

MINUTES**REGULAR MEETING**

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

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The meeting was called to order by the President.

MINUTES**BOARDS AND COMMISSIONS**1. 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:

Access Global Technologies, Inc.	\$	846,000.00
Best International Construction Co., Inc.	\$	1,500,000.00
John W. Brawner Contracting Co., Inc.	\$	8,000,000.00
Breeding Construction, Inc.	\$	3,033,000.00
Corder Builders, Inc.	\$	1,017,000.00
Galway Bay Corporation	\$	51,903,000.00
M & M Welding and Fabricators, Inc.	\$	8,000,000.00
Mar-Allen Concrete Products, Inc.	\$	1,500,000.00
Marcor Environmental, LP	\$	46,800,000.00
Rand Construction Corporation	\$	8,000,000.00

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:

Advanced Civil Design, Inc.	Engineer
Amdyne Corporation	Engineer
Restl Designers, Inc.	Engineer
STV	Architect, Engineer, Land Survey, Property Line Survey

There being no objections, the Board, UPON MOTION duly made and seconded, approved the prequalification of Contractors, Architects, and Engineers.

MINUTES**CITY COUNCIL BILLS**

09-0405 - An ordinance concerning Sale of Property - 1125 North Patterson Park Avenue (Block 1554, Lot 013) for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property located at 1125 North Patterson Park Avenue (Block 1554, Lot 013) and no longer needed for public use; and providing for a special effective date.

ALL REPORTS RECEIVED WERE FAVORABLE.

10-0440 - An ordinance concerning Sale of Property - Baltimore County Map 100, Parcel 1365 for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as Baltimore County Map 100, Parcel 1365 and no longer needed for public use; and providing for a special effective date.

ALL REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved bill nos. 09-0405 and 10-0440 and directed that the bills be returned to the City Council with the recommendation that they also be approved and passed by that Honorable Body. The President **ABSTAINED.**

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 12** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on February 17, 2010.

The Board **NOTED** receipt of the 12 favorable reports.

MINUTES**PERSONNEL MATTERS**

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UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following page:

555

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

MINUTES**PERSONNEL**Department of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
1. GEORGE CANNOLES	\$ 8.50	\$10,200.00

Account: 2096-796642-7960-864200-601009

Mr. Cannoles, a retiree, will continue to work as an Orchid Curator/Gardener in the Horticulture Division. He will be responsible for gardening work in and around the grounds of the Conservatory. The period of the agreement is February 25, 2010 through February 24, 2011.

2. GEORGE GHEE	\$10.00	\$20,800.00
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Account: 2096-796337-7960-833700-601009

Mr. Ghee, a retiree, will work as a Motor Vehicle Driver. His duties will include, but are not limited to; driving City cars and vans to transport agency administrators and staff to and from scheduled meetings and events. Mr. Ghee will also transport agency participants to and from various events and activity centers/facilities, and deliver vehicles to the repair shop for routine maintenance and repairs. The period of the agreement is effective upon Board approval for 1-year.

MINUTES

Office of the Comptroller/ - Tax Sale Certificates
Department of Real Estate

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Tax Sale Certificates to Mr. Sabino Strippoli for amounts that are less than the lien amount for the properties located at 2334 and 2336 Annapolis Road.

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>
2334 Annapolis Road	\$2,080.00	\$3,257.09	\$15,507.88	\$3,257.09
2336 Annapolis Road	\$2,080.00	\$6,207.87	\$63,453.75	\$6,207.87

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificates for the indicated properties on May 12, 2008, for the lien amounts. Mr. Strippoli 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 will cover the flat taxes and water bills on the properties.

(FILE NO. 56662)

UPON MOTION duly made and seconded, the Board approved the assignment of Tax Sale Certificates to Mr. Sabino Strippoli for

MINUTES

Office of the Comptroller/ - cont'd
Department of Real Estate

amounts that are less than the lien amount for the properties
located at 2334 and 2336 Annapolis Road.

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:

559 - 563

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**TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>			
1.	\$ 7,555.86 M&CC	9911-903859-9600 Constr. Res. BDC Economic Dev.	9910-905852-9601 Economic Dev. Incentives
	190.16 M&CC	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-903483-9601 S. Balto. Ind. & Coml. Dev.
	5.15 M&CC	9910-903354-9600 Constr. Res. W. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
	4,574.37 M&CC	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown
	481.61 M&CC	9910-905575-9600 Constr. Res. E. Balto. Ind. & Coml. Dev.	9910-906575-9601 E. Balto. Ind. & Coml. Dev.
	4,793.65 19th EDF	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>		
265.00 19th EDF	9910-904573-9600 Constr. Res. Fayette/ Lombard St. Corr.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
877.60 20th EDF	9910-901880-9600 Constr. Res. Open-Public Space Imprv.	9910-903824-9603 Downtown Public/Open Space
469.31 20th EDF	9910-902873-9600 Constr. Res. Brownsfield Incentive Fund	9910-903873-9601 Brownsfield Incentive Fund
350.00 21st EDF	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-902879-9601 Coml. Rev.
4,419.00 21st EDF	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
2,700.00 22nd EDF	9910-904115-9600 Constr. Res. West Side Initiative	9910-905285-9603 West Side Downtown
\$ 26,681.71		

The transfer will provide funds to reimburse Baltimore Development Corporation for eligible capital expenses for the month ending September 30, 2009.

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>		
2. \$ 21,192.63 M&CC	9911-903859-9600 Constr. Res. BDC Economic Dev.	9910-905852-9601 Economic Dev. Incentives
253.62 M&CC	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-903483-9601 S. Balto. Ind. & Coml. Dev.
375.00 M&CC	9910-903354-9600 Constr. Res. W. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
573.96 M&CC	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown
1,209.29 M&CC	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
1,297.18 M&CC	9910-905575-9600 Constr. Res. E. Balto. Ind. & Coml. Dev.	9910-906575-9601 E. Balto. Ind. & Coml. Dev.
6,000.00 19th EDF	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>		
265.00 19th EDF	9910-904573-9600 Constr. Res. Fayette/ Lombard St. Corr.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
350.00 21st EDF	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-902879-9601 Coml. Rev.
7,882.13 22nd EDF	9910-904115-9600 Constr. Res. West Side Initiative	9910-905285-9603 West Side Downtown
2,154.50 22nd EDF	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
6,260.00 22nd EDF	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
<hr/> \$ 47,813.31		

The transfer will provide funds to reimburse Baltimore Development Corporation for eligible capital expenses for the month ending October 30, 2009.

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. \$ 5,000.00	9938-902748-9475	9938-901748-9474
State	Reserve	Active
	Baltimore Playlot	Baltimore Playlot
	Program FY2008	Program FY2008

The transfer will cover the costs associated with Change Order No. 4 for Baltimore Playlot Program project under contract RP-08821.

MINUTESMayor's Office of Employment - Agreements
Development (MOED)

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

1. **JOHNS HOPKINS BAYVIEW MEDICAL CENTER** **\$ 8,029.50**

Account: 4000-805310-6310-462105-603051

The organization will provide 70 hours of training to 15 incumbent employees of Johns Hopkins Bayview Medical Center through an initiative known as Maryland Business Works. The employees will receive training under the Gateway Health Care Training Program that includes basic math skills for the Healthcare Case Worker, medical terminology for Health occupations, and anatomy and physiology for Health occupations. The period of the agreement is February 23, 2010 through March 11, 2010.

2. **UNITED EDUCATIONAL CORPORATION** **\$11,212.50**

Account: 4000-805310-6310-522705-603051

The organization will provide 24 hours of training for 15 incumbent employees of United Educational Corporation through an initiative known as Maryland Business Works. The employees will receive training in the area of Certified - Therapeutic Aggression Control Techniques - (TACT-2). The period of the agreement is February 16, 2010 through March 19, 2011.

The agreement is late because of the extended negotiation process.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various agreements. The President

ABSTAINED on item no. 1.

MINUTES**EXTRA WORK ORDERS AND TRANSFER 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:

566 - 567

All of the EWOs have been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

MINUTES

EXTRA WORK ORDERS

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 #035, \$408,170.00 - TR 04308R, Charles Street Resurfacing and Streetscape from Madison St. to North Ave.

\$9,095,012.75	\$1,532,492.79	Civil Construction, LLC	28	-
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2. EWO #036, \$134,134.40 - TR 04308R, Charles Street Resurfacing and Streetscape from Madison St. to North Ave.

\$9,095,012.75	\$1,940,662.79	Civil Construction, LLC	-	-
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3. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$267,785.82	9950-904900-9507	
Federal	Constr. Res. -	
	Federal Aid Resurf.	
102,429.69	9950-903766-9514	
MVR	Frankford Ave. -	
	Moravia Rd. to	
	Sinclair Lane	
<hr/>	-----	
\$370,215.51		9950-904147-9527-2
		Contingencies -
		Charles St. Resurf.
		and Streetscape
		Madison St. to
		North Ave.

This transfer will provide funds to cover the costs associated with Change Orders Nos. 35 and 36 of Contract No. TR 04308 with Civil Construction Co., Inc.

MINUTES**EXTRA WORK ORDERS**

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

Department of Transportation

4.	EWO #043, (\$597,593.68) - TR 00079, Replacement of the Russell Street Viaduct over Monroe Street			
	\$4,568,865.00	\$1,004,807.26	Flippo Construc-	- -
			tion Co., Inc.	

Bureau of Solid Waste

5.	EWO #004, \$123,108.34 - S.W.S. 07809, Construction of Landfill Gas Collection System at Quarantine Road Landfill			
	\$1,611,074.00	\$ 140,591.98	Harnden Group	- 100

Bureau of Water & Wastewater

6.	EWO #002, \$31,839.94 - ER 4010, Lower Stony Run Stream Re- storatation			
	\$ 916,444.66	\$ 18,811.09	Environmental	3 60
			Quality Resources,	days
			LLC	

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	2229 Fleet St.	Darlene Thomas	Retain two cornice signs 15' x 1½', ten spot reflectors
	Annual Charge: \$246.40		
2.	2327 Pennsylvania Ave.	Jans Properties, LLC	Three flat signs; two 24" x 24" one 24" x 48"
	Annual Charge: \$ 52.80		
3.	528 S. Conkling St.	Avenue Gateway, LLC	Retain cornice sign 16'4"x2', two spot reflectors
	Annual Charge: \$176.00		

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

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

MINUTES

Department of Public Works - Agreement
Bureau of Water and Wastewater

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with KCI Technologies, Inc. for Project 1108 Water System Audit and Condition Assessment of Water Infrastructure. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever comes first, and may be renewed for one additional 1-year period.

AMOUNT OF MONEY AND SOURCE:

\$3,499,983.20 - 9960-906643-9557-900020-703032

BACKGROUND/EXPLANATION:

The KCI Technologies, Inc. will perform a comprehensive water systems audit, develop and implement a program for leak detection and repairs, and conduct a conditional assessment of small and large water mains and related water infrastructure. In addition, the consultant will develop and implement programs and web mapping applications like Water Operations Dashboard and the Water Field Map application to enhance the operation and maintenance of the distribution system.

MWBOO SET SUB-GOALS OF 11% FOR AFRICAN AMERICANS (AA); 2% FOR HISPANIC AMERICANS (HA); AND 14% FOR ASIAN AMERICANS (AsA).

MBE - AA:	Reviera Enterprises, Inc./REI Drayco	\$385,029.46	11.00%
MBE - AsA:	Dhillon Engineering, Inc.	489,949.79	14.00%
MBE - HA:	Mercado Consultants, Inc.	70,047.73	2.00%
		<u>\$945,026.98</u>	<u>27.00%</u>

MINUTES

DPW/BW&WW - cont'd

WBE: Phoenix Engineering, Inc.	\$175,058.88	5.00%
Sahara Communications, Inc.	<u>139,869.98</u>	<u>4.00%</u>
	\$314,928.86	9.00%

APPROVED FOR FUNDS BY FINANCE

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,225,000.00 Revenue Bonds	9960-907638-9558 Constr. Res. Water Audit	
1,375,000.00 Counties	9960-907638-9558 Constr. Res. Water Audit	
900,000.00 Water Utility Funds	9960-907638-9558 Constr. Res. Water Audit	
129,200.00 Water Utility Funds	9960-907101-9558 Constr. Res. Small Water Mains Program	

MINUTES

DPW/BW&WW - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
270,800.00	9960-907101-9558	
Counties	Constr. Res.	
	Small Water Mains	
	Program	
<u>\$3,900,000.00</u>		
\$3,499,983.20	-----	9960-906643-9557-3
		Engineering
400,016.80	-----	9960-906643-9557-9
<u>\$3,900,000.00</u>		Administration

This transfer will cover the cost for Project 1108, Water System Audit and Condition Assessment of Water Infrastructure.

(FILE NO. 57079)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with KCI Technologies, Inc. for Project 1108 Water System Audit and Condition Assessment of Water Infrastructure. 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 Comptroller **ABSTAINED.**

MINUTES

Department of Public Works/ - Expenditure of Funds
Bureau of Water and Wastewater

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a payment to the National Association of Clean Water Agencies (NACWA).

AMOUNT OF MONEY AND SOURCE:

\$15,755.00 - 2070-000000-5540-399000-603022

BACKGROUND/EXPLANATION:

The payment will cover membership into the NACWA which provides the Department the opportunity to improve the effectiveness of the Department, enhance professional development, and achieve the goals and objectives the Department shares with publicly owned treatment works. The period of the membership is October 1, 2009 through September 10, 2010.

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

UPON MOTION duly made and seconded, the Board approved and authorized the payment to the National Association of Clean Water Agencies.

MINUTES**OPTIONS/CONDEMNATIONS/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. Elliot Dackman and Susan Dackman	519 Gold St.	G/R \$96.00	\$ 800.00
2. Joseph A. Dackman and Matthew Dackman	527 Robert St.	G/R \$90.00	\$ 750.00

Funds will be transferred prior to settlement into Account No. 9910-907079-9588-900000-704040, Asset Management Ground Rents Project.

3. Jeffrey I. Silberman	735 Dolphin St.	G/R \$75.00	\$ 625.00
4. Jeffrey I. Silberman	534 Robert St.	G/R \$60.00	\$ 500.00
5. Jeffrey I. Silberman	1229 Myrtle Ave.	G/R \$72.00	\$ 600.00

Funds will be transferred prior to settlement into Account No. 9910-907079-9588-900000-704040, Scattered Site Ground Rents Acquisition Project.

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

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

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Condemnation</u>			
6. Charles Muskin and Shirley Lowenthal, Trustees of the Estate of Lillian Braverman	423 E. 24 th St.	G/R \$60.00	\$ 500.00

Funds will be transferred prior to condemnation into City Bond Funds, Account No. 9912-910713-9591-900000-704040, Barclay Project.

(FILE NO. 57066)

MINUTESHealth Department - Agreements and Intergovernmental Agreement

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

AGREEMENTS

1. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$39,359.00**

Account: 4000-424510-3040-276926-603051

The JHU will provide Minority AIDS Initiative (MAI) outreach services for the Ryan White Part B Program. The MAI services will include educational presentations, development of referral relationships with agencies serving the Latino population of Baltimore City, and testing initiatives conducted at congregation points for the Latino community. The testing will consist of rapid-testing where appropriate and possible. The JHU will focus its outreach and education efforts on linking patients with the Maryland AIDS Drug Assistance Program.

2. **JOHN HOPKINS UNIVERSITY (JHU)** **\$18,555.00**

Account: 4000-424510-3040-278118-603051

The JHU's AIDS service will provide psychosocial support services for the Ryan White Part B Program. The JHU will provide care and develop services that are integrated, comprehensive, and are adaptive to the changing needs of clients for Project LINK.

Project LINK is a readiness program that uses a multidisciplinary approach to address medication adherence and retention in care barriers and the Positive Self-Management Program is geared toward educating and empowering consumers with HIV to live healthy and positively with the disease. It trains people living with HIV to be active partners in their health care and to be more aware of how to manage the bio-psychosocial stressors of daily life so that their HIV disease is better managed.

MINUTESHealth Department - cont'd**3. JOHN HOPKINS UNIVERSITY (JHU) \$30,606.00**

Account: 4000-424510-3040-278131-603051

The JHU will provide psychosocial support services for the Ryan White Part B Program. The program will partially support the Child Life Specialist in the Intensive Primary Care Clinic (IPC) to continue and expand the provision of needed psychosocial support services for youth, children, and young adults living with HIV. By June 2010, 60 HIV infected children and youth enrolled in the IPC will receive culturally and developmentally appropriate support to facilitate coping with medical visits and prescribed medical treatment.

4. JOHN HOPKINS UNIVERSITY (JHU) \$42,000.00

Account: 4000-424510-3040-276920-603051

The JHU will provide Client Advocacy services for the Ryan White Part B Program. The service will reduce barriers to care and increase compliance. The services will include providing 180 unduplicated clients with advocacy services; 100 unduplicated clients with transportation assistance; 20 patients with food assistance vouchers; 300 face-to-face encounters to verify Ryan White eligibility; and manage and arrange scheduling of all HIV patients.

The agreements are late because the State AIDS Administration programmatically manages all Ryan White Part B services. Providers are selected through the Request for Proposal process. The Department prepares the agreements after receipt of an approved budget and scope of services and processes payments following approval.

MINUTESHealth Department - cont'd**5. THE JOHNS HOPKINS UNIVERSITY (JHU) \$301,612.00**

Account: 4000-422310-3030-273110-603051

The Johns Hopkins University will provide counseling, testing, and referral services to 13,000 clients at the Eastern/Druid Sexually Transmitted Disease (STD) Clinics of Baltimore City Health Department, who are at risk for HIV infection or who are in various stages of HIV infection. In addition, the JHU will provide testing for other STDs, maintain confidential files on serologic tests and notify appropriate care providers, provide partner notification for clients testing positive for reportable diseases, and insure quality control compliance. The JHU will also work with various service organizations to provide optimal use of health care facilities, caretakers, transportation services, support services, clergy, and volunteer agencies.

The agreement is late because the funds were awarded late in the grant year.

6. THE JOHNS HOPKINS UNIVERSITY (JHU) \$ 66,666.00

Account: 4000-422010-3030-273150-603051

The Johns Hopkins University will complete at least 1,333 rapid HIV tests; provide services in the emergency room at the Johns Hopkins Hospital, Department of Emergency Medicine; conduct one site visit; attend at least three collaborative grant meetings with project monitors; and provide an array of expanded HIV testing services. The period of the agreement is November 1, 2009 through June 30, 2010.

The agreement is late because of an oversight of the Health Department in processing the agreement. The Department apologizes for this oversight.

MINUTESHealth Department - cont'd

7. **UNIVERSITY OF MARYLAND, BALTIMORE (UMB)** **\$109,000.00**

Account: 4000-493510-3040-657600-603051

The UMB School of Medicine's CHAMP Program will work with the City's Health Department to reduce disease, disability, and death related to risk factors associated with cardiovascular disease among minority adult residents of Baltimore City.

The agreement is late because the funds were awarded late in the grant year.

MWBOO GRANTED A WAIVER.

8. **ST. PAUL PLACE SPECIALISTS, INC.** **\$ 14,000.00**

Account: 1001-000000-3030-271300-603051

The organization will provide a Medical Director for the Bureau of Disease Control Laboratory. The Medical Director will be responsible for the overall operation and administration of the laboratory, assist in the selection process of personnel who are competent to perform test procedures, and record and report test results promptly and accurately. The Medical Director will assure compliance with the applicable regulations.

The agreement is late because of an oversight of the Health Department in processing the agreement. The Department apologizes for this oversight.

MINUTES

Health Department - cont'd

INTERGOVERNMENTAL AGREEMENT

- | | | |
|----|--|---------------------|
| 9. | MARYLAND STATE DEPARTMENT OF HUMAN
RESOURCES/BALTIMORE CITY DEPARTMENT
OF SOCIAL SERVICES (BCDSS) | \$744,920.00 |
|----|--|---------------------|

Account: 5000-526510-3110-307500-405001

Under the terms of this intergovernmental agreement, the BCDSS will ensure that children in the custody of the BCDSS have access, if needed, to specialized support in the areas of special education, developmental disabilities, substance abuse, mental health services, and development of independent living skills.

The intergovernmental agreement is late because it was recently finalized by the BCDSS.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NO. 9) AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements and approved the intergovernmental agreement. The President **ABSTAINED** on items nos. 1 - 6.

MINUTES

Health Department- Grant Agreement and Declaration
of Covenants and Restrictions

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement and the declaration of covenants and restrictions agreement with the Holabird Investments, LLC, Grantee. The period of the agreement is effective upon Board approval for three years.

AMOUNT OF MONEY AND SOURCE:

\$3,100.00 - 4000-428008-3050-282900-603026

BACKGROUND/EXPLANATION:

The City has received grant funds from the Department of Housing and Urban Development for certain lead hazard reduction activities.

The Grantee has applied to the City for a grant to undertake the lead hazard reduction work on the property located at 2901 Jefferson Street.

The grantee's contribution of 20% of the total project cost will be deposited into a non-interest bearing account of the City, and disbursed by the City to the Certified Contractor or other parties due payment, in accordance with the construction contract and the agreement.

The grantee or its certified contractor will perform services and provide materials for the project on the properties and

MINUTES

Health Department - cont'd

agrees that the project will be subject to occupancy and rental covenants and restrictions in the form required by the City.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement and the declaration of covenants and restrictions agreement with the Holabird Investments, LLC.

MINUTES

Baltimore City Health Department - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance and authorize execution of the grant award agreement from the Centers for Disease Control Prevention. The period of the grant award is September 30, 2009 through September 29, 2010.

AMOUNT OF MONEY AND SOURCE:

\$275,000.00 - 4000-422510-3030-273000-603051

BACKGROUND/EXPLANATION:

This award provides funds to implement the health intervention known as Project CHOICES at two sexually transmitted diseases clinics focused on reducing the risk of alcohol exposed pregnancies.

This item is being presented at this time because it was just received.

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 acceptance and authorized execution of the grant award agreement from the Centers for Disease Control Prevention.

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

The Board is requested to approve and authorize execution of a lease agreement with Snowden, Edmonds & Gray, LLC tenant, for the rental of a portion of the property known as 2901 Druid Park Drive, Suite A40, at the Business Center @ Park Circle, consisting of approximately 143 square feet. The period of the agreement is February 1, 2010 through January 31, 2011, with one one-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Installments</u>
1	\$ 2,400.00	\$ 200.00

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

BACKGROUND/EXPLANATION:

Snowden, Edmonds & Gray, LLC is an accounting firm establishing a new small business in Baltimore City. The space will be used for general office purposes.

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

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

MINUTES

Baltimore Development Corporation - cont'd

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

(FILE NO. 57129)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Snowden, Edmonds & Gray, LLC, tenant, for the rental of a portion of the property known as 2901 Druid Park Drive, Suite A40, at the Business Center @ Park Circle, consisting of approximately 143 square feet.

MINUTESBaltimore Development Corporation - Relocation Expenses**ACTION REQUESTED OF B/E:**

The Board is requested to approve the second claim for actual costs of residential relocation expenses of Mrs. Lui Hu Chin from 410 Park Avenue to 317 W. Franklin Street.

AMOUNT OF MONEY AND SOURCE:

\$2,446.63 - 9910-904115-9600

BACKGROUND/EXPLANATION:

Mrs. Chin and family acquired a mixed-use property as a replacement to both their residence and carry-out restaurant business. This second claim is for incidental settlement expenses related to the purchase of the residential portion of their new property.

In accordance with the Market Center Urban Renewal Plan, a February 6, 2008 Notice of Relocation Eligibility Assistance was sent to Mrs. Chin, concurrent with the January 22, 2008 City of Baltimore offer to purchase the 410 Park Avenue property in which Mrs. Chin operated a carry-out restaurant business known as Jimmy's Chinese Carry-Out.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Baltimore Development Corporation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$2,446.63	9910-904115-9600	9910-905826-9603
22 nd EDF	Constr. Res.	West Side
	West Side Init.	Relocation

This transfer will provide funds for the residential relocation settlement cost claim of Mrs. Lui Hu Chin from 410 Park Avenue which is within the Westside Redevelopment Project, in accordance with the Market Center Urban Renewal Plan.

(FILE NO. 56698)

UPON MOTION duly made and seconded, the Board approved the second claim for actual costs of residential relocation expenses of Mrs. Lui Hu Chin from 410 Park Avenue to 317 W. Franklin Street. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Baltimore Development Corporation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Between Friends, Inc., tenant, in Suite A208, B208, C202, C204, and C206, consisting of approximately 1,177 square feet of space, at the Business Center @ Park Circle located at 2901 Druid Park Drive. The period of the agreement is January 1, 2010 through December 31, 2011 with one 2-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual Rent</u>	<u>Equal Monthly Installments</u>
1	\$16,242.60	\$1,353.55
2	\$16,892.30	\$1,407.69

The base rent will be increased annually by an amount equal to 4% of the base rent of the previous 12-month period beginning with the anniversary date of the second year of the lease.

BACKGROUND/EXPLANATION:

Between Friends, Inc. is a community based non-profit organization that provides housing, counseling, foster home placement and developmental opportunities for youth.

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 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 initial base rent.

MINUTES

Baltimore Development Corporation - cont'd

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.

The lease is late because the tenant needed to update its Certificate of Good Standing with the State Department of Assessments and Taxation.

(FILE NO. 56601)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Between Friends, Inc., tenant, in Suite A208, B208, C202, C204, and C206, consisting of approximately 1,177 square feet of space, at the Business Center @ Park Circle located at 2901 Druid Park Drive.

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 July 1, 2009 through September 30, 2010, unless otherwise indicated.

1. **MORGAN STATE UNIVERSITY/MORGAN STATE HEAD START PROGRAM** **\$ 64,729.00**

Account: 4000-485810-5750-642423-603051

The organization will provide Head Start services to 224 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

2. **UNION BAPTIST CHURCH SCHOOL/ UNION BAPTIST-HARVEY JOHNSON HEAD START PROGRAM** **\$ 97,064.00**

Account: 4000-485810-5750-642410-603051

The organization will provide Head Start services to 214 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

3. **UNITY METHODIST CHURCH/UMOJA HEAD START PROGRAM** **\$ 81,725.00**

Account: 4000-485810-5750-642432-603051

The organization will provide Head Start services to 189 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

MINUTES

DHCD - cont'd

4. **ST. VINCENT DE PAUL SOCIETY/ST. VINCENT DE PAUL SOUTHEAST HEAD START PROGRAM** **\$138,594.00**

Account: 4000-485810-5750-642428-603051

The organization will provide Head Start services to 229 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

5. **ST. VINCENT DE PAUL SOCIETY/ST. VINCENT DE PAUL NORTHWEST HEAD START PROGRAM** **\$174,045.00**

Account: 4000-485810-5750-642422-603051

The organization will provide Head Start services to 229 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

6. **ST. FRANCIS XAVIER ROMAN CATHOLIC CHURCH CONGREGATION, INC./ST. FRANCIS XAVIER HEAD START PROGRAM** **\$135,098.00**

Account: 4000-485810-5750-642415-603051

The organization will provide educational, social, psychological, health, nutritional and parent education services to 301 children and their families in Baltimore City.

7. **BALTIMORE METROPOLITAN ALUMNI CHAPTER OF DELTA SIGMA THETA SORORITY, INC./YUBI HEAD START PROGRAM** **\$ 92,931.00**

Account: 4000-485810-5750-642433-603051

The organization will provide Head Start services to 102 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

MINUTES

DHCD - cont'd

8. **ST. PAUL COMMUNITY OUTREACH CENTER, INC./ ST. PAUL COMMUNITY OUTREACH HEAD START PROGRAM** **\$116,723.00**

Account: 4000-485810-5750-642408-603051

The organization will provide Head Start services to 202 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

9. **FRIENDS OF THE FAMILY, INC./BALTIMORE CITY CHILD CARE RESOURCE CENTER HEAD START PROGRAM** **\$ 53,965.00**

Account: 4000-485810-5750-642415-603051

The organization will provide Head Start services to 166 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

10. **BALTIMORE METROPOLITAN ALUMNI CHAPTER OF DELTA SIGMA THETA SORORITY, INC./ METRO DELTA HEAD START PROGRAM** **\$126,711.00**

Account: 4000-485810-5750-642418-603051

The organization will provide Head Start services to 210 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

11. **DAYSRING PROGRAMS, INC./HERRING RUN HEAD START PROGRAM** **\$ 74,003.00**

Account: 4000-485810-5750-642430-603051

The organization will provide Head Start services to 153 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

MINUTESDHCD - cont'd

12. **DAYSPRING PROGRAMS, INC./DAYSPRING** **\$ 39,650.00**
HEAD START PROGRAM

Account: 4000-485810-5750-642407-603051

The organization will provide Head Start services to 102 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

13. **ST. BERNARDINE ROMAN CATHOLIC** **\$ 98,432.00**
CONGREGATION, INC./ST. BERNARDINE
HEAD START PROGRAM

Account: 4000-485810-5750-642415-603051

The organization will provide Head Start services to 191 children and their families in Baltimore City. Under the terms of this agreement, the funds will be used for the organization's operational expenses.

The agreements are late because of delays in the assignment of fiscal account numbers and delays in the administrative review process.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Head Start agreements for the foregoing delegate agencies. The Mayor **ABSTAINED** on item nos. 7 and 10. The President **ABSTAINED** on item no. 6.

MINUTES

Department of Housing and - Community Development Block
Community Development (DHCD) Grant (CDBG) Agreements

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

- 1. **BROOKLYN AND CURTIS BAY** **\$ 35,000.00**
COALITION, INC.

Account: 4000-485710-5750-642700-603051

The organization will create one part-time position and retain two full-time positions associated with providing homeownership education workshops, one-on-one housing counseling services and mortgage foreclosure workshops, as well as its Main Street program.

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$12,500.00, A S FOLLOWS:

MBE: \$1,250.00
WBE: \$ 625.00

(FILE NO. 56320)

- 2. **BELAIR-EDISON NEIGHBORHOODS,** **\$ 50,000.00**
INC.

Account: 4000-485710-5750-642600-603051

The organization will create one full-time position and retain four full-time positions associated with providing post-purchase homeownership assistance, mortgage foreclosure prevention counseling and predatory lending assistance to low and moderate-income families.

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$15,500.00, AS FOLLOWS:

MBE: \$2,325.00
WBE: \$ 775.00

MINUTES

DHCD - cont'd

3. **JUBILEE BALTIMORE, INC.** **\$ 40,000.00**

Account: 4000-485710-5750-643700-603051

The organization will use the funds to retain four full-time positions. The organization will provide construction oversight, marketing, and leasing of 69 units of affordable housing in the City Arts Building. This building will be constructed at 1500 Greenmount Ave. in the Greenmount West neighborhood and Station North Arts and Entertainment District. The period of the agreement is January 1, 2010 through December 31, 2010.

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$11,760.00, AS FOLLOWS:

MBE: \$1,176.00
WBE: \$ 588.00

(FILE NO. 56462)

4. **CASA DE MARYLAND, INC.** **\$ 150,000.00**

Account: 2089-208910-5930-426426-603051

The organization will provide a variety of public services to day laborers and low-wage workers, including permanent and temporary employment placement services, educational programs, information and referral services and legal services, representation and workshops. Services will be provided through the Baltimore Workers' Employment Center. The period of the agreement is July 1, 2009 through June 30, 2010.

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$34,645.00, AS FOLLOWS:

MBE: \$5,197.00
WBE: \$1,732.00

MINUTESDHCD - cont'd**5. HARBEL COMMUNITY ORGANIZATION, INC. \$ 62,100.00**

Account: 2089-208910-5930-432235-603051	\$ 11,800.00
2089-208910-5390-432235-603051	\$ 50,300.00

The organization will assist in community efforts to prevent crime and bring safety and stability in the communities of Belair Edison, Harford and Coldstream-Homestead-Montebello. The organization's crime awareness efforts will be carried out by the NorthEast Citizens Patrol (NECOP), a partnership between the organization and the Northeast District Police. In addition the organization will provide homebuyer education and housing counseling services to low and moderate-income persons. The period of the agreement is September 1, 2009 through August 31, 2010.

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$13,662.00, AS FOLLOWS:

MBE:	\$1,366.00
WBE:	\$ 683.00

6. BALTIMORE NEIGHBORHOODS, INC. \$62,700.00

Account: 2089-208910-5930-435984-603051

Baltimore Neighborhood, Inc. (BNI) will continue working toward the maintenance of an open housing market, the improvement of tenant/landlord relations, and the promotion of affirmative fair housing practices in the sale and rental of housing. The BNI will also provide outreach and education services to inform the public about tenant/landlord issues, fair housing statutes and other civil rights concerns. The BNI will refer complaints to the Maryland Commission of Human Relations, and monitor the response of that agency on the complaints.

MINUTESDHCD - cont'd

7. **DOWNTOWN PARTNERSHIP OF BALTIMORE, INC.** **\$60,000.00**

Account: 2089-208910-5930-434980-603051

Downtown Partnership of Baltimore, Inc. will continue strategic planning activities for additional retail, housing and commercial development, and investment in the Westside and the City Center to increase the retail base residential population and employment opportunities.

(FILE NO. 56327)

8. **GREATER BALTIMORE COMMUNITY HOUSING RESOURCE BOARD, INC.** **\$32,600.00**

Account: 2089-208910-5930-436384-603051

The Greater Baltimore Community Housing Resource Board, Inc. will procure a consultant to provide fair housing education and advocacy to the public, relevant non-profit and for-profit organizations, industry, and governmental agencies regarding the City's Fair Housing Ordinance and other fair housing laws. They will also provide general fair housing education and fair housing education for persons with disabilities. Furthermore, they will provide general education on fair housing advocacy, special fair housing awareness events, and curriculum support in Baltimore City schools.

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

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

MINUTES

DHCD - cont'd

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

ABSTAINED on item no. 7.

MINUTES

Department of Housing and - Community Service Block Grant
 Community Development (DHCD)/ Agreements (CSBG) and Amendment
Baltimore Homeless Services No. 1 to Grant Agreement

The Board is requested to approve and authorize execution of the CSBG agreement and amendment no. 1 to grant agreement. The period of the agreement is October 1, 2009 through September 30, 2010, unless otherwise indicated.

COMMUNITY SERVICE BLOCK GRANT AGREEMENTS

1. **GROUP MINISTRIES BALTIMORE, INC.** **\$ 80,000.00**

Account: 5000-585210-5750-649888-603051

The organization will provide a lead abatement training program. Supportive services will be provided for clients through the training. The training includes transitional housing, mentoring, substance abuse counseling, referral for additional counseling as needed, health and wellness workshops, and representation at parole and probation hearings.

2. **GOVANS ECUMENICAL DEVELOPMENT CORPORATION** **\$ 120,000.00**

Account: 5000-585210-5750-649850-603051

The organization will provide nutrition support services at several senior living facilities to City residents with income at or below 200% of the federal poverty level.

3. **AIDS INTERFAITH RESIDENTIAL SERVICES, INC. T/A AIRS** **\$ 90,000.00**

Account: 4000-585210-5750-649843-603051

AIRS will continue to operate its CITY STEPS Youth Resource Center for homeless and unstably housed youth between the age of 14 and 24. AIRS will expand the hours of its Youth Resource Center to include evening and weekend hours. The period of the agreement is July 1, 2009 through June 30, 2010.

MINUTES

Department of Housing and Community - Advance of Funds
Development/Baltimore Homeless Services (BHS)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a two-month advance of funds for contracts for the period of February 1, 2010 through January 31, 2011 to the below listed agencies.

AMOUNT OF MONEY AND SOURCE:

\$198,693.00	- 4000-496311-3570	- Project PLASE
216,593.00	- 4000-496311-3570	- AIRS, Inc.
17,900.00	- 4000-496311-3570	- Women's Housing Coalition
51,727.00	- 4000-496311-3570	- Dayspring Programs
6,695.00	- 4000-496211-3570	- Newborn, Inc.
12,813.00	- 4000-496211-3570	- Manna House
16,071.00	- 4000-496211-3570	- Catholic Charities
18,679.00	- 4000-496211-3570	- Prisoner's Aid
27,115.00	- 4000-496211-3570	- Baltimore HealthCare Access
33,504.00	- 4000-496211-3570	- Marian House
48,396.00	- 4000-496211-3570	- Catholic Charities
54,518.00	- 4000-496211-3570	- Mercy Medical Center
\$702,704.00		

BACKGROUND/EXPLANATION:

The BHS provides shelter and assistance to homeless individuals in Baltimore City through the above-listed agencies.

The two-month advance of funds are needed to bridge the time between the receipt of the award from the U.S. Department of Housing and Urban Development and the time needed to develop and route contracts through the Board of Estimates for approval.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 57154)

UPON MOTION duly made and seconded, the Board approved and

MINUTES

DHCD - cont'd

authorized the two-month advance of funds for contracts for the period of February 1, 2010 through January 31, 2011 to the foregoing agencies.

MINUTES

Department of Housing and - Third Party Inspection Services
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the following construction inspection firms to provide third party inspection services for the development of affordable multi-family and for-sale housing under the Neighborhood Stabilization Program (NSP): Landen McCall & Associates, ERF Architectural Consultants, and the Clifton Company, LLC.

The Board is also requested to reject the proposals received from Johnson, Mirmiran & Thompson and Royster Construction, Inc.

The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all inspection agreements subject to review and approval by the Law Department.

AMOUNT OF MONEY & SOURCE:

No additional City funds are required.

BACKGROUND/EXPLANATION:

The Department's Office of Project Finance issued a Request for Proposal ("RFP") for inspection of NSP-funded projects. The five firms that replied to the RFP were:

- Clifton Company, LLC
- ERF Architectural Consultants
- Johnson, Mirmiran & Thompson
- Landen McCall & Associates
- Royster Construction, Inc.

An in-house committee reviewed and scored the proposals on six criteria: 1) capability to perform the required services; 2)

MINUTES

DHCD - cont'd

qualifications of assigned personnel; 3) demonstration of relevant experience; 4) demonstration of knowledge of applicable regulations; 5) MBE/WBE Participation; and 6) proposed fee. The committee has recommended the selection of two MBE firms and one non-MBE firm to perform the required inspection services for both construction and Housing Quality Standards.

The costs for each inspection agreement were included in the deferred loans approved for the NSP by the Board at its December 9, 2009 meeting. The four projects include Empire Homes (up to \$1,137,500.00), Habitat for Humanity of the Chesapeake (up to \$1,000,000.00), People Encouraging People (up to \$1,137,500.00), and St. Ambrose Housing Aid Center (up to \$1,650,000.00.).

The Department's Office of Project Finance administers federal and non-federal funds that assist in the development of multi-family rental and residential housing and community facilities. Development projects with funds procured through the Department are inspected on a periodic basis during construction. The purpose of the inspections is threefold. First and foremost, the inspector functions as the eyes and ears for the Department in the field. Also, the inspector is to determine, on behalf of the Department, that construction has been performed in a satisfactory and workmanlike manner. In addition, the inspector verifies that all materials purchased and work performed on the project is consistent with the requisition submitted for payment by the project developer.

The above listed recommended firms will be placed on an eligibility list for a term not to exceed three years. The Department will select from the eligibility list on a rotating/as needed/project-by project basis. Upon selection, the agreement will be obtained at that time from the vendor.

MINUTES

DHCD - cont'd

The Department has established a maximum price range for services required. For all services rendered under the inspection agreement, the hourly rate will be \$75.00-\$150.00 per hour based upon the following criteria: attendance at lenders pre-construction meetings, review of construction plans, specifications and permits, single family versus multi-family rehabilitation and new construction, construction timeframes and job complexity, level of construction, estimating required (if applicable), number of progress meetings, draw meetings, site visits required, and the number of construction/draw reports written.

The DHCD will send a monthly report to the Board on contracts issued, listing addresses, number of dwelling units, and contract amounts.

MBE/WBE PARTICIPATION:

Each of the selected firms will comply with Article 5, Subtitle 28 of the Baltimore City Code, Minority and Women's Business Enterprise Program.

THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.

(FILE NO. 56279)

UPON MOTION duly made and seconded, the Board approved the foregoing construction inspection firms to provide third party inspection services for the development of affordable multi-

MINUTES

DHCD - cont'd

family and for-sale housing under the Neighborhood Stabilization Program: Landen McCall & Associates, ERF Architectural Consultants, and the Clifton Company, LLC. The Board also rejected the proposals received from Johnson, Mirmiran & Thompson and Royster Construction, Inc. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all inspection agreements subject to review and approval by the Law Department.

MINUTESDepartment of Audits - Audit Report and Related Audit Digest

The Board is requested to **NOTE** receipt of the following Audit Reports and Related Digests:

Audit of the Comprehensive Annual Financial Report of the:

1. Elected Officials' Retirement System Fiscal Year 2009.

2. Employees' Retirement System Fiscal Year 2009.

President: "Will the parties for the following protest please come forward? Page 46 #2. I am sorry, the Audit Report."

Mr. Bob McCarty, City Auditor: "Good morning Mr. President, members of the Board. The Department of Audits has completed its annual audit of the financial statements of the Employees' Retirement System, for the fiscal years ended June 30, 2009. We have issued an unqualified opinion which states that their financial statements present fairly in all material respects the financial position of the system for the year ended June 20, 2009 in conformity with generally accepted accounting principles. In addition to our audit, we prepared a separate report required by both generally accepted accounting standards I am sorry, generally auditing standards and government auditing standards, which addresses the systems compliance with certain laws and regulations and the internal control over financial reporting relating to the financial statements. The system did

MINUTES

have a significant deficiency in internal control over its financial reporting during fiscal year 2009. A significant deficiency is a control deficiency that adversely affects the systems ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is a possibility that an immaterial misstatement of the financial statements will not be prevented or detected by the systems internal control. Based on our testing of the Retirement Systems retiree payroll, we found that, while supporting documentation was available, the members records were not centralized and therefore not readily accessible. Members documentation was filed by the month received rather than accumulated in members' files. We recommend that the system establish procedures to ensure that each members file has all member documentation. The system stated that each member file is now centralized and the imaging process will be started in April. Benefit calculation documents used to support payroll were marked estimate and there was no indication on which was the final version used for entries or changes to the retirement allowance. We recommend that the system establish procedures to ensure that all documentation utilized to support payroll be marked as final. The system

MINUTES

stated that effective December 2009, the final version of the benefit calculation is now stamped final and this will indicate the systems review and approval of the calculation. There are differences between the payroll vendor's records and the system's general ledger that were not reconciled. We recommend that the system establish procedures to ensure that monthly reconciliations be prepared to explain any differences between the payroll vendor's and the system's records. The system stated that it is in the process of creating additional category codes to ensure that their records are reconciled to the vendor's reports and this change will be implemented on April 1, 2010. The significant deficiency previously described is not considered to be a material weakness. A material weakness is a significant deficiency that results in a possibility that a material misstatement of the financial statements would not be prevented or detected by the system's internal control. As part of obtaining reasonable assurance about whether the system's financial statements are free of material misstatement, we performed tests of its' compliance with certain provisions of laws, regulations, contracts and grant agreements, non-compliance with which could have a direct and material effect on the determination of financial statement amounts. The results of

MINUTES

our tests disclosed no instances of non compliance or other matters that are required to be reported under government auditing standards."

President: "Are there any questions? The audit is noted. Thank you."

* * * * *

The Board **NOTED** receipt of the Audit of the Comprehensive Annual Financial Report and Related Audit Digest for the Employees' Retirement System Fiscal Year 2009.

MINUTES

Department of Public Works - Expenditure of Funds
Bureau of Solid Waste

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay the Living Classrooms Foundation. The payment is for services provided from November 1, 2008 through July 24, 2009.

AMOUNT OF MONEY AND SOURCE:

\$200,000.00 - 1001-000000-5150-388000-603026

BACKGROUND/EXPLANATION:

On July 25, 2007, the Board approved an agreement with Living Classrooms Foundation to provide cleaning services in the McElderry Park Safe Zone and its immediate Buffer Zone. The original agreement contained the option to renew the agreement for two additional one-year terms. On July 23, 2008, the Board approved the agreement for an additional one-year term under the same terms and conditions as the original agreement. Subsequently, the Bureau secured funding to expand the services provided by the Living Classrooms Foundation. It was the Bureau's intent to submit a request for an amendment to the agreement to the Board; however, due to mitigating circumstances an amendment request was not submitted. The Bureau has now been billed for the additional cleaning services provided.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 55520)

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay the Living Classrooms Foundation. The Mayor **ABSTAINED**.

MINUTES

Department of Public Works/ - Amendment to Agreement
Bureau of Water and Wastewater

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to an agreement with Rummel, Klepper & Kahl, LLP (RK&K) for Project No. 977, S.C. 845, Final Design, Enhanced Nutrient Removal Facilities (ENR) at the Patapsco Wastewater Treatment Plant. The amendment extends the agreement through October 22, 2010 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,314,982.19 - State Funds
 141,764.92 - Baltimore City Revenue Bonds
 301,250.47 - Baltimore County
\$1,757,997.58 - 9956-906528-9551-900010-703031

BACKGROUND/EXPLANATION:

In accordance with their proposal dated October 8, 2009, the RK&K will provide additional design services at the Patapsco Wastewater Treatment Plant to revise/and add elements to the Biological Aerated Filters (BAF) and Denitrification Filter (DNF) and related work for the ENR Facilities design resulted from value engineering and construction logistic work that were conducted during design. The additional work includes revisions to the civil, structural, architectural and process mechanical design elevations to incorporate the Maryland Department of the Environment's comment for balanced cut-and-fill approach for the BAF and DNF structures separately, and relocation of existing odor control scrubber and associated chemical feed systems for the access road improvements to utilize during construction.

On December 21, 2005, the Board approved the original agreement in the amount of \$9,647,005.26. This amendment increases the

MINUTES

DPW/BWW&W - cont'd

amount of the agreement by \$1,757,997.58 making the total amount of the award \$11,405,002.84.

APPROVED FOR FUNDS BY FINANCE

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

MBE/WBE PARTICIPATION:

The consultant will adhere to the MBE/WBE goals on the original contract.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 201,500.00	9956-905528-9549	
Revenue Bond	Constr. Res.	
	Patapsco WWTP	
	Biological Nutrient	
1,870,000.00	" "	
State		
428,500.00	" "	
Counties		
<u>\$2,500,000.00</u>		
\$1,757,997.58	-----	9956-906528-9551-3
		Engineering
742,002.42	-----	9956-906528-9551-9
<u>\$2,500,000.00</u>		Administration

The transfer will provide funds to cover the costs associated with Project No. 977, Final Design of Enhanced and Biological Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant.

(FILE NO. 55370)

MINUTES

DPW/BWW&W - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to the agreement with Rummel, Klepper & Kahl, LLP for Project No. 977, S.C. 845, Final Design, Enhanced Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES**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:

615 - 617

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.

The Board **DEFERRED** item nos. 3 and 4 until March 17, 2010.

The Board **DEFERRED** item no. 5 until March 10, 2010.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Water and Wastewater

- 1. SC 849, Locust Point Kinsley Construction, \$ 851,833.00
 Wastewater Pumping Incorporated
 Station Force Main
 Replacement

MBE: C. Jones Trucking, LLC \$77,000.00 9.04%
WBE: Stella May Contracting, Inc. \$29,760.00 3.49%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,192,565.00	9956-905533-9549	
Revenue Bonds	Constr. Res.	
	Annual Facilities	
	Improvements	
\$ 85,183.00	-----	9956-904753-9551-3
		Extra Work
85,183.00	-----	9956-904753-9551-3
		Engineering
85,183.00	-----	9956-904753-9551-5
		Inspection
851,833.00	-----	9956-904753-9551-6
		Construction
<u>85,183.00</u>	-----	9956-904753-9551-9
\$1,192,565.00		Administrative

The funds are required to cover the cost of the award of SC 849, Locust Point Pumping Station Force Main Replacement.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Recreation and Parks

3. RP 08835R, Edgewood Recreation Center Gym Expansion	JLN Construction, Services, Inc.	\$1,289,995.00
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DEFERRED

MBE: Harvey Harris Contractors, Inc.	\$128,999.50	10.00%
Bey Refrigeration & Heating Co., Inc.	219,299.15	17.00%
	<u>\$348,298.65</u>	<u>27.00%</u>

WBE: Design Plus Sprinkler Systems, Inc.	\$38,699.85	3.00%
Amaric Interiors, LLC	38,699.85	3.00%
	<u>\$77,399.70</u>	<u>6.00%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

A LETTER OF PROTEST WAS RECEIVED FROM TECH CONTRACTING CO., INC.

DEFERRED

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 125,000.00	9938-913001-9475	
State	Reserve - Un-allotted	
794,000.00	9938-903695-9475	
Rec & Parks	Reserve - Lyndhurst	
24 th Series	Edgewood Recreation Center Gymnasium	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Recreation and Parks - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
482,000.00	" " "	
State		
<u>\$1,401,000.00</u>	-----	9938-903695-9474
		Reserve - Lyndhurst Edgewood Recreation Center Gymnasium

DEFERRED

This transfer will cover the cost associated with the award of RP 08835R, Edgewood Recreation Center Gymnasium Expansion to JLN Construction Services, Inc.

THE PROTEST OF TECH CONTRACTING IS **WITHDRAWN**.

Bureau of Purchases

- 5. B50001330, Tactical National Safety \$ 337,566.11
Face Masks Supply, Inc.

DEFERRED

MWBOO GRANTED A WAIVER.

A LETTER OF PROTEST WAS RECEIVED FROM FEDERAL RESOURCES - SAFE MEASURING.

6.

- 7. B50001182, Bill Payment **REJECTION** - On September 30, 2009, Kiosks two proposals were received and opened. One bidder's proposal was found non-responsive because the offer was conditional and would increase the required liability insurance at the City's expense. The other bidder was deemed not responsible because of the vendor's inexperience, limited financial strength, and lack of trained personnel currently employed.

MINUTES**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

1. USC CANTERBURY	\$24,620.00	Low Bid
Solicitation No. B50001313 - Pro-Curve Harbor Court - Police Department - Req. Nos. R537773/R538326		

2. SHAFER, TROXWELL, & HOWE, INC.	\$ 5,296.82	Sole Source
Solicitation No. 08000 - Yeoman's Pump Parts - Department of Public Works - Req. No. R542019		

The vendor is the sole distributor for the Yeoman pump parts for Baltimore.

3. G. KRUG & SON, INC.	\$ 8,400.00	Selected Source
Solicitation No. 06000 - Bike Post Fabrication - Department of Transportation - Req. No. R537938		

The vendor is responsible for the design and fabrication of all other park signage and was selected for consistency.

4. DSI, INC.	\$10,000.00	Low Bid
Solicitation No. B50001378 - Packing Blanket - Department of Public Works - Req. No. R538771		

The period of the award is March 10, 2010 through March 9, 2011.

5. PARKER SYSTEMS, INC.	\$14,347.20	Sole Source
Solicitation No. 08000 - Oil Containment Boom - Fire Department - Req. No. R541823		

This is a sole source award based on the shared usage and compatibility with the US Coast Guard, the Maryland Department of the Environment, and other area environmental contractors who use this specific oil containment boom.

MINUTES**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

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|--|-------------|---------|
| 6. SUBURBAN PROPANE | \$16,000.00 | Low Bid |
| Solicitation No. B50001364 - Liquid Propane - Police Department - Req. No. R540477 | | |

The period of the award is March 3, 2010 through March 2, 2011.

- | | | |
|---|-------------|-----------------|
| 7. STANLEY CONVERGENT SECURITY SOLUTIONS, INC. | \$ 9,526.00 | Selected Source |
| Solicitation No. 06000 - Camera/Security System - Mayor's Office of Employment Development - Req. No. R541406 | | |

The vendor was selected so that the new cameras could be integrated with the existing Sonitrol System being used.

- | | | |
|--|-------------|-------------|
| 8. SHANNON BUSINESS SYSTEMS | \$19,828.80 | Sole Source |
| Solicitation No. 08000 - Postage Meter Supplies - Municipal Post Office - Req. No. R542556 | | |

These supplies are needed for the existing Shannon Postage meter equipment and the vendor is the sole source supplier. The period of the award is March 3, 2010 through March 2, 2011.

- | | | |
|--|-------------|-----------------|
| 9. JAY'S RESTAURANT GROUP, INC. | \$ 7,000.00 | Selected Source |
| Solicitation No. 06000 - Meals for Training Classes - Department of Housing and Community Development - Req. No. R535977 | | |

The staff of the City's Head Start Program has frequent scheduled and unscheduled meetings and training workshops. The meetings and workshops are built around parent involvement; therefore, the number of participants that will attend cannot be predicted. Previous attempts have been made to utilize other local restaurants. However, a 24 to 48 hours notice is required. This vendor is willing to provide

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

breakfast and lunches to the agency with less than 24 hours notice.

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|--------------------------|-------------|-------------|
| 10. ANCHOR SOFTWARE, LLC | \$ 6,825.00 | Sole Source |
|--------------------------|-------------|-------------|
- Solicitation No. 08000 - MaxCASS Software - Department of Public Works - Req. No. R536594

Anchor Software, LLC is the sole proprietary developer of MaxCASS software.

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|--------------------------|--------------|-------------|
| 11. LAURUS SYSTEMS, INC. | \$ 50,532.51 | Sole Source |
|--------------------------|--------------|-------------|
- Solicitation No. 08000 - Thermo RadEye Meters - Fire Department - Req. No. R541008

Fire Department personnel are trained to use Thermo RadEye 20ER-Alpha-Beta-Gamma survey meters which are the standardized system used throughout the Department. The equipment and services are only available in Maryland from this vendor.

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

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|------------------------------------|--------------|-------------|
| 12. MEDTRONICS -
PHYSIO CONTROL | \$100,000.00 | Sole Source |
|------------------------------------|--------------|-------------|
- Solicitation No. 08000 - LIFEPAK 12 Defibrillators and Monitors - Fire Department - Req. No. R541728

Fire Department personnel are trained to use LIFEPAK 12 Defibrillators and they are the standardized system used

MINUTES

please come forward? page 57, #14."

Mr. Joe Mazza, Acting City Purchasing Agent: "Good morning. If I may, make the recommendation to the Board. My name is Joe Mazza, I am the Acting City Purchasing Agent. The Bureau of Purchases is recommending the award for B50001355, for Shop Towels and Wiping Cloths to Dynamic Industries, Inc. in the amount of \$24,000.00. The period covered is February 10, 2010 through February 9, 2011, with two 1-year renewal options."

Mr. James List: "Good morning, My name is James List. I represent Chesapeake Wiper and Supply, Inc. Ms. Price would you please stand up? She is the owner of Chesapeake women owned business in the City of Baltimore. We have protested this. We have filed one protest last week, we received additional information from the City office of Law, and we have filed yet a second protest as a result of this bid. If I may be heard? Ms. Price is also the sole owner of 6601 Tributary Street in Baltimore City, and has over \$1,000,000,.00 invested in this property. We are here today, because she does not understand the contracting officers decision. She was told by purchasing several years ago, to go and get registered as a woman-owned company as a WBE for the City and also for the State. She was told that if bids were close that her status as a woman-owned

MINUTES

enterprise, a WBE which she is as the sole bidder on this as a WBE that the policy was to award and encourage WBE candidates. So, she also registered under the State of Maryland program. Now what we are told under this informal solicitation is that her WBE status does not apply when the price difference is minimal. So, she has spent a lot of money, a lot of time and effort to register and qualify only to be told that it does not matter when we are talking about a few hundred dollars. There is another reason she's confused. Ms. Price is a second-generation woman-owned business. She had a business in Canton that she out grew. She was encouraged by Baltimore County and Anne Arundel County to move her location to those counties. The City of Baltimore Purchasing Officer said, 'stay in the City Theresa, stay here, expand your business here. Be a taxpayer, hire City employees, pay real estate taxes, personal property taxes, because that all looks good as a contractor for the City, and she is a good contractor with the City. She has a tremendous service record. So, she buys a larger place in the City. She invests hundreds of thousands of dollars in the City and we are told by Purchasing on this particular matter, that none of that matters. None of this matters at all on a contract. So, I am a bit concerned as well. I represent contractors that cut the

MINUTES

grass, plough snow, that build bridges, build roads and you don't see me here very often. Actually, it has been five or six years, because my contractors have generally a very good record with the City, and they can work through it. But the law on the City is very clear, and I pointed it out in my protest. Article 5, Finance, Subchapter 28, "It is the policy of the City of Baltimore to promote equal business opportunity in the City's contracting process by encouraging full and equitable participation by minority and women's business enterprises in the provisions of goods and services to the City on a contractual basis." It follows the next section and the City Solicitor knows this very "this subtitle applies to all contracts awarded by the City". I have been told by Purchasing that this statute does not apply to this solicitation because it is an informal solicitation. Well, the terms of the solicitation are quite clear. The word contract appears over 15 times. This is a contract bound by the laws of Maryland and by the City of Baltimore. Article 5, §28 applies. This policy applies to this contract. So, then after filing the first protest, I get a second protest, or I get the bid sheet from this gentleman; where one bidder that is withdrawn. We have another bidder on the list accepted by the City who is not qualified to do

MINUTES

business in the State of Maryland, not registered to do business in the State of Maryland. He is not a responsive bidder but he shows up on the City's list. What do we have now, a New York company that has been in business less than 15 months, that has been qualified to do business less than a month in the State of Maryland when this award was made, with no history, no local office and has no contacts at all with the City of Baltimore. That is what we have, for \$375.00. I am not arguing to the Board of Estimates this is a set-aside. I am not even arguing that it requires minority participation or women participation, it does not. But, this contract does comply, must comply with the City Code, and the City Code is very clear. The policy is to promote women-owned and minority-owned businesses. None of the other businesses are WBE's or minority business enterprises. So, what we have been told is, that for a price difference of \$375.00, we are going to replace a qualified women-owned business registered with the City, a local business that has been servicing this contract with an out of state -- oh and hiring City residents; an employer -- and we are going to replace that with a New York company with no performance history, without any ties to the City of Baltimore and it is not certified as a MBE or WBE, or it is not registered on the

MINUTES

current list. When the contract price is minimal as it is in this case, I have argued this in Calvert County, I have argued it in Western Maryland, when a contract price is minimal, the bid terms and the policy set forth in the code require the purchasing office to look beyond just price, to determine what is in the best interest of the City. The award to Chesapeake is in the best interest of the City. There is no doubt about it. There is absolutely no dispute at all and that is the appropriate remedy here to set forth to uphold the protest and award this contract to Chesapeake. Thank you."

President: "Mr. Mazza."

Mr. Mazza: "Yes Mr. President, members of the Board. Mr. List makes a few points. He correctly points out that the minority law does require the opportunity for minorities to participate. He is correct that it does apply to all contracts but it applies to different contracts in different ways. Above \$25,000.00, there is a minority sub-contracting requirement in many of our contracts. But even in that case, the prime vendor, which in this case Chesapeake Wiper is, gains no advantage by their minority status. They are required however to use minority subcontractors. In this case between \$5,000.00 and \$25,000.00, what the laws requires is just as Mr. List said, opportunity and

MINUTES

participation. Not award, necessarily. In this case, the laws requires that we make sure that the minority vendors out there have a fair chance at this and we do that by posting in a transparent way on CitiBuy. The MWBOO office is aware of the opportunities that are out there through CitiBuy and in this case the system worked, because the minority vendor in this case a woman-owned vendor did have a chance to participate. Did have an opportunity to bid on this contract and simply lost because they were not the lowest responsive and responsible bidder. There is nothing in the Code, or in the contract or in the Charter that says anything other than to award to the lowest responsive and responsible bidder. As to the fact that a bidder was on the bid sheet that is not registered to do business in the State of Maryland, Mr. List used the expression, 'accepted bidder.' This is not an accepted bidder. We are not recommending an award to this bidder. We are recommending an award to the lowest bidder who was responsive and responsible and that is Dynamics, Incorporated."

President: "Are there any other questions? I will entertain a Motion."

City Solicitor: "I MOVE to accept the recommendation of Purchases and deny the bid protest on the grounds as Mr. Mazza

MINUTES

said, that the Charter requires that we award this bid lowest responsive and responsible bidder. The bidder being recommended is responsive and responsible. I understand the views and the desire to have local business, but I cannot overturn and do an end run around the plain Ordinance of the Charter. So, I recommend it in favor of the Purchasing Bureau's recommendation."

Mr. List: "May I respond?"

President: "Are there any other questions?"

Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. The AYE's have it. I would just like to NOTE while I acknowledge the boundaries surrounding this particular solicitation. I fully support the awarding of contracts to local companies who hire local residents, especially during these hard economic trying times. "

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

CORRECTION

ALTEC INDUSTRIES INC.	\$172,038.00	Agreement
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Solicitation No. 06000 - One 65-Foot Bucket Truck -
Department of General Services - Req. No. R537315

On February 17, 2010, the Board approved an award to Altec Industries Inc. on a selected source basis in the amount of \$172,038.00. Inadvertently, the agenda did not include the request to approve and authorize execution of the agreement. The Clerk to the Board apologizes for this error.

Therefore, the Board is requested to approve and authorize execution of an agreement with Altec Industries Inc. in the amount of \$172,038.00. The period of the agreement is February 17, 2010 through February 16, 2011.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Board also approved and authorized execution of the agreement with Altec Industries, Inc. The President **ASBTAINED** on item no. 13.

MINUTES

Police Department - Extension of a 90-day Follow-up Report of
the Department of Audits - Audit Report
and Related Audit Digest

On November 18, 2009, the Board **NOTED** receipt of the Audit Report and Related Audit Digest of the Baltimore City Fire Department Purchases of Certain Equipment and Supplies from Draeger Safety, Inc. for the period from April 2000 through May 2005.

The Board requested a 90-day follow-up regarding the resolution of whether funds may have to be repaid on federal Homeland Security Grants.

The Baltimore Police Department has received confirmation from the Maryland Emergency Management Agent (MEMA) that the awarded funds related to Audit findings were all from the FFY 2003 State Homeland Security Grant Program. However, no confirmation has been received from MEMA as to whether or not the grant funds are to be repaid. Currently, MEMA is consulting with the Department of Homeland Security to verify that a return of the funding is not required. Therefore, the Department is requesting additional time for verification.

MINUTES**PROPOSAL AND SPECIFICATIONS**

Bureau of Water and Wastewater - SC 867, Rehabilitation/Replacement of Southwest Diversion Pressure Sewer - Phase II
BIDS TO BE RECV'D: 04/07/2010
BIDS TO BE OPENED: 04/07/2010

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

* * * * *

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

MINUTES

CLERK: "The Board is now in session for the receiving and opening of bids."

BIDS, PROPOSALS AND CONTRACT AWARDS

Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that the following agencies had issued an Addendum extending the dates for receipt and opening of bids on the following contract. There were no objections.

Bureau of Purchases - B50001368, Steel Sub base for
Light Poles

BIDS TO BE RECV'D: 3/17/2010

BIDS TO BE OPENED: 3/17/2010

MINUTES

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

Bureau of Purchases - B50001205, Management Services for the Eating Together in Baltimore Program

MJ Management Services, LLC
Support Network, Inc.

Bureau of Purchases - B50001206, Food services for the Eating Together in Baltimore Program

Meals on Wheels of Central MD, Inc.
Martin's, Inc.
Overlea Caterers

Bureau of Purchases - B50001250, Furnish and deliver, two Baltimore Harbor Connector Vessels

*Corinthian Catamarans, LLC
SeaArk Marine, Inc.

Bureau of Purchases - B50001266, Bottle Water Service Deer Park-Nestle Waters North

Deer Park-Nestle Waters North

*UPON FURTHER MOTION duly made and seconded, the Board declared the bid(s) of Corinthian Catamarans, LLC **IRREGULAR** since the since the bid(s) were not accompanied bid deposit check or an annual bid bond as required by the provisions of the City Charter and as set forth in the bid specifications.

MINUTESBureau of Purchases - B50001356, Civilian Use Evacuation
Chairs

Ferno Washington, Inc.
Garaventa
Stryker EMS Equipment
EVAC+Chair North America, LLC
Bound Tree Medical, LLC
Southeastern Emergency Equipment
Win-Win Placements, LLC
C.T. Battle Enterprises

Bureau of Purchases - B50001361, Flat Bed Crane Truck

Western Star Trucks of Delmarva, LLC
RMS of Westminster
Central Truck Center
*Baltimore Freightliner
Beltway International

Bureau of Purchases - B50001362, Log Loader Stake Body Truck

Western Star Trucks of Delmarva
Central Truck Center
Baltimore Freightliner
Beltway International

*UPON FURTHER MOTION duly made and seconded, the Board declared the bid(s) of Harbor Truck Sales & Service d/b/a Baltimore Freightliner **NON-RESPONSIVE** due to the company's failure to submit the insurance documents as required, per the bid instructions.

MINUTESBureau of Purchases - B50001363, Toro Lawn Mowers

Lawn and Power Equipment
Turf Equipment & Supply Co.
G.L. Cornell Company

Bureau of Purchases - B50001366, Five-Ton Crew Cab Dump Truck

Chesapeak Ford Truck Sales, Inc.
Baltimore Freightliner
Beltway International LLC

* * * * *

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, March 10, 2010,.



JOAN M. PRATT
Secretary