for this development. The developer has indicated in their progress report that they now intend to proceed with lining up firm commitments for tenants to move into full design development and to engage a construction contractor for this project. Based on that information, I have accepted the report and approved a six month extension to December 31, 2011, pursuant to the authority given to me by this Board, and I am not asking for any action of Board, I am reporting back on the action that I have already taken."

MINUTES

President: "Thank you."

Mr. Hopkins: "Thank you Mr. President, Madam Mayor. Thank you for the opportunity to speak. I will be brief. As you know my name is Johns Hopkins, I am the Director of Baltimore Heritage. We are a Citywide non-profit organization dedicated to Baltimore's Historic spaces. I appeared before you six months ago to protest the extension of the Land Disposition Agreement and the basis for that was the proposal would demolish many historic buildings that are significant for Baltimore's architectural commercial and civil rights heritage. Since then there has been a lot of attention to Read's Drug Store and there has been some progress on that as the report notes parts of two façade's are being proposed to be saved. The remainder of the proposal remains substantially unchanged. However, with the continued proposal to demolish all or parts of the most historic buildings on the site, excuse me. For that reason, my recommendation is again for this Board to continue its tight oversight of this process. I urge you to do that. My fear is that six months from now we will be back here in December and with this six month extension from today's date we will be looking at buildings that continue to vacant, that continue to deteriorate and continue to be a drag on the revitalization on the West Side. So, I will just close by saying, again thank you

MINUTES

for the opportunity to comment. We will submit written comments on the report and we urge you again to retain tight oversight of this critical project on the West side."

President: "Thank you. The report has been noted. Thank you."

Mayor: "She didn't want to say anything?"

President: "Who? Dr. Hicks, did you want to say anything?"

Dr. Hicks: "Yes."

President: "You have to come up, if you do."

Dr. Hicks: "I was trying to decide if I wanted to do it here or in another arena. Since another arena proposed. But, thank you for the opportunity to make a presentation before you today. I have to say that --."

City Solicitor: "I'm sorry, you have to give us your name for the record."

Dr. Hicks: "Sorry. Dr. Helena S. Hicks, and I am retired. Retired University professor and retired Executive from the State of Maryland, and I have always been an active community participant. I was one of the participants in the sit-in at Read's in 1955, so that I have a very long history with Civil Rights in the City of Baltimore and there is some other significant historical African American presence in that; what you call the Superblock. The building next to them is McCrory's; was not only designed by a black architect but behind

MINUTES

that building is one of the earliest black restaurants in the City of Baltimore dating -- I shouldn't say behind --, I said before that building was redone, earliest black restaurants in the City of Baltimore dating back to the 1700's that was a very significant African American business community as well as it was integrated also, white business persons. We have no African American presence in downtown Baltimore. It has all been eradicated by a so-called economic development. I won't to take time to tell you as a University professor how I explained that phrase to students and how I have explained it as a scholar. But, I would be glad to explain it to you in private conversations. But I am saying to you this is an opportunity for the developers to stop saying what they want and to try to listen to the community and those of us who represent African American history as to what we would like to see there. We do not want to see it gutted. We do not want to see as a proposal that was presented to UDARP. We do not want a statute outside of Read's. I couldn't get inside of Read's in 1955 and you don't want me inside in 2011. That is not acceptable."

President: "Thank you. The report has been **NOTED**. Thank you."

* * * * *

MINUTES

Department of Housing and - Third Amendment to the Contract
Community Development (DHCD) of the Loan Guarantee Assistance

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Third Amendment to the Contract of the Loan Guarantee Assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, 42 U.S.C. §5308, for the East Baltimore Biotech Project. The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents necessary to effectuate this transaction SUBJECT to review and approval by the Law Department.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On July 22, 2004, the City and the Department of Housing and Urban Development (HUD) entered into a contract for loan assistance for \$21,000,000.00 under Section 108 of the Housing and Community Development Act. Funds were used to acquire properties associated with the East Baltimore Development Initiative (EBDI) in an area bounded by East Chase Street, Ashland Avenue, Broadway and North Wolfe Street. The loan is repaid through the DHCD's Community Block Grant Funds (CDBG). At the time the 108 Agreement was approved, the City was required to pledge properties within the EBDI footprint as collateral.

A First Amendment was executed by HUD on February 6, 2008. The Amendment permitted the release of the properties pledged as collateral in exchange for a Debt Service Account funded by the EBDI. The Debt Service Account would contain sufficient cash to represent one year of principal and interest or approximately \$2,100,000.00.

A Second Amendment was executed by HUD in March 2008. This Amendment allowed the EBDI to fund the Debt Service Account with the proceeds from the sale of Tax Increment Financing Bonds.

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Barbara K. Weeks

Johns W. Hopkins
Executive Director

June 28, 2011

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

**Re: Protest of Report from the Department of Housing and
Community Development on the Land Disposition
Agreement with Lexington Square Partners**

Baltimore Heritage is a city-wide non-profit organization dedicated to preserving historic places in Baltimore, is a member of the West Side Project Area Committee established under the Market Center Urban Renewal Ordinance, and has worked on preservation and development issues on the West Side generally and the Superblock specifically for over ten years.

I am writing to protest acceptance of the report and the proposed six-month extension of the land disposition agreement with Lexington Square Partners, LLC by the Department of Housing and Community Development. I ask that you move this item to the Non-Routine Agenda and that we be given an opportunity to address the Board of Estimates.

In December, 2010, Baltimore Heritage protested a prior six-month extension for Lexington Square Partners. The current proposal has not substantively changed since December, and the basis for our protest has not either. The proposal would demolish historic buildings that are important to Baltimore's architectural, commercial, and Civil Rights heritage. After nearly seven years of delay by Lexington Square Partners, we believe that granting an additional six month extension today will further impede progress on this parcel and in the greater West Side of downtown, and will result in even further deterioration of the historic buildings on the site.

We concur with the recently released findings of the Urban Land Institute regarding revitalization of the West Side: the area's historic buildings are its greatest asset and the City should focus on increasing residential units and

June 28, 2011

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

**Re: Protest for Board of Estimates Agenda Item Regarding the
Superblock**

Dear Honorable President and Members of the Board of Estimates:

I would like permission to speak on the Board of Estimates agenda item regarding approval of a report by the Department of Housing and Community Development on the Superblock project. As a Morgan State student, I was part of a Civil Rights protest at Read's Drug Store in the Superblock in 1955, and as a member of the public, I have researched the African American history of the McCrory's Building and its African American architect over the last year.

Thank you for the opportunity to address this issue.

Sincerely,



Dr. Helena Hicks
4000 Bowers Avenue
Baltimore, MD 21207
410-664-3541

June 28, 2011

Honorable President and Members of the Board of Estimates

Page 2 of 2

community-oriented retail spaces. Large box retail will not advance or sustain the economic recovery of the area.

I urge you to deny the amendment extending the current LDA so that appropriate development can begin as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Johns Hopkins", written over a horizontal line.

Johns Hopkins
Executive Director

MINUTES

DHCD - cont'd

The DHCD and the EBDI have approached HUD requesting the option to replace the \$2,100,000.00 cash collateral pledge with a Surety Bond in the same amount. A Surety Bond is a commitment by one party to pay a certain amount of money in the event a second party fails to meet its financial obligations. The Bond frees up the cash currently in the collateral account and eliminates the need for the EBDI to redirect its funds that are currently allocated to community and economic development activities.

The City will continue to pay the debt service from its annual CDBG allocation. HUD could submit a claim against the Surety Bond only if the City's CDBG allocation is insufficient to pay the debt service on the loan. If HUD is required to redeem the Surety Bond, the EBDI is required to replace the Surety Bond or to reestablish a cash collateral account. In the event that the EBDI is unable to replenish the Debt Service Account so that it is equal to one year's debt service or provide a cash equivalent, the DHCD agrees to make funds available from its Community Development Bonds subject to appropriation.

(FILE NO. 54987)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a Third Amendment to the Contract of the Loan Guarantee Assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, 42 U.S.C. §5308, for the East Baltimore Biotech Project. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents necessary to effectuate this transaction SUBJECT to review and approval by the Law Department.

MINUTES

Department of Housing and - Memorandum of Understanding (MOU)
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding with the East Baltimore Development, Inc. (EBDI). Funds allocated to acquisition, demolition, and DHMH infrastructure must be expended within twenty-four months from the later date of this memorandum or the date of appropriations by the City Council. Funds allocated to other infrastructure must be expended within sixty months from the later date of this memorandum or the date of appropriations by the City Council.

AMOUNT OF MONEY AND SOURCE:

\$5,000,000.00 - 9910-906416-9588-900000-704040

BACKGROUND/EXPLANATION:

East Baltimore Development Inc. is managing the redevelopment of an 88-acre site in East Baltimore that includes new biotech space, commercial and retail space, and over 2,100 units of mixed-income housing. The State of Maryland approved State Revitalization Funds, which supports the acquisition of properties by the DHCD, site improvements, and private acquisition of property by EBDI. State Revitalization Funds are granted to the City, which in turn are made available to EBDI.

The 2010 General Assembly approved \$5,000,000.00 to advance development efforts within EBDI's boundaries. These are matching funds and require that the City provide a one-for-one match before State funds are made available. Matching funds consist of the bonds provided through the sale of Tax Incremental Financing (TIF) Bonds.

State Funds in the amount of \$4,300,000.00 will be used to complete property acquisitions within the EBDI footprint. These properties have been identified and approved for acquisition in the Land Disposition and Development Agreement (LDDA).

MINUTES

DHCD - cont'd

The LDDA was approved by the Board on April 28, 2004 and amended and approved on December 19, 2008. Approximately \$267,000.00 will be used to construct a storm drain on the site of the new Department of Health and Mental Hygiene headquarters. The remaining \$433,000.00 will be used to begin demolition on the new community school site.

Under this MOU, the DHCD will acquire properties using temporary staff provided by EBDI. Properties may be acquired through settlement, tax sale, or under the power of eminent domain when appropriate. The EBDI is responsible for all relocation activities and for all relocation costs. Demolition will be overseen by the EBDI, which will be responsible for a competitive procurement process as defined in their Economic Inclusion policies.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 56017)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a memorandum of understanding with the East Baltimore Development, Inc.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Messrs. Gerald Delaney Hyman, Jr. and Gerald Delaney Hyman, Sr., (Developers), for the properties known as 742 Dolphin Street and 745 Dolphin Street.

AMOUNT OF MONEY AND SOURCE:

\$ 5,000.00 - 742 Dolphin Street
6,000.00 - 745 Dolphin Street
\$11,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

A good faith deposit in the amount of \$1,100.00 has been made. The balance of \$9,900.00 will be paid in full at closing. The purchase price of the properties and the cost of all renovations will be financed with private funds.

The Developers will conduct a complete renovation of the properties located at 742 Dolphin Street and 745 Dolphin Street, in the Upton Urban Renewal Area. The scope of work will consist of the installation of new electrical systems, hanging of dry wall, installing of central HVAC systems, flooring, plumbing, doors and windows. The developers have demonstrated that they qualify to purchase and rehabilitate the two properties. Once the project is completed, the properties will be available for residential use and placement on the City's tax roll.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:

The properties were priced pursuant to the appraisal policy of Baltimore City. The Valuation Waiver was used in determining the prices for both properties. The following factors are present allowing for their sale below the Valuation Waiver process:

1. Stabilizing the immediate community,
2. elimination of blight,

MINUTES

DHCD - cont'd

3. economic development, creation of jobs,
real estate and other taxes, and
4. the opportunity to have a quick sale and
rehabilitation of multiple properties at one time.

MBE/WBE PARTICIPATION:

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because the properties are being conveyed to private citizens to rehabilitate the structures for residential use. The citizens received no City funds or incentives for the purchase or rehabilitation of the properties. Therefore, MBE/WBE is not applicable.

(FILE NO. 57211)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a land disposition agreement with Messrs. Gerald Delaney Hyman, Jr. and Gerald Delaney Hyman, Sr., for the properties known as 742 Dolphin Street and 745 Dolphin Street.

MINUTES

Department of Housing and - Interdepartmental Memorandum
Community Development of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an interdepartmental memorandum of understanding (MOU) with the Department of Public Works/Bureau of Solid Waste. The period of the interdepartmental MOU is July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$1,480,900.00 - 2089-208911-5930-701964-603051

BACKGROUND/EXPLANATION:

Pursuant to guidance from the Department of Housing and Urban Development (HUD), a MOU must be executed for the utilization of Community Development Block Grant funds to support other City agencies.

The Department of Public Works - Bureau of Solid Waste will clean and board vacant/unoccupied publicly and privately held properties as instructed by a DHCD Housing Inspection Service Request generated as a result of the enforcement (not the correction) of the City's Housing Codes which are also in low and moderate areas of the City.

Funds are being provided to subsidize a portion of the salary and other personnel cost and select operating expenses to clean and board assigned vacant structures. This activity will assist in eliminating unsafe conditions and aid in arresting decline in low to moderate-income areas. A MOU signed by the Department of Public Works, and the Law Department has been executed in order that funds may be disbursed.

MINUTES

DHCD - cont'd

On June 30, 2010, 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 2010 Annual Action Plan for the following formula programs:

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

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2010 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an interdepartmental memorandum of understanding with the Department of Public Works/Bureau of Solid Waste.

MINUTES

Department of Housing and - Memorandum of Understanding
Community Development DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of memorandum of understanding (MOU) with the State of Maryland, Department of Housing and Community Development (MD-DHCD). The period of the MOU is effective upon Board approval through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$1,680,166.00 - MD-DHCD (Capital Funds)
124,000.00 - MD-DHCD (Operating Funds)
\$1,804,166.00 - 5000-58808-3050-282900-603026

BACKGROUND/EXPLANATION:

Over the past several years, the Baltimore City Health Department (BCHD) was responsible for lead abatement and the State of Maryland had MOUs with the BCHD for state funding to support lead abatement. The Federal funding to the BCHD for lead abatement was terminated on January 14, 2011 and the City agency responsibility was transferred from the BCHD to DHCD on April 1, 2011.

This MOU establishes the relationship between the State and HCD to support lead abatement with DHCD funds in FY 2012 starting July 1, 2011. The HCD has proposed to complete abatement in 112 houses in the coming year at an average cost of \$15,000.00 per unit. Additionally, the State is providing \$124,000.00 in operating support so that the City can recruit and employ a Lead Abatement Program Manager. Finally, the MOU pledges \$875,000.00 in matching funds over a three-year period in support of HCDs application for \$2,950,000.00 in new federal funding for lead abatement submitted June 10, 2011. Those matching funds are contingent upon the City being awarded new federal funding.

MINUTES

DHCD - cont'd

Abatement of lead-based paint in households, where children under six years of age reside, is an essential part of the City's strategy to eliminate childhood lead poisoning.

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 the execution of memorandum of understanding with the State of Maryland, Department of Housing and Community Development.

MINUTES

Department of Housing and - Head Start Agreements
Community Development

The Board is requested to approve and authorize execution of the Head Start agreements for the following delegate agencies. The period of the agreement is effective upon Board approval through June 30, 2011, unless otherwise indicated.

1. **CATHOLIC CHARITIES OF BALTIMORE/** **\$ 80,662.00**
ST. JEROME'S HEAD START PROGRAM

Account: 4000-486311-6051-516600-603051

The organization will provide Head Start services to 258 children and their families in Baltimore City. The funds will be used to provide for emergency renovations to the Head Start facilities, purchase educational supplies, pay rent, and pay program utilities.

2. **DAYSPRING PROGRAMS, INC./** **\$ 7,000.00**
DAYSPRING HEAD START PROGRAM

Account: 4000-486311-6051-515600-603051

The organization will provide Head Start services to 102 children and their families in Baltimore City. The funds will be used to provide for urgent health and safety repairs, and the purchase of materials and equipment.

3. **DAYSPRING PROGRAMS, INC./** **\$ 41,655.00**
HERRING RUN HEAD START PROGRAM

Account: 4000-486311-6051-516800-603051

The organization will provide Head Start services to 153 children and their families in Baltimore City. The funds will be used to provide for an increase of the food cost, supplies, and pay for substitute teachers in the classrooms.

MINUTES

DHCD - cont'd

4. **METRO DELTA EDUCATIONAL PROGRAMS/
YUBI HEAD START PROGRAM** **\$ 18,768.00**

Account: 4000-486311-6051-517100-603051

The organization will provide Head Start services to 102 children and their families in Baltimore City. The funds will be used to provide for urgent health, safety renovations and moving costs to the newly lease program sites' classroom and offices.

5. **METRO DELTA EDUCATIONAL PROGRAMS INC./
METRO DELTA HEAD START PROGRAMS** **\$ 38,640.00**

Account: 400-486311-6051-516300-603051

The organization will provide Head Start services to 210 children and their families in Baltimore City. The funds will be used to provide for urgent health, safety renovations and moving costs to the newly lease program sites' classroom and offices.

6. **MORGAN STATE UNIVERSITY** **\$ 41,216.00**

Account: 4000-486311-6051-554000-603051

The organization will provide Head Start services to 224 children and their families in Baltimore City. The funds will be used to provide for urgent health and safety renovations, classrooms computers, and outdoor play equipment.

MINUTES

DHCD - cont'd

7. **UNION BAPTIST CHURCH-SCHOOL, INC.** **\$ 83,376.00**
UNION BAPTIST/HARVEY JOHNSON
HEAD START PROGRAM

Account: 4000-486311-6051-516000-603051

The organization will provide Head Start services to 214 children and their families in Baltimore City. The funds will be used to complete urgent health and safety repairs, and implement advanced educational training and technology tools for educational staff.

8. **UNITY METHODIST CHURCH/** **\$ 32,400.00**
UMOJA HEAD START PROGRAM

Account: 4000-486311-6051-517000-603051

The organization will provide Head Start services to 187 children and their families in Baltimore City. The funds will be used to provide for urgent health and safety materials and equipment, and increase training opportunities for staff.

9. **ST. FRANCIS XAVIER'S ROMAN** **\$ 55,384.00**
CATHOLIC CONGREGATION, INC./
ST. FRANCIS HEAD START PROGRAM

Account: 4000-486311-6051-516200-603051

The organization will provide Head Start services to 301 children and their families in Baltimore City. The funds will be used to provide for urgent health and safety renovations, pay for program overhead costs, and classroom materials for the program.

MINUTES

DHCD - cont'd

MWBOO GRANTED A WAIVER

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the Head Start agreements for the foregoing delegate agencies. The Mayor **ABSTAINED** on item nos. 4 and 5. The President **ABSTAINED** on item nos. 1 through 9.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following page:

2159

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.

The President **ABSTAINED** on item no. 1.

MINUTES**PERSONNEL**Mayor's Office of Information Technology1. Create the following positions

- a. 33361 - Call Center Agent I
Grade 080 (\$28,768.00 - \$33,841.00)
Job Nos. to be assigned by BBMR
(5 positions)
- b. 33362 - Call Center Agent II
Grade 084 (\$32,853.00 - \$39,210.00)
Job Nos. to be assigned by BBMR
(2 positions)
- c. 33365 - Call Center Supervisor
Grade 088 (\$38,175.00 - \$46,251.00)
Job Nos. to be assigned by BBMR

Costs: \$470,000.00 - 1001-000000-1512-167700-601001

MOIT planned to eliminate the third shift from its FY2012 budget for its Call Center but has now decided to recreate the shift in order to respond to citizens' service requests better. These positions will be performing duties that are consistent with the classifications listed above.

Baltimore City Board of Elections2. Create two positions

- 01801 - Supervisor Elections
Grade 86A (\$10,000.00)

Cost: \$20,000.00 - 1001-000000-1801-184300-601001

This request from the Baltimore City Board of Elections implements Senate Bill 163 passed by the 2011 General Assembly and the effective date of this action is June 6, 2011. This legislation authorizes an increase in the number of regular members of the Baltimore City Board of Elections from three members to five members, an addition of two positions.

MINUTES

Law Department - Claim Settlements

The Board is requested to approve and authorize execution of the Settlement Agreement and Release for the following claims. The settlements have been reviewed and approved by the Settlement Committee of the Law Department.

- | | |
|--|-------------|
| 1. Ericka Ury. V. Alexandros Mellos,
et al. | \$49,500.00 |
| 2. Shakia Nelson v. Marc Camarote,
et al. | \$25,000.00 |

Account: 1001-000000-2041-195500-603070

UPON MOTION duly made and seconded, the Board approved settlements as requested by the Law Department. The President voted **NO** on item nos. 1 and 2.

MINUTES

Law Department - Opinion - Request for Refund of Real
Property Taxes

The Board is requested to approve a refund of real property taxes for the below-listed claimant:

It is the opinion of the Law Department Mr. James A. Gamber meets the qualifications for a real property tax exemption for 100% of disabled veteran and that the claimant is eligible to receive a refund of taxes paid since he meets the status of a 100% disabled veteran by the Veteran's Administration and resided in a dwelling occupied by not more than two families during the period in question. It has been determined that Mr. Gamber is entitled to a refund of real property taxes, which were paid as follows:

	<u>Claimant/s</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
1.	JAMES A. GAMBER, JR.	3403 Parklawn Ave.	2009-2010 2008-2009 2007-2008 Total Refund	\$1,730.94 1,661.59 1,599.68 \$4,992.21

Mr. Gamber filed his application on June 14, 2011.

Pursuant to the Tax Property Article, Section 208(h)(2) it is required that interest shall be paid at the rate the county or municipal corporation charges on overdue taxes and that the interest shall accrue from the date the application is filed with the county or municipal corporation. In order to avoid interest being paid, each claimant's application for a refund must be made within 60 days of the application.

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for the above-listed claimant.

MINUTES

Department of Finance - Carryover of Unexpended Fiscal 2011
Appropriations to Fiscal 2012

ACTION REQUESTED OF B/E:

In accordance with end of year procedures, approval is requested for the Department of Finance to transfer, within an agency, appropriations to meet any program deficit and/or, to meet specific carryover requests in cases where surpluses exist within any agency, but not necessarily within a particular program. Additionally, the Board's approval is requested to carry forward all encumbrances and pre-encumbrances, and to transfer from the Contingent Fund an amount sufficient to cover an agency's overall deficit if required.

The Board is also requested to delegate to the Director of Finance the authority to assign the amounts intended to be used for specific purposes in future years for governmental funds. In accordance with the Board of Estimates policy of prior years, the balance of unexpended special and loan funds earmarked for specific purposes will be carried over as necessary to Fiscal 2012.

AMOUNT OF MONEY AND SOURCE:

Below is a list of carry over requests from agencies. No recommendations are made at this time pending a review of the requests by the Budget Bureau and the availability of appropriations.

A final report of recommendations and actions by the Budget Bureau will be submitted for approval by the Board of Estimates for the July 27, 2011 meeting.

Sources and amounts for closing out appropriations will be from within each agency and fund.

MINUTES

Agency	Account Number	Purpose	Request	Category
Board of Elections	1001-899-001-00-1-02	Temporary Salaries / Wages	\$300,000	A
	1001-899-001-00-3-08	Advertising	\$30,000	A
	1001-899-001-00-3-09	Postage	\$20,000	A
	1001-899-001-00-3-11	Rental of Business Machines	\$17,000	A
	1001-899-001-00-3-12	Data Word Services	\$20,000	A
	1001-899-001-00-6-03	Data Work Processing	\$250,000	A
	1001-899-002-00-3-26	Other Professional Services	\$120,000	A
	1001-899-003-00-3-13	Rental of Real Property	\$16,600	A
	1001-899-003-00-3-50	Not Otherwise Classified	\$800,000	A
	Total		\$1,573,600	
Comptroller	1001-131-001-00-1-01	Auditors	\$200,000	A
	1001-131-001-00-3-20	Training	\$20,000	B
	1001-131-001-00-5-08	Computer Software	\$25,000	B
	Total		\$245,000	
Convention Center	1001-855-014-00-3-16	Ballroom Audio System Replacement	\$120,000	B
	1001-855-014-00-3-16	East Building skylights	\$300,000	B
	1001-855-014-00-3-16	Conway and Howard Street Terraces	\$80,000	B
	1001-855-014-00-3-16	Howard Street Planters	\$15,000	B
	1001-855-014-00-3-16	Conduit repairs	\$15,000	B
	1001-855-014-00-3-16	Conduit repairs	\$16,000	B
	1001-855-014-00-3-16	Charles Street Lobby	\$12,000	B
	1001-855-014-00-3-16	Roofing	\$56,000	B
	1001-855-013-00-6-07	Handicap Lift	\$25,000	B
	Total		\$639,000	
Finance	1001-704-001-00-x-xx	Replacement Billing System	\$250,000	B
	1001-148-001-00-6-03	Computer Processing Equipment	\$105,000	B
	1001-150-001-006-03	Computer Processing Equipment	\$35,000	B
	Total		\$390,000	

MINUTES

HCD	1001-812-001-00-7-01	BDC Small Business Resource Center	\$34,000	B
	1001-740-001-00-3-26	Dawson House Rehabilitation	\$250,000	A
	1001-745-004-00-6-02	Mail Processing Machine	\$50,000	B
	1001-745-005-00-5-03	Tough Book Computer Replacement	\$20,000	B
	1001-751-004-00-6-02	Ticket Machine for One Stop shop	\$20,000	B
	1001-745-001-00-6-03	Computer Switch for Code Enforcement	\$15,000	B
	1001-751-005-00-3-16	Plans Examining Counter	\$10,000	B
	9910-588-047-00-4-45	Demolition	\$440,875	B
	9910-588-058-00-6-47	Stabilization	\$440,875	B
	1001-745-002-00-5-03	computer replacement	\$353,250	B
	1001-357-001-00-3-51	Homeless Shelter Beds	\$300,000	A
	Total		\$1,934,000	
Health	1001-716-001-00-3-51	BARCS contract	\$91,000	B
	Total		\$91,000	
Law	1001-871-001-00-x-xx	Computers	\$43,009	B
	1001-864-001-00-x-xx	Computer Desks	\$10,590	B
	1001-865-001-00-x-xx	Computer Desks	\$4,916	B
	1001-869-003-00-3-12	Program Software	\$73,651	A
	1001-863-003-00-x-xx	Flooring, Art, and Furniture	\$3,000	B
	1001-864-003-00-3-20	Flooring, Art, and Furniture	\$23,500	B
	1001-866-004-00-x-xx	Flooring, Art, and Furniture	\$620	B
	1001-870-001-00-x-xx	Flooring, Art, and Furniture	\$47,610	B
	1001-865-005-00-x-xx	Flooring, Art, and Furniture	\$10,600	B
	1001-863-001-00-x-xx	Flooring, Art, and Furniture	\$8,002	B
	1001-866-001-00-x-xx	Flooring, Art, and Furniture	\$10,217	B
	1001-861-001-00-x-xx	Flooring, Art, and Furniture	\$4,065	B
	1001-868-001-00-x-xx	Flooring, Art, and Furniture	\$102,500	B

MINUTES

	1001-870-001-00-x-xx	Flooring, Art, and Furniture	\$7,000	B
	Total		\$349,280	
Legislative Reference	1001-107-001-00-3-26	No Reason Provided	\$44,457	B
	Total		\$44,457	
Library Library (cont.)	1001-788-068-00-5-03	Public Computer Replacement	\$250,000	B
	1001-788-040-00-5-40	Books and Materials - Central	\$300,000	B
	1001-788-022-00-5-40	Books and Materials - Branches	\$300,000	B
	Total		\$850,000	
Mayoralty	1001-353-001-00-3-50	Language Access Service	\$35,000	A
	Total		\$35,000	
MOED	1001-798-014-00-x-xx	Youth Works	\$50,000	B
	Total		\$50,000	
MOIT	1001-804-001-00-1-01	Extend 311 Call Center Hours	\$500,000	B
	Total		\$500,000	
M-R: Art and Culture	1001-824-001-00-7-01	BOPA	\$32,000	A
	1001-493-010-00-x-xx	Walters OPCs	\$152,300	A
	1001-493-014-00-x-xx	Baltimore Museum of Art OPCs	\$110,000	A
	Total		\$294,300	
M-R: Civic Promotion	1001-820-002-00-x-xx	Sail Baltimore	\$10,000	A
	Total		\$10,000	
M-R: Educational Grants	1001-446-013-00-x-xx	Family League	\$2,669,756	A
	1001-446-015-00-x-xx	Experience Corp	\$58,192	A
	1001-446-006-00-x-xx	U of M Cooperative Extension	\$47,803	A
	Total		\$2,775,751	
M-R: Miscellaneous General	1001-122-018-00-1-09	Analysis of 2010 Census Data	\$36,000	A
	Total		\$36,000	
Neighborhoods	1001-354-001-00-3-26	Community Outreach Festival Supplies	\$3,358	B
	1001-354-001-00-3-26	Language Access Service	\$13,958	A
	Total		\$17,316	
Office of Civil Rights	1001-656-001-00-3-26	Labor Compliance Reporting System	\$35,000	B
	Total		\$35,000	

MINUTES

Orphans Court	1001-817-001-00-x-xx	Digital Court Recording System	\$50,000	B
	Total		\$50,000	
Planning	1001-763-001-00-x-xx	Transform Baltimore Zoning Code Rewrite	\$123,000	A
	Total		\$123,000	
Public Works	1001-676-005-00-5-03	Computers	\$115,500	A
	1001-662-001-00-x-xx	Restore Grass Cutting and Pest Control	\$469,000	B
	1001-663-006-00-3-16	Sisson Street Dropoff Center	\$1,000,000	B
	1001-663-006-00-3-16	New Hazardous Waste Dropoff Center	\$200,000	B
	1001-663-006-00-3-26	Disposal Services	\$200,000	B
	1001-661-014-00-3-16	Mechanical Sweeping Facility	\$500,000	B
	1001-664-007-61-6-04	Quarantine Road Bulldozers	\$1,000,000	B
	1001-662-001-00-5-01	Furniture and Office Equipment	\$50,000	B
	1001-674-005-00-6-04	Jeeps	\$168,000	B
	3001-674-007-00-5-08	Upgrade to CCTV	\$42,000	B
	3001-674-007-00-3-35	Flood Alert System	\$15,000	B
	3001-674-004-00-3-26	Stormwater Utility Communication Services	\$380,000	B
	3001-674-001-00-3-26	Inlet Debris Collection Pilot	\$850,000	B
	3001-674-005-00-3-26	Plans Review	\$200,000	B
	3001-674-004-00-5-06	Scanning Plans Equipment	\$150,000	B
	3001-674-005-00-5-01	Office Furniture and Workstations	\$415,155	B
	3001-674-005-00-3-26	Renovations	\$73,172	B
	Total		\$5,827,827	
Recreation and Parks	1001-644-003-00-5-03	Data Processing Equipment	\$25,000	A
	1001-644-003-00-5-08	Security Equipment	\$20,000	A
	1001-644-007-00-3-07	Printing	\$25,000	A
	1001-644-007-00-3-08	Advertising	\$20,000	A
	1001-648-017-00-3-16	Maintenance of Recreation Centers	\$80,661	A
	1001-648-005-00-5-02	Office Machines	\$66,000	A

MINUTES

	1001-648-005-00-5-01	Furniture and Equipment	\$15,000	A
	Total		\$251,661	
Sheriff	1001-882-001-00-3-26	Metal Detector Upgrade	\$40,000	B
	1001-882-001-00-3-26	Data Terminals	\$50,000	B
	1001-882-001-00-3-16	Training Room	\$70,000	B
	Total		\$160,000	
	Grand Total		\$16,282,192	

Category A = Funds originally appropriated for such a purpose

Category B = Funds **NOT** originally appropriated for such purpose

BACKGROUND/EXPLANATION:

In accordance with a new Governmental Accounting Standards Board (GASB) requirement as GASB 54, it is now required that the fiscal policy body formally delegate the official to determine the amounts of fund balances to be used for specific purposes in future years.

The Baltimore City Charter (1996 Edition as amended), Article VI, Section 9(c), provides that:

"Appropriations contained in the Ordinance of Estimates for a particular program, purpose, activity, or project may, upon the recommendation of the head of the municipal agency concerned and the Director of Finance, and with the approval of the Board of Estimates, be carried over to fiscal years subsequent to the one for which the appropriation is initially made for the accomplishment of said program, purpose, activity, or project. Funds encumbered for contracts, projects or other actual commitments and funds dedicated by an act of Congress or by State law or by the terms of any private grant to some specific purpose shall be carried over to the next fiscal year. All appropriations not so carried over shall lapse at the end of the fiscal year from which made, except that any balance remaining in the fund of the water or sanitary wastewater utility (under Section 18 of the article) at the end of the fiscal year shall remain to the credit of that utility and an estimate of such a balance shall be included in that utility's budget for the next year as an estimated receipt."

MINUTES

Finance - cont'd

UPON MOTION duly made and seconded, and in accordance with end of year procedures, the Board approved the Department of Finance to transfer, within an agency, appropriations to meet any program deficit and/or, to meet specific carryover requests in cases where surpluses exist within any agency, but not necessarily within a particular program. Additionally, the Board approved the requested to carry forward all encumbrances and pre-encumbrances, and to transfer from the Contingent Fund an amount sufficient to cover an agency's overall deficit if required.

The Board also delegated to the Director of Finance the authority to assign the amounts intended to be used for specific purposes in future years for governmental funds. In accordance with the Board of Estimates policy of prior years, the balance of unexpended special and loan funds earmarked for specific purposes will be carried over as necessary to Fiscal 2012. The President **ABSTAINED** on all items relating to the Mayors office of Information Technology.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Mayor's Office</u>		
1. MARY PAT FANNON	\$60.00	\$95,000.00
	(plus \$5,000.00 for parking, lodging, food and conf. registration)	

Account: 1001-000000-1270-152900-603018

Ms. Fannon will continue to work as a Senior Advisor for the Mayor's Office of Government Relations. She will be responsible for advising and providing analysis to the Mayor on State legislation, fiscal initiatives and other matters that impact the City during the months of the Maryland General Assembly. This contract shows a 5% increase from the previous contract. The period of the agreement is July 10, 2011 through May 9, 2012.

Health Department

2. LEONA L. TRUELOVE	\$35.00	\$42,000.00
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Account: 5000-519912-3041-000000-601009

Ms. Truelove, retiree, will continue to work as a Health Program Administrator III for the Health Disparities, Cardiovascular Disease and Diabetes Program. Her duties will include, but are not limited to assisting the Director to resolve administrative functions, designing and maintaining the Excel database for the Cardiovascular Disease Initiative, generating reports for the Director, assisting the Director to identify funds to support this initiative and writing grant applications. In addition, Ms. Truelove will serve on the grant committee for the Tobacco Use Prevention and Cessation Program, reviewing and scoring grant applications. The period of the agreement is July 1, 2011 through June 30, 2012.

THE ABOVE CONTRACTS HAVE BEEN APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.

MINUTES**PERSONNEL** - cont'd

UPON MOTION duly made and seconded, the Board approved the foregoing Personnel matters. 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. The Mayor **ABSTAINED** on item nos. 1 and 2.

MINUTES

Department of Finance - Office of - FY 2012 Insurance Renewal
Risk Management

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the following FY 2012 Insurance Policies. The policies will renew on July 1, 2011.

1. **FIREMAN'S FUND INSURANCE CO.** **\$ 8,085.00**

This policy provides insurance coverage for the City's GPS tracking system installed on school buses. The policy provides coverage for theft and direct physical damage to units installed in 30 Baltimore City Public School System buses and 300 vendor owned buses. The policy is being renewed at a 0% rate increase, and is subject to a \$250.00 deductible.

2. **LEXINGTON INSURANCE COMPANY** **\$2,149,584.00**

This master property insurance policy will cover the real and personal property of the City and the Baltimore City Public School System. The Office of Risk Management (ORM) anticipated a challenging renewal process for this very important insurance placement because of the double snow storms this past winter. As a result of the storms, the City incurred \$4,007,350.00 in losses to real property. Last year, 13 markets were approached and declined based on target pricing and limited capacity for this class of business. With these obstacles to face, the ORM felt it best to work with the incumbent carrier only, to obtain the most competitive pricing and comprehensive plan. The renewal price reflects a 19.42% increase, which is attributed to the frequency and severity of our claims as well as market loss activity and expectations of increased Atlantic Coast loss estimates for Hurricane and Wind. However the City's rate of .034 still remains very competitive at less than .04 cents per \$100.00 of coverage.

Dept. of Finance - Office of Risk Management - cont'd

The commercial market for School Bus Automobile Liability remains very limited. Because of increased claims activity, negotiation began early and as a result, the Department was able to obtain a renewal rate of \$874.00 per bus, which represents a 4% rate increase.

MINUTES

Finance - Office of Risk Management - cont'd

7. **PHILADELPHIA INSURANCE COMPANY** **\$ 105,473.00**

This policy provides insurance coverage for the Convention Center Complex and 1st Mariner Arena. This policy provides liability coverage for the Convention Center Complex and 1st Mariner Arena. The renewal is being provided by the incumbent carrier at a 0.10% increase in premium due to increased claims activity. The policy contains a \$25,000.00 deductible in lieu of a Self Insured Retention as per the expiring policy. The insurance carrier will handle all claims, thereby eliminating the need for a Third Party Administrator to handle all claims under the Self Insured Retention.

8. **ZURICH INSURANCE COMPANY** **\$ 22,626.00**

On May 05, 2010, the Board renewed a May 11, 2005 Resolution, whereas the City of Baltimore would indemnify and save harmless the directors, officers and employees of certain non-profit Quasi corporations from monetary loss sustained by them due to acts of negligence while in the performance of their duties as directors, officers and employees of said non-profit corporations. Coverage is being renewed with the Incumbent carrier at the same terms and conditions as expiring. The renewal premium represents no change in rate.

Account: 2043-000000-1450-162900-603014

MINUTES

Finance - Office of Risk Management - cont'd

9. INJURED WORKERS' INSURANCE FUND (IWIF) \$ 155,722.00

This policy will provide Workers' Compensation benefits for the Mayor's Office of Employment Development trainees program. The MOED receives federal grant money, a requirement of which is the purchase of Workers' Compensation Insurance for the participants in its various programs. The MOED has completed its 16th year under the IWIF Program. The rate/premium offered by the IWIF is favorable again this year. A 40% credit was negotiated due to Good Loss Experience.

Account: 4000-806412-6313-460205-603017

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the foregoing FY 2012 Insurance Policies. The Mayor **ABSTAINED** on item nos. 3 and 7.

MINUTES

Department of Housing and - Head Start Agreements
Community Development

The Board is requested to approve and authorize execution of the Head Start agreements for the following delegate agencies. The period of the agreement is effective upon Board approval through June 30, 2011, unless otherwise indicated.

10. **ST. PAUL COMMUNITY OUTREACH CENTER, INC./** **\$ 50,884.00**
 ST. PAUL COMMUNITY HEAD START PROGRAM

Account: 4000-486311-6051-515800-603051

The organization will provide Head Start services to 202 Children and their families in Baltimore City. The funds will be used to purchase food for children, building maintenance repairs and supplies, utilities, and fire, safety, and office equipment.

11. **ST. VINCENT DePAUL OF BALTIMORE, INC./** **\$ 96,096.00**
 ST. VINCENT DePAUL SOUTH EAST HEAD
 START PROGRAM

Account: 4000-486311-6051-671999-603026

The organization will provide Head Start services to 270 Children and their families in Baltimore City. The funds will be used to address urgent health and safety renovations to their facility and to increase education learning tools in the classroom.

12. **CATHOLIC CHARITIES OF BALTIMORE** **\$ 4,614.00**
 ST. JEROME'S HEAD START PROGRAM

Account: 4000-486311-6050-671926-603026

The organization will provide Head Start services to 258 Children and their families in Baltimore City. The funds will be used to address urgent health and safety renovations.

MINUTES

DHCD - cont'd

13. CATHOLIC CHARITIES OF BALTIMORE \$ 62,472.00
ST. JEROME'S HEAD START PROGRAM

Account: 4000-486311-6051-516600-603051

The organization will provide Head Start services to 258 Children and their families in Baltimore City. The funds will be used to purchase educational supplies, pay rent at one site, and pay program utilities.

14. YMCA OF CENTRAL MARYLAND/ \$ 59,064.00
THE EMILY PRICE JONES
HEAD START PROGRAM

Account: 4000-486311-6051-516100-603051

The organization will provide Head Start services to 258 Children and their families in Baltimore City. The funds will be used to provide urgent health and safety renovations, pay lease close out costs, and reallocation expenses for two sites.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the Head Start agreements for the foregoing delegate agencies. The President **ABSTAINED** on item nos. 1 through 14.

MINUTES

PROPOSALS AND SPECIFICATIONS

There being no objections, the Board, UPON MOTION duly made and seconded, approved the following Proposals and Specifications to be advertised for receipt and opening of bids on the dates indicated:

1. Department of Transportation - TR 10317, Safe Routes to School - Grant Years 'A', 'B', 'C', and 'D'
BIDS TO BE RECV'D: 08/17/2011
BIDS TO BE OPENED: 08/17/2011

* * * * *

President: "Madam Mayor."

Mayor: "Thank you. I just want to bring attention to one of the items that should be on the Agenda. I believe it -- no it is a request for Proposal. We the City of Baltimore issued a Request for Proposal for new City Watch Crime Cameras in the Coldspring, Homestead, Montebello or CHUM areas as it is called. South Clifton Park and the Dolly Park neighborhoods. Thirty new cameras will be strategically placed on North Avenue, Harford Road and Belair Road above North Avenue above North Avenue toward Clifton Park. I just want to thank the Mayor's Office of Criminal Justice. I know I saw Sheryl Goldstein --."

President: "In the back."

City Solicitor: "Yes in the back."

MINUTES

Mayor: "There she is. She has being hidden by the cameraman.

I want to thank the Mayor's Office on Criminal Justice for your hard work on this major expansion of the program in the Northeast District despite very difficult budget constraints. Our City Watch Program has been instrumental in supporting work of the men and women in the Baltimore City Police Department, that cameras have been helpful in helping us reduce crime. The cameras are forced multiplier that enable us to do more to protect the citizens of Baltimore. In 2010, the City Watch cameras helped us participate in over, well almost 1,300 arrests. About half of these arrests occurred in the Downtown Business District, and City Watch initiated over 125 arrests for violent crimes including robberies, assaults and illegal gun possession. Our budget for FY 2012 fully already funds the operation of 526 crime cameras, which have been shown to reduce crime by 25% in the cameras covered areas and in 15 months in office 46 new crime cameras have been added to the City Watch networks. So, I am pleased about the work and looking forward to more good news from our crime technology. Thank you."

President: "Thank you. There being no more business before the Board--."

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MINUTES

Deputy Comptroller: "Mr. President if I may. On the non-routine items, it has been brought to my attention that we have two items for which a **NO** Vote should be included in the minutes for today and that is for Page 77 items one and two, the Law Department claim settlements. Please note for your information and it will appear in the minutes that the Honorable President Young will be voting **NO**. On Pages 77 items one and two."

City Solicitor: "That was on the routine agenda right?"

Deputy Comptroller: "Yes it was."

President: "Is that it?"

Deputy Comptroller: "Yes. Thank you."

President: "Thank you. There being no more business before the Board. The meeting will recess until the bid opening at twelve noon. Thank you."

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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.

<u>Bureau of Purchases</u>	-	B50001966, Locksmith Services BIDS TO BE RECV'D: 07/13/2011 <u>BIDS TO BE OPENED: 07/13/2011</u>
<u>Bureau of Water & Wastewater</u>	-	SC 845, Nitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant BIDS TO BE RECV'D: 07/13/2011 <u>BIDS TO BE OPENED: 07/13/2011</u>
<u>Department of Recreation & Parks</u>	-	RP 10811, Clifton Park Recreation Center BIDS TO BE RECV'D: 07/13/2011 <u>BIDS TO BE OPENED: 07/13/2011</u>

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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 General
Services

- RB 10838, Crimea Mansion Window
Repairs

The Micheal Group, Inc.
JLN Construction Services
E. Pikounis Construction
Co. Inc
Chereco Company
Worcester Eisenbrandt, Inc.
C & N Associates, LLC
JA Argetakis Contracting Co

Bureau of Purchases

- B50001986, Repair and
Maintenance Services-Electrical
Motors Up to 300 H.P.

The Electric Motor Repair Co.
TEAM Service Corp. of NY

Bureau of Purchases

- B50001972 Floor Stripping &
Waxing for Various City of
Baltimore Buildings

C.J. Maintenance, Inc.
A.S.B. Enterprises, LLC
Aqua Free Facilities
Services, Inc.
DCS Staffing & Cleaning
Professionals
Affordable Carpet Cleaning
Prime Star Industries, Inc.
Tote-It, Inc.
Elite Building Services
Dominican Solutions

MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, July 13, 2011.


JOAN M. PRATT
Secretary