

BOARD OF ESTIMATES

February 12, 2014

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
David E. Ralph, Deputy City Solicitor
Rudolph S. Chow, Acting Director of Public Works
Kimberly Morton, Deputy Director, Department of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

President: "I would direct the Board members attention to the memorandum from my office dated February 10, 2014, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

President: "All those in favor say aye."

President: "All opposed nay. The Motion carries. The routine agenda has been adopted. In the interest of promoting order and efficiency of these hearings, persons who are disruptive to the hearing will be asked to leave the hearing room immediately."

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BOARDS AND COMMISSIONS1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 31, 1991, the following contractors are recommended:

Bob Andrews Construction, Inc.	\$ 477,000.00
Construction Specialties of Zeeland, Inc.	\$ 1,500,000.00
Eastern Highway Specialists, Inc.	\$ 12,384,000.00
Gabe's Services, Inc.	\$ 5,274,000.00
MBR Construction Services, Inc.	\$ 33,615,000.00
Proven Management, Inc.	\$ 3,894,743.00
Railroad Construction Company, Inc.	\$122,895,000.00
Reliable Contracting Company, Inc.	\$223,200,000.00

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:

Atkins North America, Inc.	Engineer
Sanders Design, P.A.	Architect
Shah & Associates, Inc.	Engineer
Stone Hill Design	Landscape Architect
Michael J. Walkley, P.A.	Engineer

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

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Department of Audits - Audit Report and Related Audit Digest

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

1. Audit of the Maryland 911 Emergency Number System Program Actual Receipts and Expenditures Report for Fiscal Year ended June 30, 2013.

Mr. President: The first item on the non-routine agenda can be found on Page 2, Department of Audits, Audit Report and Related Audit Digest. Will the parties please come forward?

Mr. McCarty: "Mr. President."

President: "Good morning."

Mr. McCarty: "And members of the Board. My name is Bob McCarty, I'm the City Auditor. The Department of Audits has completed its annual audit of the 9-1-1 Emergency Number System Program of Baltimore City. The actual report, the Actual Receipts and Expense Report for Fiscal Year 2013 accounted for \$3.8 million dollars in telephone surcharge revenues and \$6.9 million in operating expenses. Of that \$6.9 million, \$3.1 million was funded by City general funds. The report presents fairly in all material respects the program funds and costs of the Maryland 9-1-1 Emergency Number System Program for the year ended June 30, 2013. Beginning on June 1st, 2012, the funding and the majority

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of the City's Police Emergency Communication Center were transferred to the Police, from the Police Department to the Mayor's Office of Information Technology or MOIT. As part of our audit, we have included a separate report required by governmental audit standings -- standards that addresses the system's compliance with certain laws and regulations and the internal controls over financial reporting relating to the financial statements. The system had two deficiencies in internal controls over financial reporting for Fiscal Year 13, which were material weaknesses. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such as if there is a reasonable possibility that a material misstatement of the entity's financial statements would not be prevented or detected and corrected in a timely basis. Uh -- The first finding is, in preparing the Actual Receipts and Expense Report, MOIT did not reconcile the amounts included in its report to the City's underlying accounting records. As a result, MOIT's initial financial report omitted \$907,000.00 in expenditures that should have been included in the report. Um -- after being informed of the omissions, MOIT revised its report to include the additional expenditures. We recommend that MOIT, as part of its preparation, I'm sorry."

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President: "You can continue."

Mr. McCarty: "Okay. I'm sorry. We recommend that MOIT, as part of its preparation of The Actual Receipt and Expenditures Report, reconcile the reported amounts to the City's accounting records. MOIT stated in its response that in the Fiscal Year 2014 all 9-1-1 expenses will be charged to only MOIT account numbers, and that in Fiscal Year 2015, separate budget account numbers will be created. Finding Number 2: The comingling of both allowable and unallowable charges in MOIT's 9-1-1 Special and General Fund accounts complicated the preparation of the Actual Receipts and Expenditures Report, as well as the related reconciliation to the City's accounting records. Various allowable costs were charged to 9-1-1's general fund account, while unallowable costs were charged to its Special Fund account. We recommend that MOIT, in conjunction with the BAPS, Bureau of Payroll and Accounting Systems -- Services, I'm sorry Accounting Services, designate a specific -- designate specific account numbers to be used for only allowable costs for the 9-1-1 Emergency Number System -- System Program. MOIT stated that in Fiscal Year 2015, separate budgetary account numbers will be created. Based on our audit, the results of our tests disclosed no instances of non-compliance with applicable laws and regulations for Fiscal Year 2013."

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City Solicitor: "Are the MOIT um -- responses contained in your audit report?"

Mr. McCarty: "Yes they are. They were invited to attend today."

City Solicitor: "And, and is there? Could you come forward? And while he's coming forward, um -- is the, are the MOIT courses of action satisfactory um -- from your perspective as the Auditor?"

Mr. McCarty: "Yes. They will resolve it fully starting 2015. Two thousand fourteen they may have some of the same issues."

City Solicitor: "Could you identify yourself?"

Mr. Brillman: "Yes sir. Scott Brillman, I'm the Acting Director of 9-1-1 and Emergency Communications."

City Solicitor: "And is there anything you'd like to add to what the Auditor's already reported and what's contained in the Auditor's report with regard to MOIT's reaction to the audit report and its courses of action?"

Mr. Brillman: "No sir, the report was correct."

President: "Okay. The audit has been NOTED."

* * * * *

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Department of Recreation and Parks - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement with GreenPlay, LLC. The period of the Agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$53,215.00 - 9938-917022-9474-900000-703032

BACKGROUND/EXPLANATION:

GreenPlay, LLC will provide for recreation and open space professional services. GreenPlay, LLC will work with the Department to better define the role of the Department in meeting the recreational needs of the community.

The scope of the Agreement includes determining core services and completing an assessment of who is providing programs in Baltimore City, what services are provided, and the gaps and duplication of services. The objective is to reactivate the Department and be more focused and purposeful in the services it is providing. GreenPlay, LLC operates a consortium of experts providing services nationally for parks, recreation, open space, and related agencies. GreenPlay, LLC staff has diverse backgrounds in parks and recreation administration and management.

MBE/WBE PARTICIPATION:

MWBOO set goals of 0% MBE and 0% WBE.

AUDITS REVIEWED AND HAD NO OBJECTION.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$60,000.00	9938-916022-9475	9938-917022-9474
General	Reserve - Community	Active - Community
Fund	Center Master Plan	Center Master Plan

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Department of Recreation and Parks - cont'd

This transfer will provide funds to cover the costs associated with the agreement between the City and GreenPlay, LLC for recreation and open space professional services.

PROTESTS WERE RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC. AND MS. KIM TRUEHEART.

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

President: "The second item on the non-routine agenda can be found on Pages 3-4, Department of Recreation and Parks Agreement and the corresponding Transfer of Funds. Will the parties please come forward?"

Mr. Schwartz: "Gennady Schwartz, Department of Recreation and Parks. Um -- the department is currently working on 10-year plan for modernize our recreation and aquatic facilities. We anticipate to invest approximately \$88 million dollars over the next 10 years and one of the major goals is we'd like those facilities to be able to provide quality programming to citizens of Baltimore. Um, in order to achieve that, we would like to enter into a contract with GreenPlay, uh -- which will assist department to provide the assessment of the existing recreation programming as well as identify strengths and deficiencies and

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to develop the new strategy for, for the future. Uh -- the GreenPlay has completed over 300 projects around the country; they have uh -- special uh -- uniquely specialized in the recreation park field. They um -- all the principle we can affirm that will work on the project has over 20 year's experience. Some of them former directors of recreation and parks around the country, and we really feel that with their national expertise in understanding the current trends, and the local experience of the Department of Recreation and Parks staff and Planning will be our partner in this agreement, we can achieve the best possible goal for this project, and uh -- the recreation system."

President: "Mr. Jolivet?"

Mr. Jolivet: "You didn't give me authorization to speak."

President: "I, I, I've never given you that before."

Mr. Jolivet: "I thought I had to have authorization."

President: "Identify yourself and go ahead."

Mr. Jolivet, Maryland Minority Contractors Association: "Thank you. Uh - um -- Arnold M. Jolivet, and I did send communication to the Board earlier, I didn't do this this week and I'm, I'm hopeful that the Board had the privilege, or rather the benefit of reading my communication, and uh -- I guess what I'm saying to the Board, I'm just not sure what, what provision, or what

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method that the Department of Parks and Recreation is employing, invoking here as a justification for sole source. Uh -- I think everyone will agree that this is above anything else is a sole source uh -- procurement is a proposed sole source procurement, and given what's stated on the Board's public agenda, uh -- even assuming if it was intended to be a sole source, which I don't know that that would be another way that the Board could approve it, but my contention uh -- is that it should show, it should be evident on the public agenda uh -- and I would submit that it is not. I would also submit to the Board that, without questioning the Board's approval, the Board's authority to approve a sole source agenda uh -- uh -- uh -- item like this, I would urge the Board, if, assuming that it is a proposed sole source, that the item be deferred and returned to the Board in the form of a proposed sole source. In the absence of that, I'm just not sure how the Board itself, given the constraints the Board has uh -- pursuant to Article VI, Section 11 of the Charter, I would, I'm just not sure the Board could approve it the way it is now because the only authority the Board would have to approve it as it is now would be no authority. However, I would admit for the benefit of Mr. Nilson's edification, that if it returned that with an appropriate certification, I think that with preliminary, without going to the second issue, I think that

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that would be the appropriate format in which the Board should consider it. As it currently, in the current posture that it's presented to the Board, plain and simple, the Board cannot approve it. However, if it's an appropriate sole source I would be the first to admit that the Board possibly could approve it. Not that the Board in fact can approve it. But, I would admit that would be a plausible argument that the Board possibly can approve it. Mr. Nilson, do you understand my argument?"

City Solicitor: "I do."

Mr. Jolivet: "Well would you accept my recommendation or suggestion that it be deferred to the agency and returned back to the Board with the proper certification?"

City Solicitor: "I'd like to hear from the agency first."

Ms. Hana Rose Kondratyuk: "Good morning Mr. President, members of the Board. My name is Hana Rose Kondratyuk, I'm from the Law Department and I'd like to um -- state that this is not being listed as a professional service, I mean it's not being listed as a sole source contract, it is a professional service type contract. Um -- it's specifically exempted from following the the overall exemption of being a sole source, which is not being practical or um -- um -- uh -- it's a professional service type contract. Um -- so, sorry."

City Solicitor: "Could you elaborate on that?"

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Ms. Kondratyuk: "Okay, a professional service type contract you don't have to be the only contractor to be able to provide the services, you just have to be the bet -- best fit for the City. It's a specialized service that um -- Rec. and Parks is looking for. This is a multi-million dollar um -- plan, over the next number of years to um, a strategic plan to help Rec. and Parks really provide substantial and beneficial services for the community. Um -- it's important to get somebody that specializes in um -- strategic planning for rec. and parks departments over the country for municipalities in order to prevent the City from wasting our resources and not providing the best possible planning for the City residents. So after um -- research into the different vendors that um -- provide these type of services for departments of municipal agencies all over the country, Rec. and Parks has found that GreenPlay provides the specific services um -- that uh -- the Dept. of Rec. and Parks desires, and they are experienced, 30 years of experience for each of the um -- consultants that will be um -- providing the services for the City, and uh -- the City feels that GreenPlay is the right fit as a professional service type contract for the City."

President: "Madam Mayor."

Mayor: "Thank you very much. Mr. Schwartz, can you talk a little bit again about the scope of, not the, the contract, but

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the plan, the investment that the Department of Recrea - the Recreation and Parks is making. The -- the investment, the purpose?"

Mr. Schwartz: "Right. Um -- the existing recreation system was developed probably in the 50s and 60s. Most of those buildings is inadequate to provide quality recreation opportunities and programs, and we struggle to -- have a, it's basically a majority of those buildings are under-utilized. Because they're not designed to provide quality services, and the one thing that you try to do before you design any building, you have to develop what the program for the building is, because that's how the architect start to develop the plan for the building and that's why it's very crucial for us to, to develop that. What we want to do at the Department of Recreation and Parks because we have, we're working with the school right now, they have 10-year plan, and, and we don't want to overlap. But we want to do we want to identify if there is a gap in services that nobody provide that we can provide, and we, the thing that is essential for us to develop the buildings along with the programming aspect at the same time, so we designed the building to provide the services we want them to provide."

Mayor: "And that's where GreenPlay comes in?"

Mr. Schwartz: "That's where GreenPlay what they going to do

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basically is to make assessment of the existing programming and what happen over the years, the Department of Recreation and Parks probably started doing some program that probably has nothing to do with the Department of Recreation and Parks and maybe neglected some services that we should do. So it's good for us to have someone with national expertise to come, and just look at that, and that's what they do around the country. They provide that kind of expertise so we can stay focused and develop our strategy around those programming that we want to provide."

Mayor: "So they're going to use the, I guess take advantage of the work we've done with the stakeholder group that took a look at the community plans and talked yes, to the department but also to the community on what program, uh -- programming they want for now and um -- project out in the future, so we can make sure the buildings will be usable for uh -- as long as possible?"

Mr. Schwartz: "Right. The 2010 task force actually identified this as one of the things that we need to do."

Mayor: "Um hmm."

Mr. Schwartz: "So, if you look at our task force result that was completed in 2011, they, they actually specified the particular-- that we need to complete this assessment of the

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recreation programming."

Mayor: "Um -- hmm. And this is for, you said that the centers for as well as the pools?"

Mr. Schwartz: "It's aquatic, right, because we're looking right now to develop that as one thing instead of individual because it's a continuation of one to another. The main recreation center will have the indoor pools, so it is really one complex rather than two separate entities."

Mayor: "Okay. Thank you."

President: "Okay. I'll entertain a Motion."

Mr. Jolivet: "Mr. President"

City Solicitor: "Move."

President: "I'll entertain a Motion."

Mr. Jolivet: "Mr. President"

City Solicitor: "Move approval --."

President: "I'll entertain a Motion."

Mr. Jolivet: "Mr. President"

President: "I will entertain a Motion."

Mr. Jolivet: "Mr. President don't I have a right?"

President: "I gave you five minutes, Mr. Jolivet."

Mr. Jolivet: "Mr. President."

President: "I gave you five minutes. I'll entertain a Motion."

City Solicitor: "Move--."

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Mr. Jolivet: "Mr. President."

President: "I will entertain a Motion."

Mr. Jolivet: "Mr. President, are you?"

President: "I'll entertain a Motion."

Mr. Jolivet: "Mr. President."

President: "I'm not going to, I'm not going to hear it, okay."

Mr. Jolivet: "Mr. President, you allowed this gentleman --."

President: "I allowed the Mayor to ask a question, now I'm asking for the vote."

Mr. Jolivet: "No, he replied."

President: "Is there a Second?"

Mr. Jolivet: "Mr. President, Mr. President."

President: "All in favor say AYE."

City Solicitor: "MOVE approval of the recommendation."

President: "All opposed NAY. Please note the Council President votes **No**."

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with GreenPlay, LLC. 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 voted **NO**.

MMCA- Maryland Minority Contractors Association, Inc.

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

Baltimore, Maryland 21210

443-413-3011 Phone

410-323-0932 Fax

February 11, 2014

Via Facsimile 410-685-4416

Honorable Bernard "Jack" Young

President, Baltimore City Board of Estimates

City Hall-Room 204

Baltimore, MD 21202

ATTN: Ms. Bernice Taylor, Esquire, Clerk to the Board

Dear Mr. President:

I represent the Maryland Minority Contractors Association ("MMCA"), its members, clients, and constituents.

We wish to protest Your Honorable Board's approval for the following named proposed contract awards or proposed contract price "increase", or "term extensions," as they may appear on Your Honorable Board's 2/12/2014 public meeting agenda, which is a proposal from the City's Bureau of Water and Wastewater to extend the term of City SC 917-Television Inspection, etc.- for a 365 day non-compensable time period.

Our opposition against this proposal is based on the fact that this kind of City contract extension after the contract has formally expired is not only completely ultra vires and unauthorized by the City's "mandatory" competitive bidding charter provision-Article VI, Section 11 et.seq., but it also unlawfully discriminates against and disadvantages our local Black-owned businesses.

This proposal never should have been seriously considered by the City's Bureau of Water and Wastewater, let alone this Board inasmuch as Maryland municipal law on competitive bidding is absolutely clear and unmistakable that once a municipal contract like this one formally expires, the municipality cannot revive it, except via a completely new round of competitive bidding.

We also want to protest item No. 6, contained on page No. 17, which is a proposal to award City SC 913-Improvement to Sanitary Sewers-to Metra Industries, Inc., for at its lowest bid price of \$7,443,134.00. The City's MWBOO established the MBE goal at 4%, and the proposed contract awardee proposed to meet the entire MBE goal as well as the entire WBE goal totally devoid of any Baltimore City certified Black or African American-owned M=WBE forms. Thus, our protest and opposition are based on these most unfortunate facts, which clearly evidence outright clear and undisputed exclusion and discrimination against Baltimore City Black or African American-owned M-WBE firms will be injured and disadvantaged if the Board approves this proposed contract as recommended.

We also want to protest item No. 1 on page No. 37, which is a proposal to award a \$39,000.00 non-bid, non-competitive contract to the Baltimore Sunpapers, Inc. in the dollar for certain public notice advertising services. Our objections to this proposed award are based on the fact that it violates the City's "mandatory" competitive bidding charter provision-Article VI, Section 11 et. seq. We are also very concerned that the terms and conditions which the City has been placing on its advertising contracts not only violates the Sunpapers' First Amendment Rights, but they violate and suppress my First Amendment Rights.

Finally, we want to protest item No. 8, on page No. 40, which is a proposed contract price increase of \$331,960.00 to Baltimore City Solicitation No. B50001751-Janitorial Services. Our protest and opposition are based on the fact that the proposed price increase violates the City's "mandatory" competitive bidding charter provision-Article VI, Section 11 et. seq.

Our Black or African American M-WBE and prime bidders will suffer injury if the Board approves this proposal

Respectfully Submitted,

Arnold M. Jolivet

Arnold M. Jolivet
Managing Director

Kim A. Trueheart

February 4, 2014

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

Dear Ms. Taylor:

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

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

1. Whom you represent: Self
2. What the issues are:
 - a. Page 49, Department of Recreation and Parks – Agreement:
 - i. Before Board consideration, this item should be moved to the non-routine agenda and an explanation provided to the citizens of Baltimore by the Department of Recreation and Parks about this selection;
 - ii. This agreement unfairly sets the minority and women participation goals at 0%.
 1. “MBE/WBE PARTICIPATION: MWBOO set goals of 0% MBE and 0% WBE.”
 - iii. The fact that this agreement, which will chart the direction of recreation centers into the future, without benefit of minority or women business participation is outrageous!!!
 - iv. The suburban “community” center model strategy currently being implemented by the Department of Recreation and Parks has been flawed from the onset. This action further exacerbates that flawed strategy, unnecessarily and in complete violation of the current Minority/Women Business Opportunity law.
 - v. This selection serves to marginalize the majority pollution of Baltimore City who has traditionally been the chief constituents of municipal recreation centers.
 - vi. This selection clearly demonstrates this administration’s systematic disregard for serving the historically underserved residents of my home town.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer

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

and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden will be exacerbated by this offensive selection that has failed to uphold the laws of this city.

4. The remedy I seek and respectfully request is that this action be solicited again in accordance with the laws of this city.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on February 5, 2014.

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

Sincerely,

Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

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Department of Recreation and Parks - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 15, to GWWO, Inc. under Project 1164, On-Call Architectural Design Services.

AMOUNT OF MONEY AND SOURCE:

\$229,793.82 - 9938-908784-9474-900000-703032

BACKGROUND/EXPLANATION:

This task will include the final design services for an indoor pool at Cherry Hill Community Center.

MBE/WBE PARTICIPATION:

Including this task, the contractor has achieved the following percentages: **MBE: 26.72%** **WBE: 9.18%**

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$230,000.00	9938-906784-9475	9938-908784-9474
Rec. & Parks	Cherry Hill Recreation	Cherry Hill Recreation
25 th Series	Center Reserve	Center- Active

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1164, Task #15 to GWWO, Inc.

UPON MOTION duly made and seconded, the Board approved the task assignment. 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.

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EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

480

All of the EWOs have been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

Item No. 2 was **WITHDRAWN**.

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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. Compl.</u>

Department of Recreation & Parks

1. EWO #1, \$69,601.00 - RP 08822, Cimaglia Park at Fort
Holabird
- | | | | | | |
|-----------------|----|------|-------------------------------|---|---|
| \$ 1,786,000.00 | \$ | 0.00 | P. Flanigan and
Sons, Inc. | - | - |
|-----------------|----|------|-------------------------------|---|---|

Bureau of Water & Wastewater

2. EWO #001, \$ 0.00 - SC 917, O/C Television Inspection,
Cleaning and Lining Sanitary Sewers using Cured-In-Place Pipe
- | | | | | |
|-----------------|---|---------------------|-----|---|
| \$ 2,833,850.00 | - | Spiniello Companies | 365 | - |
| | | | CCD | |

The original contract expired February 03, 2014. This authorization will extend the contract through February 02, 2015. To date, Spiniello Companies has received task orders and completed a total of \$174,481.07 of the \$2,833,850.00 contract value. This equates to less than 6.2% of the contract amount. The contractor, Spiniello Companies, will hold its price at the current amount. A 365 day non-compensable time extension for SC 917 is requested.

PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.¹

THE PROTEST FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION WAS WITHDRAWN.

¹ See protest letter following Page 477.

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Police Department - Grant Award Notice of Intent**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of a Grant Award Notice of Intent from the Governor's Office of Crime Control and Prevention (GOCCP). The period of the Grant Award is January 1, 2014 through December 31, 2014.

AMOUNT OF MONEY AND SOURCE:

\$305,000.00 - 4000-474714-2041-212600-600000

BACKGROUND/EXPLANATION:

On January 13, 2014, the GOCCP released a Notice of Intent to the Department to fund the "Gunshot Detection Technology" program. This award will fund technology that has the ability to locate the origins of gunfire and expedite police response.

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 of the Grant Award Notice of Intent from the Governor's Office of Crime Control and Prevention.

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Police Department - Grant Adjustment Notice**ACTION REQUESTED OF B/E:**

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

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 5000-598413-2021-213300-600000

BACKGROUND/EXPLANATION:

On August 14, 2013, the Board approved the initial grant award in the amount of \$79,000.00, for the period June 1, 2013 through December 31, 2013.

The Department's "Domestic Violence Reduction Initiative" provides overtime funding for the Warrant Apprehension Task Force and Family Crimes Unit to serve warrants or any other court order violation that involves domestic violence. The GAN will extend the end date of this grant in order to allow additional time to completely expend funding.

The GAN is late because it was recently received from grantor.

APPROVED FOR FUNDS BY FINANCE.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded the approved and authorized acceptance of the Grant Adjustment Notice from the Governor's Office of Crime Control and Prevention.

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Police Department - Payment of Back Salary**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize payment of back salary for Mr. Daraine D. Harris. The back pay represents the amount of salary that Mr. Harris would have earned for the period of October 31, 2013 through December 22, 2013.

AMOUNT OF MONEY AND SOURCE:

\$10,857.93 - 1001-000000-2041-195500-601062

BACKGROUND/EXPLANATION:

Pursuant to Article 16(A)(2) of the Memorandum of Understanding between the Baltimore Police Department and the Fraternal Order of Police Lodge No. 3, Mr. Harris is entitled to receive back pay for the period he was suspended without pay. Mr. Harris was suspended without pay on October 31, 2013.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized payment of back salary for Mr. Daraine D. Harris.

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MINUTES

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

The Board is requested to approve the annual payment for utilities for the Baltimore Child Abuse Center (BCAC) located at 2300 N. Charles Street.

AMOUNT OF MONEY AND SOURCE:

\$19,315.26 - 1001-000000-2021-212800-603013

BACKGROUND/EXPLANATION:

On February 2, 2005, the Board approved the Memorandum of Understanding (MOU) with the BCAC. Under the MOU, the Department's Child Abuse Unit uses 5,500 square feet of office space rent-free at 2300 North Charles Street, which represents 25% of the building space. The BCAC is requesting that the Department pay 25% of the utilities for the building. The estimated annual utility cost for the building is \$77,261.04, making the Department's share of the cost \$19,315.26. The time period is January 1, 2014 through December 31, 2014.

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

UPON MOTION duly made and seconded, the Board approved the annual payment for utilities for the Baltimore Child Abuse Center located at 2300 N. Charles Street.

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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) - Option</u>			
1. Floretta Lampkins	1632 W. Lanvale Street	F/S	\$ 69,000.00

Funds are available in account 9910-905507-9588-900000-704040,
AG Demolition Project.

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

Dept. of Housing and Community Development (DHCD) - Condemnation

2. Estate of Leonidas G. Newton, deceased	2624 Puget Street	F/S	\$ 27,000.00
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Funds are available in account 9910-905507-9588-900000-704040,
AG Demolition Project.

There being no objections, the Board, UPON MOTION duly made and seconded approved the option and condemnation.

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:

487 - 499

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 Mayor **ABSTAINED** on Item No. 9.

The Comptroller **ABSTAINED** on Item Nos. 3 and 4.

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RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation

1. TR 14005, Resurfacing Highways at Various Locations Northeast, Sector I M. Luis Construction Co., Inc. \$1,867,821.89

MBE: National Construction, Inc.	\$110,000.00	5.89%
Carter Paving & Excavating, Inc.	78,750.00	4.22%
Ball & Breckenridge Trucking, Inc.	224,250.00	12.00%
	\$413,000.00	22.11%

WBE: S&L Trucking, LLC	\$170,000.00	9.10%
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MWBOO FOUND VENDOR IN COMPLIANCE2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,875,000.00	9950-902846-9514	
State Constr.	Federal Resurfacing	
	-NE I	
272,995.17	" " "	
<u>GF (HUR)</u>		
\$2,147,995.17		
\$1,867,821.89	-----	9950-903865-9514-6
		Structure & Improvements
186,782.19	-----	9950-903865-9514-5
		Inspection
93,391.09	-----	9950-903865-9514-2
<u>\$2,147,995.17</u>		Contingencies
		Resurfacing Highways at
		Various Locations-NE I

This transfer will fund the costs associated with the award of Project TR 14005, Resurfacing Highways at Various Locations-NE I to M. Luis Construction Co., Inc.

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RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation

3. TR 14008, Resurfacing M. Luis Construction \$1,579,499.86
 Highways at Various Co., Inc.
 Locations Southeast,
 Sector IV

MBE: National Construction, Inc.	\$ 80,000.00	5.06%
Carter Paving & Excavating, Inc.	70,000.00	4.43%
Ball & Breckenridge Trucking, Inc.	215,000.00	13.61%
	\$365,000.00	23.10%

WBE: S&L Trucking, LLC	\$128,000.00	8.10%
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MWBOO FOUND VENDOR IN COMPLIANCE4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,816,424.84	9950-904216-9514	
State Constr.	Local Resurfacing	
	-SE	
 \$1,579,499.86	-----	9950-902868-9514-6
		Structure & Improvements
157,949.99	-----	9950-902868-9514-5
		Inspection
78,974.99	-----	9950-902868-9514-2
<u>\$1,816,424.84</u>		Contingencies
		Resurfacing Highways at
		Various Locations-SE IV

This transfer will fund the costs associated with the award of Project TR 14008, Resurfacing Highways at Various Locations-SE IV to M. Luis Construction Co., Inc.

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RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Water & Wastewater

5. SC 913, Improvements to Metra Industries, \$7,443,134.00
 the Western Portion of Inc.
 the Sanitary Sewers in
 the Low Level Sewershed

MBE: Peer Consultants, P.C. \$894,000.00 12.01%

WBE: R&R Contracting Utilities, Inc. \$298,000.00 4.00%

MWBOO FOUND VENDOR IN COMPLIANCE6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$9,701,142.79	9956-907611-9549	
Wastewater	Construction Reserve	
Revenue Bonds	Sewer System Rehab-	
	Low Level	
29,170.33	" " "	
Baltimore		
County		
94,623.88	9956-933001-9549	
Baltimore	Construction Reserve	
County	Sewer System Rehab-	
\$9,824,937.00	Low Level	
\$ 744,313.50	-----	9956-918616-9551-2
		Extra Work
744,313.50	-----	9956-918616-9551-3
		Design
446,588.00	-----	9956-918616-9551-5
		Inspection

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RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Water & Wastewater - cont'd

7,443,134.00	-----	9956-918616-9551-6
		Construction
446,588.00	-----	9956-918616-9551-9
<u>\$9,824,937.00</u>		Administrative

The transfer of funds is needed to award SC 913, Improvements to the Western Portion of the Sanitary Sewers in the Low Level Sewershed.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.²

President: "The second item on the I mean, the second item, the third item on the non-routine agenda can be found on Page 17, Items 5 and 6, Recommendations for Contract Awards/Rejections, SC 913, Improvements to the Western Portion of the Sanitary Sewers in the Low Level Sewershed and the corresponding Transfer of Funds. Will the parties please come forward? Please state your name."

Mr. DuPonti: "Robert DuPonti."

President: "Can you talk into the mic and state your name."

Mr. DuPonti: "Uh -- yes, Robert DuPonti, Vice-President of Metra Industries."

President: "Mr. Jolivet?"

Mr. Jolivet: "Uh -- Arnold M. Jolivet. Uh -- my protest, my protest actually as its structured addressed the, the issue of

² See protest letter following Page 477.

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MBE and I have decided that with regard to the MBE issue that I would like respectfully, to withdraw the protest as it relates to the MBE issue. However, with respect to the WBE issue, I would like to continue the protest in light of the fact that uh, when we first drafted and structured the MBE program, it was intended that black females would be a part of the program, and I am very much concerned that as its proposed in this contract, there are no black females. It's alleged that there is a black female with regard to the MBE portion of it, but I am extremely concerned that this program has not reached out and benefited the black female and I'm, I'm, I'm also concerned with regard to this particular contract, this particular white female who's being uh -- uh -- recommended for this award for the WBE award, uh -- I have done an analysis of just contracts for the last uh -- fiscal year. This same contractor has repeatedly across the board, uh -- I shouldn't say contractor, sub-contractor, is, is used on every, every sanitary contract that the City lets. This same contractor is employed as a WBE sub-contractor. Now, I would say very fundamentally that's not right. I mean if you've got one contractor that's going to be used across the board, for the lion share of the contracts, uh -- that's on the face of it, illegal and improper and, and wrong. Recently the United States Department of, of, of Transportation did a study of the State's

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MBE/DBE program, and it found the very same thing. One or two contractors, minority sub-contractors receiving the lion share of the work, and, and I have actually discussed this off the record with Mr. Corey, and it is not something that I think under the current structure of our statute, of our Ordinance, that can be corrected short of re-authorizing the statute, amending the statute. So what I would like to do, uh -- for this purpose, I would like to ask the Board in its wisdom, to put sub-goals, to, when there are sanitary contracts that go out in the future, in order to avoid this same situation, this contractor has received \$7.5 million dollars in the last year and a half when African-American WBEs have received none. That is not what the program is about and if the Board doesn't see the fallacy and irregularities in that something is wrong with this Board. So, I think I made my case and I'm, I've tried to discuss it with Mr. Corey and he -- he's been as open about it as he can. Uh -- in fact, I have to say that he's been very understanding of the problem, but I believe very strongly that he believes that it only can be changed, but I can't speak for him, it's not fair for me. He's right here so let him speak to it."

Mr. Corey: "Good morning, Thomas Corey, Chief of the Minority and Women's Business Opportunity Office. On this contract, what

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we must pay attention to, that there is an African-American female that's participating on this contract. The law says that our goal on a particular contract can be achieved by a member of any one of the protected groups. In this instance when we have a company that's owned by a minority female, minority females then have two opportunities to participate on a contract because they're certified as M/WBE. So it can be used either as an MBE or WBE. In this particular instance, the uh -- woman who owns the Peer Contracting um - um -- firm, the MBE, is actually certified by our office as MBE/WBE and she's participating on this contract as an MBE. Uh, we can't dictate that someone of a particular group, of one of the groups be used on a contract. The mechanism that we use from time to time on certain contracts, are the sub-goal contracts, but they are mainly used on the WBE side because the minority females have two opportunities to participate on a contract. They can be used as an MBE or WBE. In this instance we have African-American females participating on the contract and I think that's the way the program should work."

Mr. Jolivet: "Mr. President, I still believe, and I assert very strongly here, that the minority program as envisioned, and I was part of the program when it first was envisioned. I helped draft the first Ordinance, and I am unwilling to accept the

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premise that the program was designed to award \$7.5 million dollars to one firm, who happens to be a white female, and excludes award, not a dollar, not a penny to a black female. I'm not going to accept that. I refuse to accept that premise. That is a false premise. That is a false premise, Mr. President."

Mr. Corey: "I don't get the argument, with all due respect to the Board -- is that there's an African-American female participating on the contract to the tune of \$894,000.00, or 12% of the contract, I, I don't--."

Mr. Jolivet: "Well Mr. Corey if I can add in all due respect, we're not sure, and I know you will assert that. But in fact, we are simply not sure that this is an African-American female. We are not sure. So, I would appreciate, until we actually can verify and authenticate that this person is in fact actually an African-American female, my suggestion here in all due respect because I've known you all these years and I respect your wisdom --"

Mr. Corey: "Thank you."

Mr. Jolivet: "very much, highly, extraordinarily, but when it comes to this, we need fact, Mr. Corey, fact -- fact."

Mr. Corey: "Mr. President, may I respond to that?"

President: "Can Joan, uh --"

Mr. Corey: "I'm sorry."

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President: "-- ask a question first?"

Comptroller: "Can you confirm that it is African-American?"

Mr. Corey: "Most certainly. She's been certified by uh -- MWBOO since 2004; she's submitted all the documentation that we require to prove minority status, which includes, uh -- your driver's license with a picture of yourself, and uh -- any other documentation - a passport, birth certificate, all those things we request in order to determine whether or not you are a minority and should be or receive the benefits of this program, and this lady indeed supplied all of that information, and in fact, just in deference to uh -- Mr. Jolivet when he made the protest, I went to the file and looked at the documentation that we still have on file to make sure that my office had not made a mistake. This woman is an African-American woman, and she um -- she has been in the program, as I said, since 2004."

Comptroller: "So - so Peer Consultant, she had the option of being an MBE and a -- or a WBE and opted to be an MBE, where she could make more money."

Mr. Corey: "The, the, the prime contractor opted to use her as an MBE. He could have used her as a WBE or an MBE."

Comptroller: "Right, but she gets more money if she, by her, by, by"

Mr. Corey: "And that's, and that's, that's the benefit of uh --

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I would say, of being a minority uh - minority female owning a company, because you get two, two chances to participate on a contract."

Mr. Jolivet: "Mr. President, without belaboring the matter, or without "beating a dead horse," let me, uh, let me just inform the Board, I didn't want to reveal this issue. But, part of the reasons, in fact the only reason that I even raised the issue, is that this same principal with this company is certified with MDoT as an Asian, not an African-American. So that led me to believe that they're playing the middle both sides against the middle, and when I called it to Mr. Corey, to his credit, he did investigate it. So, I would recommend very strongly that this is really not a matter that perhaps the Board can settle in the public forum and I would ask the Board to do whatever is best in its judgment, and allow me to meet with Mr. Corey and give him the information that I have regarding the MDoT certification and to Mr. Corey's credit, whenever we, in the minority business community, have given him information regarding the status of someone, I have to say, even though reluctantly, that he's been very, very vigilant in following up on it."

Mr. Corey: "In response to that, I mean, I don't have any information as to whether or not this company is certified as an Asian company at the State level. But given that, even if it was

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true, she would still be certified as a minority in this program. She would still be certified --."

Mr. Jolivet: "But you missed the point. You missed the point. You missed my point."

Mr. Corey: "I understand your point."

President: "Mr. Jolivet, can you let him finish and then you can make your response."

Mr. Corey: "I think that's enough said. She would still be certified by this program as, as, as um -- as a female and then also as a minority female. Uh, I will take a look just to see if that is in fact the case, that she's certified as one thing you know, as an Asian-American at the State level. That would not respond to the question as to whether or not there was a mistake at the State. I can say we didn't make a mistake."

Mr. Jolivet: "As a principle matter, Mr. Corey is right, and but with regard to my issue that I bring before the Board today the propriety of not using an African-American, that issue is still valid. But in the interest of allowing the Board to go forward, I would be the first to say the Board, uh, should move on."

President: "I would entertain a Motion."

City Solicitor: "I would MOVE that we approve the agency recommendation and deny the protest, and let Mr. Corey and Mr.

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Jolivet continue their dialogue."

President: "All those in favor say AYE."

President: "All opposed NAY. The Motion carries."

City Solicitor: "Mr. President, could I just clarify the record on the prior matter the Recreation and Parks um - item when I was attempting to make a Motion and there was a -- Mr. Jolivet I just want to make sure that the record reflects um -- my Motion and my vote in favor of the Recreation and Parks recommendation."

Mr. Jolivet: "Mr. President that would open - that if you approve that, that would allow me to be heard. That would open the floor back up --."

City Solicitor: "I, I'm correcting --."

Mr. Jolivet: "That would allow me to be heard."

Mr. Jolivet: "I'm confirming the record, that's all."

Mr. Jolivet: "Mr. President, if -- that would allow me to be heard, Mr. President."

* * * * *

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RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

7. B50003068, Community ICF Macro, Inc. \$149,971.00
 Health Survey-Scenario 2
 (Health Dept.)

The Bureau of Purchases is recommending award to ICF Macro, Inc., the only bidder, subject to coming into compliance within 10 days of approval.

MWBOO SET MBE GOALS AT 12% AND WBE GOALS AT 8%.

The bidder did not achieve the MBE and WBE goals. The bidder requested a waiver, but did not demonstrate good faith efforts.

MWBOO FOUND VENDOR IN NON-COMPLIANCE

8. B50003244, Fiber Optic Power & Telephone \$392,535.50
 Cable Material & Supplies Supply Company
 (Mayor's Office of Information Technology)

MWBOO GRANTED A WAIVER.

9. B50003264, Services to Simpson Unlimited, \$ 72,585.00
 Remove and Replace Inc.
 Sealant in Exterior Walls
 (Baltimore Convention Center)

MWBOO SET MBE GOALS AT 0% AND WBE GOALS AT 0%.

10. B50003280, Pea Gravel Patuxent Materials \$199,500.00
 (DPW, DOT, etc.)

MWBOO SET MBE GOALS AT 0% AND WBE GOALS AT 0%.

11. B50003281, Steel D-S Pipe & Steel \$250,000.00
 Products Supply, LLC
 (Dept. General Services, Fleet Management)

MWBOO GRANTED A WAIVER.

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Law Department - Settlement Agreement and Release

The Board is requested to approve the Settlement Agreement and Release for the following claim:

1. Stevens v. Mayor and City Council of Baltimore \$120,000.00

Funds are available in account no. 2044-000000-1450-703800-603070.

The Settlement Agreement and Release has been reviewed and approved by the Settlement Committee of the Law Department.

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

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Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2013 through June 30, 2014, unless otherwise indicated.

1. **JOHNS HOPKINS UNIVERSITY** **\$101,354.00**
BLOOMBERG SCHOOL OF PUBLIC HEALTH

Account: 1001-000000-3001-262800-603051

The organization will provide the services of a Chief Assistant Scientist/Epidemiologist for the Health Department. Duties and responsibilities will include but are not limited to analyzing data from Baltimore City Public Health Programs, (including programs related to physical, environmental, and mental health) to assess public health problems and monitor trends. Other duties will include evaluating interventions and identifying opportunities for new or improved intervention strategies, assessing health disparities and tracking Baltimore's progress toward achieving public health goals. The period of the agreement is January 1, 2014 through December 31, 2014.

The agreement is late because review of the budget delayed processing of the agreement.

MWBOO GRANTED A WAIVER.

2. **JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 45,000.00**

Account: 4000-425614-3023-599604-603051

The JHU will provide a full range of diagnostic and therapeutic services for HIV+ women planning for pregnancy and throughout the course of their pregnancy and the postpartum period. The agreement is late because the Infectious Disease and Environmental Health Administration (IDEHA) programmatically manages Ryan White Part D services. The providers are asked to submit a budget, budget narrative, and scope of services. The BCHD thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are many times revised because of inadequate information from the providers. This review process is required to confirm with the grant requirements.

3. **GOVANS ECUMENICAL DEVELOPMENT CORP. (GEDCO)** **\$ 62,748.00**

Account: 4000-533514-3024-295918-603051

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Health Dept. - cont'd

GEDCO operates a senior program which serves as the community focal point for seniors and their caregivers. Services to be provided include but are not limited to social, recreational, and educational programs, information and assistance, outreach, wellness and transportation. The period of the agreement is October 1, 2013 through September 30, 2014. The agreement is late because the Health Department was waiting on finalization of the budget and signatures from the provider.

MWBOO GRANTED A WAIVER.

4. **BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, \$ 94,000.00**
BALTIMORE CITY PUBLIC SCHOOL SYSTEM (BCPSS)

Account: 4000-428214-3080-294303-603051

The BCPSS will provide services to children in the Baltimore Infants and Toddlers Program who are determined eligible for preschool special education and related services. The agreement is late because it was just signed and returned by the provider.

MWBOO GRANTED A WAIVER.

5. **READING PARTNERS, INC. A/K/A READING PARTNERS \$ 0.00**

The organization will serve as a Volunteer Station 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 December 1, 2013 through June 30, 2014. The agreement is late because the Department was waiting for signatures.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED (EXCEPT FOR ITEMS 4 & 5) 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 nos. 1 and 2.

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MINUTES

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

The Board is requested to approve and authorize execution of an Agreement with Meals on Wheels of Central Maryland, Inc. The period of the Agreement is October 1, 2013 through September 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$ 662,331.00	-	4000-434314-3254-316200-604014
27,700.00	-	4000-434314-3254-316200-604014
99,434.00	-	6000-633514-3254-316200-604014
204,031.00	-	5000-533614-3024-268400-604016
56,000.00	-	No account number
6,648.48	-	4000-432914-3024-268400-604014
<u>\$1,056,144.48</u>		

BACKGROUND/EXPLANATION:

Meals on Wheels of Central Maryland, Inc. will provide nutritionally balanced meals to the homebound and/or frail elderly residents of Baltimore City. The organization will provide unique professional services in the Maryland area, which are available from no other vendor.

The agreement is late because the Department was waiting on final approval of the FY 14 Grant Award and signatures from the provider.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Meals on Wheels of Central Maryland, Inc.

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Health Department - Notification of Grant Award**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Notification of Grant Award (NGA) from the State of Maryland Department of Aging (MDoA) for State Allocations FY 14 for the Senior Medicare Patrol - Health Care Fraud Program Expansion. The period of the grant is September 30, 2013 through September 29, 2014.

AMOUNT OF MONEY AND SOURCE:

\$2,560.00 - 4000-436414-3255-316200-404001

BACKGROUND/EXPLANATION:

This NGA for FY 14 reflects the award for the Senior Medicare Patrol (SMP) - Health Care Fraud Program Expansion (HCFPE) grant based on the Health Department's approved budget. This NGA will allow the Health Department to provide funding for seniors under the SMP-HCFPE program.

This grant award is being presented at this time because it was recently received from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Notification of Grant Award from the State of Maryland Department of Aging for State Allocations FY 14 for the Senior Medicare Patrol - Health Care Fraud Program Expansion.

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MINUTES

Health Department - Notification of Grant Award**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the Notification of Grant Award (NGA) from the State of Maryland Department of Aging (MDoA) for the Baltimore City Senior Centers. The period of the grant is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$ 16,013.00	-	5000-535714-3024-295905-603051	Action-in-Maturity, Inc.
3,030.00	-	5000-535714-3024-295901-603051	Allen Ctr. Board, Inc.
15,683.00	-	5000-535714-3024-295914-603051	Edward A. Myerberg Senior Ctr., Inc.
14,458.00	-	5000-535714-3024-295903-603051	Forest Park Senior Center, Inc.
20,000.00	-	5000-535714-3024-295918-603051	Grace Outreach Ctr., Inc.
7,062.00	-	5000-535714-3024-295909-603051	Greenmount Senior Center
2,562.00	-	5000-535714-3024-295910-603051	Hatton Senior Ctr., Inc.
20,144.00	-	5000-535714-3024-295906-603051	Govans Ecumenical Dev. Corp. (Harford Senior Center)
3,100.00	-	5000-535714-3024-295907-603051	John Booth Senior Center, Inc.
10,000.00	-	5000-535714-3024-295908-603051	Oliver Senior Ctr., Inc.
12,254.00	-	5000-535714-3024-295911-603051	Sandtown-Winchester Senior Center, Inc.
8,000.00	-	5000-535714-3024-295904-603051	Govans Center for Retired Persons, Inc. (Senior Network Ctr.)
8,450.00	-	5000-535714-3024-295902-603051	Waxter Senior Center, Inc.
20,000.00	-	5000-533714-3024-295919-603051	Wayland Village Center, Inc.
7,244.00	-	5000-535714-3024-295913-603051	Zeta Senior Ctr., Inc.
<u>\$168,000.00</u>			

MINUTES

Health Dept. - cont'd

BACKGROUND/EXPLANATION:

This NGA will allow the Health Department to provide funding for the above-listed Senior Centers for program activities and services for senior center participants.

This NGA is being presented at this time because the Health Department recently received it from the grantor.

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 of the Notification of Grant Award from the State of Maryland Department of Aging for the Baltimore City Senior Centers. The period of the grant is July 1, 2013 through June 30, 2014.

BOARD OF ESTIMATES

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MINUTES

Health Department - Acceptance of the Updated Unified
Funding Document

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Updated Unified Funding Document (UFD) from the State of Maryland, Department of Health, and Mental Hygiene.

AMOUNT OF MONEY AND SOURCE:

<u>Grant Description</u>	<u>Type of Action</u>	<u>Amount of Action</u>	<u>Total Award</u>
Routine HIV Testing and Linkage to Care	New	\$347,744.00	\$347,744.00
Surveillance	Supplement	8,117.00	\$ 42,859.00
	Total	\$355,861.00	

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modifications, and/or reductions will be processed through the granting administrations with revised Unified Funding awards being issued. The most current Unified Funding Document will be the official award of record.

The Updated Unified Funding Document is late because it was received on December 26, 2013 and because of the delays in the administrative review process.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the Updated Unified Funding Document from the State of Maryland, Department of Health and Mental Hygiene.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Health Department - Ratify the Acceptance of FY 2012
Unified Funding Document

ACTION REQUESTED OF B/E:

The Board is requested to ratify and approve acceptance of the FY 2012 Unified Funding Document. The period of the FY 2012 Unified Funding Document was July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

Funding was provided by the State of Maryland Department of Health and Mental Hygiene as follows:

<u>GRANT NUMBER</u>	<u>GRANT DESCRIPTION</u>	<u>AMOUNT OF ACTION</u>
CH580OIP	Special Dental Grants	\$ 43,000.00
CH586TPG	Tobacco Use Prevention Community-Based	\$ 78,060.00
CH586TPG	CRF Tobacco-Enforcement	\$ 44,894.00
CH586TPG	Tobacco Use-Cessation	\$ 70,199.00
CH586TPG	Tobacco Use-Administration	\$ 13,808.00
CH903BBH	Babies Born Healthy Initiative	\$ 870,865.00
CH929MHP	Medical Homes Project	\$ 28,621.00
FH181MCH	Lead Poisoning Prevention	\$ 848,552.00
FH201FFP	Reproductive Health/Family Planning	\$ 1,359,047.00
FH219PYD	Children/Adolescent Health Advocacy	\$ 95,818.00
FH386HTA	Healthy Teens/Young Adults	\$ 899,563.00
FH892IPO	Improved Pregnancy Outcome	\$ 1,994,067.00
FHA69AST	Greater Baltimore Asthma Alliance	\$ 20,000.00
FHA76NRR	Cardiovascular Risk Reduction	\$ 37,500.00
FHB39CPE	Cancer Prev. Education, Screening, Diagnosis - Non Clinical	\$ 125,868.00
FHB39CPE	Cancer Prev. Education, Screening, Diagnosis - Clinical	\$ 1,042,969.00
FHB39CPE	Cancer Prev. Education, Screening, Diagnosis - Admin.	\$ 54,163.00
FHB471IPP	State & Community Based Injury Control	\$ 4,872.00
FHB64HVP	Home Visiting Planning Grant	\$ 702,400.00
FHB66PRE	Personal Responsibility Education Program	\$ 402,000.00
W1213WIC	Special Supplemental Nutrition Program for Women, Infants	\$ 2,375,000.00
AD243PRV	HIV Prevention Services	\$ 1,551,037.00
AD407SUR	Surveillance	\$ 142,512.00
AD419RWS	RW B-Health Support Services	\$ 3,622,980.00

BOARD OF ESTIMATES

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MINUTES

Health Department cont'd

<u>GRANT NUMBER</u>	<u>GRANT DESCRIPTION</u>	<u>AMOUNT OF ACTION</u>
AD431WIC	RW D –WICKY Health Support	\$ 618,114.00
AD615NEP	Needle Exchange Program	\$ 290,860.00
AD631HPS	HIV Partner Services	\$ 494,938.00
AD637IDU	Intravenous Drug Users	\$ 231,189.00
AD655YHS	RW D – Youth Health Services	\$ 286,382.00
AD656EHT	Expanded HIV Testing	\$ 1,493,689.00
CH051STD	Sexually Transmitted Disease	\$ 62,000.00
CH054IMM	Immunization-HEP-IAP, HEP-B	\$ 744,100.00
CH560CFT	Child Health Core	\$ 797,025.00
CH560CFT	Core Public Health Services	\$ 6,675,053.00
MH3740TH	Health Care for the Homeless	\$ 664,582.00
MA157ACM	PWC Eligibility	\$ 1,759,327.00
MA0005EPS	Administrative Care Coordination	\$ 3,626,818.00
MA055DCE	Adult Day Care	\$ 136,753.00
MA365GTS	General Transportation Grant	\$10,266,512.00
MA411HSP	Healthy Start Program	\$ 472,836.00
CH831PHP	Public Health Emergency Preparedness	\$ 53,674.00
CH831PHP	Cities Readiness Initiative	\$ 15,474.00
Baltimore City Total		\$45,117,121.00

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modifications, and/or reductions are processed through the granting administrations with revised Unified Grant Awards being issued. The most current Unified Funding document will be the official award of record.

The FY 2012 Unified Funding Document is late because during an audit conducted by the Department of Health and Mental Hygiene it was determined that the Unified Funding Document had not been presented to the Board of Estimates for acceptance and approval. The Department apologizes for this oversight.

APPROVED FOR FUNDS BY FINANCE

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

BOARD OF ESTIMATES

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MINUTES

President: "The fourth item on the non-routine agenda can be found on Pages 29-30, Health Department, Ratify the Acceptance of FY 2012 Unified Funding Document. Will the parties please come forward?"

City Solicitor: "Mr. Jolivet, we need your microphone for a minute."

Mr. McCarty: "Good morning again. I'm Bob McCarty, City Auditor. Um -- on Page 29 of the agenda there's a ratification of acceptance of the 2012 Unified Funding Document for the Health Department, and we just had a few clarifying questions to be asked of the Health Department."

Mr. Woodcock: "Good morning, Mr. President, members of the Board my name is Bill Woodcock. I'm the Director of Business Operations for the Health Department."

Mr. McCarty: "We had two questions."

Mr. Woodcock: "Sure."

Mr. McCarty: "The first would be um -- how did this oversight occur?"

Mr. Woodcock: "Uh -- the oversight occurred back in summer of 2012 when this report was being so -- uh prepared. Uh -- the report was actually completed uh, but was not submitted. Uh -- the staff person who was responsible for putting together the report, uh -- had an illness and death in her family, and so she

BOARD OF ESTIMATES

02/12/2014

MINUTES

was out for an extended period of time, and uh -- the report wasn't submitted and escaped the notice of other people in the department."

Mr. McCarty: "And, and we brought it to the Health Department's attention in August of '12 and --."

Mr. Woodcock: "Yes, that was the first --."

Mr. McCarty: "That was at the same time, okay. Okay. Okay. And has the Health Department verified that any other awards may have uh -- not been approved during this time period?"

Mr. Woodcock: "Uh -- we have verified that during this time period that, that is uh -- that that is the case, and that we have not had any problems with our awards, and we are continuing to review and put into place best practices to make sure that this doesn't repeat in the future."

Mr. McCarty: "So you have put in place, um -- procedures to insure that this doesn't occur again."

Mr. Woodcock: "Yes."

President: "I would entertain a Motion."

City Solicitor: "MOVE the approval of the items submitted by the Health Department."

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

* * * * *

BOARD OF ESTIMATES

02/12/2014

MINUTES

Health Department - Employee Expense Report**ACTION REQUESTED OF B/E:**

The Board is requested to approve an employee expense report to reimburse Ms. Cypriana Fowell. The mileage and parking expenses were incurred in August and September 2013.

AMOUNT OF MONEY AND SOURCE:

\$28.85 - 4000-427713-3023-599601-603002, mileage
11.50 - 4000-427713-3023-599601-603003, parking
26.59 - 4000-427713-3023-599601-603002, mileage
\$66.94

BACKGROUND/EXPLANATION:

Ms. Fowell neglected to submit her expense statement on time.

The Administration 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 incurred requires Board of Estimates approval.

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

UPON MOTION duly made and seconded, the Board approved the employee expense report to reimburse Ms. Cypriana Fowell.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

514 - 517

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 no. 7.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>		
1. \$ 75,500.00	9910-914022-9600	9910-901355-9601
24 th EDF	Constr. Reserve	Westside Historic
	Westside Historic	Properties Rehab.
	Properties Stabilization	

The City acquired properties and assembled development sites on Blocks 562, 563, and 620, the 100 and 400 blocks of N. Howard Street. The extended vacancy and break-ins have resulted in deteriorating conditions in the buildings. This transfer will provide funds to secure the properties, remove contents from previous owners and current occupants, and remove extensive debris. This transfer will provide funds to secure seven groups of properties:

- 1) 220-222, 224, 226 W. Fayette St.; 101, 105, 107, 109-111, and 113-115 N. Howard Street;
- 2) 408-410, 412, and 414 N. Howard Street;
- 3) 415 N. Howard Street;
- 4) 435 N. Howard Street and 223-225 W. Franklin Street;
- 5) 419 N. Tyson Street;
- 6) 117-121 N. Howard Street, 223, 215 and 219 W. Lexington Street; and,
- 7) 201-213 W. Lexington Street.

Clearing debris, removing contents and rubble and removing collapsed ceilings, removing hazardous waste, draining fuel oil tanks, filling masonry openings with CMU (cinder block) will prevent further intrusion, and prevent further deterioration of historical components on the building. These efforts will improve conditions within the buildings and allow the City to preview the properties to private developers for the purpose of attracting private real estate investments and spur economic development. The Housing Department is assisting in this endeavor.

BOARD OF ESTIMATES

02/12/2014

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
2. \$ 600,000.00	9910-903975-9587	9910-905121-9588
31 st Comm. Dev.	Capital Adminis-	Capital Adminis-
Bonds	tration - Reserve	tration
This transfer will move appropriations in accordance with the FY 2014 Ordinance of Estimates for administrative costs associated with the management of the DHCD's bond funded Capital projects and programs.		
3. \$ 22,838.22	9910-904061-9588	9910-906041-9588
26 th Comm. Dev.	Chap Emergency	Settlement Expense
Bonds	Demolitions	Loan Program
		(SELP) Administra-
		tion Fees
This transfer will move approved appropriations from an account that has been inactive for years and is scheduled to be closed, to the SELP Administration Fees account to cover ongoing expenditures related to the Settlement Expense Loan Program.		
<u>Department of Recreation and Parks</u>		
4. \$ 25,000.00	9938-913001-9475	9938-901759-9474
General Fund	Reserve - Unallotted	Active - Park &
		Recreation Facil.
		Renov. FY09
This transfer will provide funds to cover the costs associated with the installation of interlocking sports flooring tile at Morrell Park Community Center under Blanket Order No. P516837.		

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of Recreation and Parks - cont'dTRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
5. \$ 4,000.00	9938-905776-9475	
State	Reserve - Recreation	
	Facility Expansion FY12	
12,000.00	" "	
Rec. & Parks		
<u>26th Series</u>		
\$ 16,000.00	-----	9938-906776-9474
		Active - Recreation
		Facility Expansion FY12

This transfer will provide funds to cover the costs associated with installation of a new electric service for CC Jackson Community Center.

6. \$ 10,000.00	9938-901744-9475	9938-904744-9474
Rec. & Parks	Clifton Park	Clifton Park
25 th Series	Recreation Center	Recreation Center
	- Reserve	-Active

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1164, Task #16 to GWWO, Inc.

Mayorality-Related/Department of Planning

7. \$ 500,000.00	9904-905335-9129	9904-908335-9127
26 th Recreation	Mt. Vernon Place	Mt. Vernon Place
& Parks Loan	Conservancy - Reserve	Conservancy -Active

This transfer will provide funds to Mount Vernon Place Conservancy, Inc. for the Restoration Project. The Mount Vernon Place Conservancy will be responsible for coordinating professional services for the project to restore, repair, replace and install improvements necessary and appropriate to effect the Restoration Plan for over five million dollars at the site (Mount Vernon Place, a National Historic Landmark in Baltimore is composed of the Washington Monument, four squares and attendant street and sidewalks) as approved by the Baltimore City Commission for Historical Architectural Preservation.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Mayorality-Related/Department of Planning</u>		
8. \$ 500,000.00	9904-905335-9129	9904-908335-9127
26 th Recreation	Mt. Vernon Place	Mt. Vernon Place
& Parks Loan	Conservancy -	Conservancy -
	Reserve	Active

This transfer will provide funds to Mount Vernon Place Conservancy, Inc. for the Restoration Project. The Mount Vernon Place Conservancy will be responsible for coordinating professional services for the project to restore, repair, replace and install improvements necessary and appropriate to effect the Restoration Plan for over five million dollars at the site (Mount Vernon Place, a National Historic Landmark in Baltimore is composed of the Washington Monument, four squares and attendant street and sidewalks) as approved by the Baltimore City Commission for Historical Architectural Preservation.

BOARD OF ESTIMATES

02/12/2014

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|-------------------------------------|-------------|-------------|
| 1. THE BALTIMORE
SUNPAPERS, INC. | \$39,000.00 | Sole Source |
|-------------------------------------|-------------|-------------|
- Solicitation No. 08000 - Tax Sale Ad 2014 - Department of Finance, Revenue Collections - Req. No. R655857

This purchase is for the annual tax sale advertisement for the Bureau of Revenue Collections. The Baltimore Sun is currently the only local newspaper with the circulation necessary to reach the largest possible audience in Baltimore City and Baltimore County.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.³

President: "The fifth item on the non-routine agenda can be found on Page 37, Item 1, Informal Awards, Renewals, Increases to Contracts and Extensions, Solicitation Number 08000, Tax Sale Ad 2014, Department of Finance, Revenue Collections. Will the parties please come forward?"

Mr. Jolivet: "Mr. President may I please be heard? Given the fact that I intend to withdraw this item, uh -- I would ask Mr. Krus to allow me to simply state to the Board why I think it's appropriate for me, in the interest of time, to withdraw it, but nonetheless state on the record why I am withdrawing it, and uh -- obviously Mr. Krus, you, you wanted to hear from Mr. Krus, but in light of the fact that I'm going to withdraw it, it makes

³ See protest letter following Page 477.

MINUTES

sense or if, if I can get, if I can get some agreement with that would it be alright for me to proceed?"

President: "Yes."

Mr. Jolivet: "Okay. I would -- I would like, if -- if I can, to withdraw that item uh -- because when I made the, when I made the complaint, uh -- it was, it was in the midst of an investigation or for a possible lawsuit uh -- against the City regarding what the City was doing regarding the weekly advertisements that the City gives to The Sunpapers and I could find no uh -- similar conduct uh -- on the part of the City with regard to this contract. So, therefore, uh -- when the City was doing is exerting pressure on The Sunpapers and several other local papers here, to refrain from writing critical stories about what was going on in the City, particularly about me, and but I could find no evidence at all that this was occurring on this particular contract. So, uh -- it would be appropriate, since the City has never, at least we don't have evidence that the City has done this same kind of heavy-hand tactics on this contract uh -- it was recommended by legal counsel that this particular contract not be challenged. So, with that in mind I would like to withdraw it."

MINUTES

President: "I entertain a Motion."

City Solicitor: "MOVE approval of the um -- item as submitted by the agency and uh -- accept the withdrawal of the protest."

Comptroller: "Second."

President: "All those in favor say AYE."

President: "All opposed NAY. The Motion carries."

* * * * *

BOARD OF ESTIMATES

02/12/2014

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

2. AMERICA ON DEMAND
OF MARYLAND, INC. \$15,360.00 Extension
Solicitation No. 07000 - Graphic Artist - Department of Housing
and Community Development - Req. No. R645834

On October 1, 2013, the City Purchasing Agent approved the initial award in the amount of \$15,360.00. The agency originally determined it would need the services of a graphic artist for a three month period. The agency has requested a three month extension of these services. The period of the extension is February 1, 2014 through April 30, 2014.

3. MYKA CORP. d/b/a CHEMDRY ELITE \$ 0.00 Renewal
Contract No. B50001761 - Provide Carpet, Drapery and Furniture
Cleaning Services for Various Baltimore City Buildings -
Department of General Services - P.O. No. P516733

On February 16, 2011, the Board approved the initial award in the amount of \$60,000.00. The award contained four 1-year renewal options. The first and second renewals were approved in the amount of \$0.00 on January 25, 2012 and December 5, 2012, respectively. This renewal in the amount of \$0.00 is for the period February 16, 2014 through February 15, 2015, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

4. CHESAPEAKE FLOW
SOLUTIONS, LLC \$100,000.00 Increase
Contract No. B50002013 - Instrumentation Parts - Department of
Public Works, Bureau of Water and Wastewater - P.O. No. P517870

On July 27, 2011, the Board approved the initial award in the amount of \$200,000.00.

BOARD OF ESTIMATES

02/12/2014

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

The award contained two 1-year renewal options. On January 9, 2013, the Board approved an increase in the amount of \$200,000.00. The increase in the amount of \$100,000.00 is necessary in order to match the agency usage rate during the contract's term to date. This increase in the amount of \$100,000.00 will make the award amount \$500,000.00. The contract expires on August 14, 2014, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|---------|
| 5. KERSHNER ENVIRONMENTAL TECHNOLOGIES, LLC | \$200,000.00 | Renewal |
| Contract No. 08000 - Furnish and Deliver Chlorination and De-Chlorination Parts - Department of Public Works, Bureau of Water and Wastewater- P.O. No. P519869 | | |

On March 28, 2012, the Board approved the initial award in the amount of \$200,000.00. The award contained two 1-year renewal options. On December 19, 2012, the Board approved an increase in the amount of \$300,000.00. This renewal in the amount of \$200,000.00 is for the period April 8, 2014 through April 7, 2015, with one 1-year renewal option remaining. The above amount is the estimated requirement.

- | | | |
|--|--------------|---------|
| 6. BLACKBOARD, INC. | \$ 65,205.00 | Renewal |
| Harford County Community College Contract No. 08P-008-E-Learning Contract Management System - Department of Human Resources - Req. No. R655656 | | |

On February 23, 2011, the Board approved the initial award in the amount of \$298,841.59. The award contained two 1-year renewal options. On February 11, 2013, the City Purchasing Agent decreased the award in the amount of \$59,708.15 due to a reduction in users. This renewal in the amount of \$65,205.00 is for the period February 23, 2014 through February 22, 2015, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

BOARD OF ESTIMATES

02/12/2014

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

7. L/B WATER SERVICE, INC.

NEPTUNE TECHNOLOGY

GROUP, INC

MUELLER SYSTEMS, LLC	\$ 0.00	Renewal
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Contract No. B50002280 - Supply of Water Meters & Components -
Department of Public Works, Bureau of Water and Wastewater -
P.O. Nos. P520121, P520122 and P520123

On April 11, 2012, the Board approved the initial award in the amount of \$36,176,223.70. The award contained three 1-year renewal options. This renewal in the amount of \$0.00 is for the period April 15, 2014 through April 14, 2015, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

8. DAZSER-BAL CORPORATION

d/b/a JANI-KING OF BALTIMORE	\$331,960.00	Increase
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Solicitation No. B50001751 - Janitorial Services for the
Department of General Services Area D - Department of General
Services - P.O. No. P518313

On September 21, 2011, the Board approved the initial award in the amount of \$464,880.00. The award contained two 2-year renewal options. On February 2, 2012, the City Purchasing Agent approved an increase in the amount of \$17,347.72. On October 17, 2012, the Board approved the first renewal in the amount of \$482,228.00. On February 27, 2013, the Board approved an increase in the amount of \$73,546.00. This increase in the amount of \$331,960.00 is necessary to provide funds for the remainder of the current term. This increase in the amount of \$331,960.00 will make the award amount \$1,369,961.72. The contract expires on October 15, 2014, with one 2-year renewal option remaining. The above amount is the City's estimated requirement.

BOARD OF ESTIMATES

02/12/2014

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases**MWBOO SET GOALS OF 20% MBE AND 10% WBE.**

MBE: Baltimore Janitorial Services	\$190,511.18	18.00%
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WBE: Fitch Dustdown Co., Inc.	\$ 11,373.53	1.06%
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MWBOO FOUND VENDOR IN COMPLIANCE.**A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.⁴**

President: "The final i--, the final item on the non-routine agenda can be found on Page 40, Informal Awards, Renewals, Increases to Contracts and Extensions, Solicitation No. B50001751, Janitorial Services for the Department of General Services Area D. Will the parties please come forward?"

Mr. Tim Krus: "Tim Krus, City Purchasing Agent. This is an increase to a competitively bid requirements contract to Dazser-Bal Corporation doing business as Jani-King."

President: "Mr. Jolivet."

Mr. Jolivet: "Yes, Mr. President. I have uh--"

President: "Please talk into the mic."

Mr. Jolivet: "I will. Uh - uh -- I have been before the Board on this identical issue before and I'm not sure that the Board gets it. In fact, I am sure the Board doesn't get it. Uh -- and

⁴ See protest letter following Page 477.

MINUTES

that is, plain and simple, Article VI, Section 11 imposes a mandatory requirement that the City's Bureau of Purchases, or for that matter, any other City agency, awards these kinds of contracts through the City's competitive bidding system, and any contract greater than \$50,000.00 must be awarded pursuant to formal competitive bidding practices. Now, Mr. Krus and even the Solicitor has maintained that once a contract of this kind has been awarded, that it can be increased almost unlimited, I think that is just an extraordinary unlawful premise. It doesn't, there, there is no way, there is nowhere in the Maryland legal authority that allows such prominent, unlimited, unfettered increase in a City contract. It doesn't exist. So, I just want to um -- I want to impress again on the City, and on this Board, because I strongly believe in my heart of hearts, that when you do this kind of thing, when the City continuously to add on and add on and add on and add on and increases a contract, it keeps, it literally locks out the little guy or the new guy or the lady who wants to enter the market, intentionally. It literally excludes the very people that the Mayor purports to want to get into the system. I'm not, I'm, I'm, I'm not, I don't feel that you're hearing me. I don't feel I'm not feeling that the Board fully understands what this kind of practice does to the market, to the minorities, and even to the City. And here's the argument

MINUTES

- there is a really strong concern that it hurts the minorities, it hurts the non-minorities, in fact, it hurts everybody. But Mr. President, do you know who it really hurts the most? It hurts the City taxpayers. That's where it hurts. And it hurts the City taxpayers. In the midst of, I read the other day, that we're increasing the tax on the cab and the transportation industry to get additional revenue which is fine. The City needs additional revenue. But my point is, when you, this Board, doesn't use the tools that the Charter has given them to get good, lowest responsive responsible dollar prices, you hurt the City. You hurt the City. That's what you do. And I want to read something into the record. I think it's important for me to read it into the record, and Mr. Nilson, you know -- I know that you know this already, but I'm going to give it to you again. I know that you know it, because I've heard you recite it. But I'm going to give it to you again. Hopefully, that it'll sink in and you'll understand what it means. In all due respect, in all due respect, here's what the Court of Appeals said in a very similar contract. Do I have to read it?"

City Solicitor: "No. It's the Hylton case right? The one I sleep on every night."

Mr. Jolivet: "I'm not going to read it. Mr. Nilson already knows it. I, I, I, I would, I would not do that to him. I will

MINUTES

respect him and hopefully that will sink farther in his head, and he will communicate it to the Mayor, and somebody will communicate it to you, and someone will communicate it to you, and someone will communicate it to you. But I respect that you're already aware of it, so I'm not going to do it publicly and maybe you and I will have some dialogue about it. But, it is the most extraordinary urgency that this Board takes, needs to take in order to not only come into compliance with the law, but to save taxpayers' money. The purpose of competitive bidding, the Court of Appeals said in Hylton vs. Boards the purpose of competitive bidding is for the benefit of the taxpayers and the public. Mr. Nilson, you know that. You know that."

President: "I entertain a Motion."

City Solicitor: "I would MOVE that approve the agency recommendation and respectfully the denial of the protest on this requirements contract increase."

Acting. Director of Public Works: "Second."

Mr. Krus: "Thank you."

President: "All those in favor say AYE."

President: "All opposed NAY. The Motion carries."

* * * * *

BOARD OF ESTIMATES

02/12/2014

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | |
|---|---|
| 9. SAFEWARE
INC. | Renewal and Consent to
\$ 25,000.00 Assignment Agreement |
| Contract No. B50002227 - Fire Hose Repair - Fire Department -
P.O. No. P518927 | |

The Board is requested to approve a renewal and the Consent to Assignment Agreement between F.L. Anderson Company and Safeware, Inc.

On December 20, 2011, the City Purchasing Agent approved the initial award to F.L. Anderson Company in the amount of \$25,000.00. The award contained three 1-year renewal options. On December 5, 2012, the Board approved the first renewal in the amount of \$25,000.00. Safeware, Inc. has acquired the rights, title, and interest in the F.L. Anderson Company and is requesting assignment of Contract B50002227. This request is late because of a delay in receiving the assignment agreement from the vendors. This second renewal in the amount of \$25,000.00 is for the period January 11, 2014 through January 10, 2015, with one 1-year renewal option remaining.

- | | | |
|---|---------|------------|
| 10. RAYTHEON PROFESSIONAL
SERVICES, LLC | \$ 0.00 | Correction |
| Contract No. 08000 - GM Vehicle and Commercial Technical
Training - Department of General Services, Fleet Management -
P.O. No. P518112 | | |

On August 17, 2011, the Board approved the initial award in the amount of \$67,940.00. The award contained two 1-year renewal options. On December 12, 2012, the Board approved a ratification and term order in the amount of \$65,000.00. On June 19, 2013, the Board approved the second renewal in the amount of \$50,000.00. The previously approved Board letter erroneously named the contractor as Raytheon Company, 870 Winter Street, Waltham, MA 02451 t/a Raytheon Professional

BOARD OF ESTIMATES

02/12/2014

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

Services, LLC. The correction is Raytheon Professional Services, LLC at 1200 S. Jupiter Road, Garland, Texas 75042. The contract expires on August 16, 2014, with two 1-year renewal options remaining.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions and correction (Item No. 10). The Board also approved and authorized execution of the consent to assignment agreement the Safeware Inc. (Item No. 9).

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of Transportation (DOT) - Traffic Mitigation Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Traffic Mitigation Agreement with ZAHLCO Construction & Design, LLC. The period of the Traffic Mitigation Agreement is effective upon Board approval and will terminate when deemed in writing by the DOT.

AMOUNT OF MONEY AND SOURCE:

\$7,279.30 - 9950-906082-9512-000000-490375

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 11-529, approved on November 22, 2011, determined that a Traffic Impact Study was required for the Development. The Developer proposes to perform the Scope of Work for the 612 Washington Boulevard, LLC located at 612 Washington Boulevard which will be constructing 32 dwelling units and 1,500 square feet of retail space.

The Developer agrees to make a one-time contribution in the amount of \$7,279.30 to fund the City's multimodal transportation improvements in the project's vicinity.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Traffic Mitigation Agreement with ZAHLCO Construction & Design, LLC.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of Transportation - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 015, to Rummel, Klepper & Kahl, LLP under Project 1161, On-Call Construction Project Management Services.

AMOUNT OF MONEY AND SOURCE:

\$ 32,316.75	-	9950-902335-9527-900020-703032
32,316.75	-	9950-905627-9527-900020-703032
32,316.75	-	9950-902323-9527-900020-703032
<u>\$ 96,950.25</u>		

BACKGROUND/EXPLANATION:

This authorization provides for constructability review, project management, and engineering review services on an on-call basis.

MBE/WBE PARTICIPATION:

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

MWBOO SET GOALS OF 32% MBE AND 9% WBE.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

BOARD OF ESTIMATES

02/12/2014

MINUTES

Dept. of Transportation - cont'd**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$173,625.16	9950-903293-9528	9950-902335-9527-3
MVR	Constr. Res.	Design and Study
	East Baltimore Dev.	EBDI Life Sciences
93,204.37	9950-902627-9528	9950-905627-9527-3
MVR	Park Circle	DOT Park Circle
<u>\$266,829.53</u>	Intersection	Intersection

This transfer will cover the deficit and fund the costs associated with Task No. 15, Project No. 1161, for On-Call Construction Project Management Services with Rummel, Klepper & Kahl, LLP.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 015, to Rummel, Klepper & Kahl, LLP under Project 1161, On-Call Construction Project Management Services. 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.

BOARD OF ESTIMATES

02/12/2014

MINUTES

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

The Board is requested to approve and authorize execution of a Release of Retainage Agreement for Santos Construction Company, Inc. for Contract No. TR 12005, Reconstruction of Alleys Various Locations.

AMOUNT OF MONEY AND SOURCE:

\$48,080.26 - 9950-905441-9504-000000-200001

BACKGROUND/EXPLANATION:

All work on Contract No. TR 12005 was completed on June 4, 2013. The contractor has requested a partial release of retainage in the amount of \$48,080.26. The City holds \$50,080.26 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City.

MWBOO HAS APPROVED THE RELEASE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Release of Retainage Agreement for Santos Construction Company, Inc. for Contract No. TR 12005, Reconstruction of Alleys Various Locations.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of Housing and - CDBG Grant Agreements
Community Development

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2013 through June 30, 2014.

1. **SOUTH BALTIMORE LEARNING CORPORATION, INC. \$ 51,370.00**

Account: 2089-208914-5930-438034-603051

The funds will subsidize a portion of the organization's operating costs. The organization will provide Adult Basic Education (ABE), Pre-GED, GED, tutoring and career counseling services to low- to moderate-income adults that reside in the City and have dropped out of high school. The funds will be utilized to subsidize the operating expenses.

MWBOO SET THE MBE GOAL AT 0% AND THE WBE GOAL AT 0%.

2. **PARKS HEIGHTS RENAISSANCE, INC. \$ 90,650.00**
(PHR)

Account: 2089-208914-5930-682162-603051

The funds will subsidize the PHR's operating expenses. The PHR will conduct a rehabilitation deferred loan program for low- and moderate-income owner occupant households that reside in the Park Heights Stabilization Area as defined by the Park Heights Master Plan. The PHR will assist homeowners with developing rehabilitation specifications, cost estimation, contractor selection and construction management.

FOR FY 2014, THE MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$29,700.00, AS FOLLOWS:

MBE: \$8,019.00

WBE: \$2,970.00

BOARD OF ESTIMATES**02/12/2014****MINUTES**DHCD - cont'd

On June 26, 2013, 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 2013 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME Investment Partnerships (HOME)
3. Emergency Solutions Grant (ESG)
4. Housing Opportunity for Persons with AIDS (HOPWA)

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, 2013 and beyond. Consequently, these 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 various agreements.

BOARD OF ESTIMATES

02/12/2014

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 TRF DP Holdings, LLC, for the sale of the City-owned properties located at 1241, 1243, and 1307 N. Broadway.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - 1241 N. Broadway
1,000.00 - 1243 N. Broadway
2,500.00 - 1307 N. Broadway
\$4,500.00 - Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest in 1241, 1243, and 1307 N. Broadway. The purchase price will be paid at the time of settlement.

The TRF DP Holdings, LLC will purchase the vacant row house known as 1307 N. Broadway for rehabilitation and sell or rent it as a single family home. The vacant lots known as 1241 and 1243 N. Broadway will be purchased for new construction and sale or rental from the City. The properties are located within the Gay Street and Broadway East Communities. The purchase price and improvements to the sites will be funded through private and state funding.

The authority to sell these properties is within Article 28, Subtitle 8 of the Baltimore City Code.

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

1307 N. Broadway is being sold for \$2,500.00 and 1241 and 1243 N. Broadway is being sold for \$1,000.00 each for a grand total of \$4,500.00. The waiver valuation process was used to determine the price for the properties as follows:

BOARD OF ESTIMATES

02/12/2014

MINUTES

DHCD - cont'd

- 1241 N. Broadway - \$2,016.00
- 1243 N. Broadway - \$2,016.00
- 1307 N. Broadway - \$6,484.00

The properties are being sold to TRF DP Holdings, LLC for less because of the following reasons:

1. the renovations will be to the specific benefit of the immediate community;
2. the transaction will eliminate blight from the block and eliminate blight from the neighborhood;
3. the sale and rehabilitation will return vacant buildings to the tax rolls; and
4. the properties are being sold less than the waiver determined value because of their condition which will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

The purchaser has agreed to comply with the Minority and Women's Business Enterprise Program of Baltimore City.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with TRF DP Holdings, LLC, for the sale of the City-owned properties located at 1241, 1243, and 1307 N. Broadway.

BOARD OF ESTIMATES

02/12/2014

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 TRF Development Partners - Baltimore, LLC for the sale of the City-owned properties located at 400, 404, 426, 429, 433, 434, and 445 E. Lanvale Street and 1701 and 1704-1706 Barclay Street.

AMOUNT OF MONEY AND SOURCE:

\$ 3,000.00	- 400 E. Lanvale Street
5,000.00	- 404 E. Lanvale Street
5,000.00	- 426 E. Lanvale Street
5,000.00	- 429 E. Lanvale Street
5,000.00	- 433 E. Lanvale Street
5,000.00	- 434 E. Lanvale Street
5,000.00	- 445 E. Lanvale Street
11,900.00	- 1701 Barclay Street
5,000.00	- 1704-1706 Barclay Street
\$49,900.00	- Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest in the above-mentioned properties. The purchase price will be paid at time of settlement.

The TRF Development Partners - Baltimore, LLC will purchase the vacant row houses 400, 404, 426, 429, 433, 434, and 445 E. Lanvale Street and 1701 Barclay Street for rehabilitation and either sale or rental as single family homes and the vacant lot known as 1704-1706 Barclay Street for new construction and either sale or rental from the City of Baltimore. The properties are located within the Greenmount West Community. The purchase price and improvements to the sites will be funded through private funding.

The authority to sell these properties is within Article 28, Subtitle 8 of the Baltimore City Code.

BOARD OF ESTIMATES

02/12/2014

MINUTES

DHCD - cont'd**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE VALUE DETERMINED BY THE WAIVER VALUATION PROCESS:**

404, 426, 429, 433, 434, and 445 E. Lanvale Street and 1704-1706 Barclay Street are being sold for \$5,000.00 each; 400 E. Lanvale Street is being sold for \$3,000.00; and 1701 Barclay Street is being sold for \$11,900.00, for a grand total of \$49,900.00. The Waiver Valuation Process determined the price for each property to be as follows:

- 400 E. Lanvale Street - \$7,000.00
- 404 E. Lanvale Street - \$7,000.00
- 426 E. Lanvale Street - \$7,000.00
- 429 E. Lanvale Street - \$7,000.00
- 433 E. Lanvale Street - \$7,000.00
- 434 E. Lanvale Street - \$7,000.00
- 445 E. Lanvale Street - \$7,000.00
- 1701 Barclay Street - \$7,000.00
- 1704-1706 Barclay Street - \$4,400.00

Except for 1701 Barclay Street, the properties are being sold to TRF Development Partners - Baltimore, LLC for less because of the following reasons:

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

MBE/WBE PARTICIPATION:

The purchaser has agreed to comply with the Minority and Women's Business Enterprise Program of Baltimore City.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with TRF Development Partners - Baltimore, LLC for the sale of the City-owned properties located at 400, 404, 426, 429, 433, 434, and 445 E. Lanvale Street and 1701 and 1704-1706 Barclay Street.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of General Services (DGS) - Temporary Construction
Easement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Temporary Construction Easement with Beechfield United Methodist Church. The period of the Temporary Construction Easement is effective upon Board approval for five years with a renewal option for one additional year.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - 9950-902315-9506-900020-704040

BACKGROUND/EXPLANATION:

The Department of Transportation (DOT) is proposing to replace the Edmondson Avenue Bridge. A portion of the property located at 3001 Edmondson Avenue owned by Beechfield United Methodist Church will be needed for use as Temporary Construction Easement. The DGS determined the fair market value of the Temporary Construction Easement to be \$1,000.00 for a period of five years. This Agreement allows the City's contractor to place fill and a silt fence within the easement area in conjunction with the DOT project No. TR-01041.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Temporary Construction Easement with Beechfield United Methodist Church.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of General Services - Capital Projects Grant
Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Capital Projects Grant Agreement with the State of Maryland to replace the Capital Projects Grant Agreement with the State of Maryland, which was approved by the Board on March 28, 2012.

AMOUNT OF MONEY AND SOURCE:

\$110,000.00 - State of Maryland Capital Grant

BACKGROUND/EXPLANATION:

On March 28, 2012, the Board approved a Capital Projects Grant Agreement with the State of Maryland to secure an \$110,000.00 grant for the renovation of the Roland Park Fire Station. The Agreement was contingent on the Board of Public Works of the State of Maryland's acceptance of the grant application and the commitment of \$20,000.00 in matching funds from the City, which were provided by the Fire Department. The Grant Agreement was submitted to the State's Department of General Services on or about November 19, 2012 for review. However, before the Capital Projects Grant Agreement was put on the agenda for the Board of Public Works' approval, the amendment to the original Bond Bill was granted which revised the scope and extended the grant deadline from December 1, 2012 until December 1, 2013. Therefore, the State prepared a new Capital Projects Grant Agreement reflecting these changes to replace the Capital Grant Agreement the Board originally approved March 28, 2012.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Capital Projects Grant Agreement with the State of Maryland to replace the Capital Projects Grant Agreement with the State of Maryland, which was approved by the Board on March 28, 2012.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Department of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 1035 S. Charles St.	1035 S. Charles Street, LLC	Retain mansard cornice w/8 recessed lights, one flat sign 16' x 1'
Annual Charge: \$411.20		
2. 1129 S. Charles St.	1120 South Charles, LLC	Retain double face banner sign 4' x 3', two display cases 1' x 1'7", three spot reflectors
Annual Charge: \$158.40		
3. 1624 E. Fort Ave.	NMW, LLC	Retain flat sign 9' x 2½', double face sign 12' x 2'
Annual Charge: \$105.60		
4. 50 Albemarle St.	1840's Inn, LLC	Retain awning w/signage 5' x 4', two flat signs 3' x 2' and 4' x 2', one Spot reflector
Annual Charge: \$158.30		
5. 919 Eastern Ave.	Annemarie Galeone	Retain balcony 5' x 1½', five spot reflectors
Annual Charge: \$228.60		
6. 801 S. Decker Ave.	RBS Enterprises, LLC	Retain dumpster 7' x 6
Annual Charge: \$588.00		

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

UPON MOTION duly made and seconded, the Board approved the Minor Privilege Permits.

BOARD OF ESTIMATES

02/12/2014

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Fire Department</u>			
1. Stephen Karas Michael Hudson	Ice Rescue Training, Train the Trainer Portland, ME February 20 - 24, 2014 (Reg. Fee \$1,895.00 ea.)	FY12 SHSP Grant	\$4,753.68

The registration fee of \$1,895.00 each includes three nights lodging and meals. The air transportation and registration was paid by City Procurement card assigned to Mr. Scott Merbach. The Department is requesting one day of subsistence because there is no returning flight after the course ends until the next day. The subsistence rate for this location is \$154.00 night per person. The hotel cost is \$98.00 excluding hotel tax of \$7.84 per person. The amount to be disbursed to each attendee is \$191.84 each.

Police Department

2. Randy J. Pope	ATF Advanced Explosives Destruction Techniques Mar. 10 - 21, 2014	\$ 0.00
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No costs are incurred by the Baltimore Police Department, as the FBI provides transportation, housing, meals, and training.

3. Virginia R. Cates Tatyana Gonikman Christina Hurley*	2014 American Academy of Forensic Sciences 66 th Annual Scientific Meeting Feb. 16 - 22, 2014 Seattle, WA (Reg. Fee \$625.00) (Reg. Fee \$525.00)*	2013 DNA Backlog Grant	\$7,077.50
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BOARD OF ESTIMATES

02/12/2014

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>City Council President's Office</u>			
4. Bernard C. Young* Carolyn Blakeney	2014 ICSC Recon Convention Las Vegas, NV May 17 - 21, 2014 (Reg. Fee \$625.00) (Reg. Fee \$530.00)*	General Funds	\$4,766.00

The subsistence rate for this area is \$163.00 per day. The Hotel rate is \$245.00 per night plus a \$25.00 per night resort fee with a 12.00% per night hotel tax. The City Council President's Office is requesting additional subsistence in the amount of \$82.00 per night to cover the hotel accommodations, and \$40.00 per day to cover the cost of food. The additional subsistence totaling \$488.00 has been added to the total. The airfare and registration fees were purchased using a City-issued credit card assigned to Mr. Hosea T. Chew. Therefore, the disbursement amount to Mr. Young and Ms. Blakeney will be \$1,369.60 each.

Department of Transportation

5. Rudolf Victor-Dinglas	American Society for Public Administration 2014 Annual Conf. and Conf. on Minority Public Administrators (COMPA) Washington, DC March 13 - 18, 2014 (Reg. Fee \$659.00)	General Funds	\$1,078.00
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The Department is requesting an additional \$20.00 for one day because Mr. Victor-Dinglas will be attending the COMPA Conference on March 13, 2014. The COMPA registration fee in the amount of \$300.00 was paid by EA000134727. The amount of funds that will be disbursed to Mr. Victor-Dinglas is \$778.00.

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

MINUTES

PERSONNEL:Department of Human Resources - Personnel MatterDepartment of General Services

The Board is requested to approve the following Personnel matter:

1. Reclassify the following position No. 1981-49911:

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

To: Property Location Supervisor
Job Code: 72635
Grade: 113 (\$47,600.00 - \$66,800.00)

Cost: \$9,132.00 - 1001-000000-1981-194600-601001

THE PERSONNEL MATTER WAS APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above personnel matter.

MINUTES

ACKNOWLEDGMENT

President: "Uh -- Mr. Nilson."

City Solicitor: "Uh -- I'd like to ask Liz Clark Rinehart to just stand up so that the Board members can just meet the Law Department's newest legal intern. Uh -- Miss Clark Rhinehart is working with us under the able guidance of Elva Tillman and Sandy Gutman. She is a student, uh -- I think she's finishing up her let's see she's got a little more to go, at Maryland Law School. She's recently been elected the Editor-in-Chief of the Law Review and she's an outstanding intern in a long line of other outstanding interns that have worked with us. Nice to have you with us, Liz."

* * * * *

President: "There being no more business before the Board, the meeting will recess until bid opening at 12 Noon. Thank you."

BOARD OF ESTIMATES

02/12/2014

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.

Department of Transportation - TR 12313, Herring Run
Greenway, Phase I
BIDS TO BE RECV'D: 02/26/14
BIDS TO BE OPENED: 02/26/14

Department of Transportation - TR 14018, Materials Testing
2014 Various, Projects
City Wide
BIDS TO BE RECV'D: 02/26/14
BIDS TO BE OPENED: 02/26/14

Bureau of Purchases - B50003322, Consultants
Facilitators Trainers
BIDS TO BE RECV'D: 02/26/14
BIDS TO BE OPENED: 02/26/14

BOARD OF ESTIMATES

02/12/2014

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 Water and - WC 1254, Water Infrastructure
Wastewater Rehabilitation, Various Locations

Spiniello Infrastructure Worldwide
Mainlining Services, Inc.
J. Fletcher Creamer & Son, Inc.
Metra Industries

Bureau of Purchases - B50003300, Hackathon Events Support

Greater Baltimore Technology Council
Digital Harbor, FDN

Bureau of Purchases - B50003315, Smoke Alarms

W. W. Grainger Industrial Supply
HD Supply
Fastenal Company
Asset Lighting & Electric Inc.
Smoke Alert Home Fire Safety
Sky Resources, LLC
Brunning Business Services
Ferguson Enterprises
Legal Services Associates, Inc.
Capital Tristate

Bureau of Purchases - B50003332, Lead Testing

Advanced Air Analysis, Inc.
Soil and Land Use Technology, Inc.
Connor*
ARC Environmental, Inc.
KCI Technologies, Inc.

*UPON MOTION duly made and seconded, the Board declared the bid of Connor **NON-RESPONSIVE** due to the company's since the bid was not accompanied by bid deposit check or an annual bid bond, as required by the provisions of the City Charter and as set forth in the specifications.

BOARD OF ESTIMATES

02/12/2014

MINUTES

Bureau of Purchases - B50003345, Tub Grinding of Trees,
Stumps, Etc.

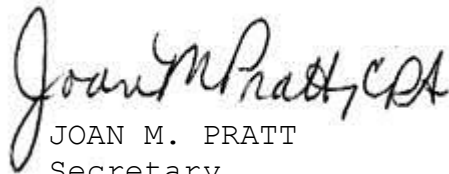
Level Land, Inc.
Hawkeye Construction
Harvest RGI, LLC

Bureau of Purchases - B50003355, OEM Parts and Services
for Bobcat Equipment

Metro Bobcat Sales

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There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, February 26, 2014.


JOAN M. PRATT
Secretary