

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
Rudolph S. Chow, Director of Public Works - **ABSENT**
David E. Ralph, Deputy City Solicitor
S. Dale Thompson, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Good Morning, the August 26, 2015, meeting of the Board of Estimates is now called to order. In the interest of promoting the efficiency of these hearings, persons who are disruptive to the hearings will be asked to leave the hearing room immediately. I will direct the Board members attention to the memorandum from my office dated August 24, 2015, 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."

MINUTES

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

Comptroller: "Second."

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

The Motion carries, the routine agenda has been adopted."

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MINUTES

Parking Authority of - Parking Facility Rate Adjustment
Baltimore City (PABC)

ACTION REQUESTED OF B/E:

The Board is requested to approve an adjustment to the monthly rate at the City-owned Arena Garage, located at 99 S. Howard Street that is managed by the PABC. The Parking Facility Rate Adjustment is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The PABC is charged with managing the City of Baltimore's parking assets. Proper stewardship of those assets requires that the PABC realize the best possible return on the City's parking investments.

Pursuant to Article 31, §13(f)(2) of the Baltimore City Code, subject to the approval of the Board of Estimates, the PABC may set the rates for any parking project. The PABC believes that rate adjustments at this parking facility are warranted at this time.

To bring the monthly rate charged at the Arena Garage in line with its surrounding facilities, the PABC staff developed the submitted rate adjustment recommendation. This rate adjustment was unanimously approved by the PABC Board of Directors.

MINUTES

PABC - cont'd

Location	Proposed Transient Rate Changes	Proposed Monthly Rate Changes			
Arena Garage	No Proposed rate adjustments	Regular Monthly Rate			
		Regular Rate	Current Rate \$ 160.00	Proposed Rate \$165.00	Last Rate Change January 2014

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the adjustment to the monthly rate at the City-owned Arena Garage, located at 99 S. Howard Street that is managed by the PABC.

MINUTES

Parking Authority of - Parking Facility Rate Adjustment
Baltimore City (PABC)

ACTION REQUESTED OF B/E:

The Board is requested to approve an adjustment to the transient rates at the City-owned Baltimore Street Garage, located at 15 Guilford Avenue that is managed by the PABC. The Parking Facility Rate Adjustment will be effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The PABC is charged with managing the City of Baltimore's parking assets. Proper stewardship of those assets requires that the PABC realize the best possible return on the City's parking investments.

Pursuant to Article 31, §13(f)(2) of the Baltimore City Code, subject to the approval of the Board of Estimates, the PABC may set the rates for any parking project. The PABC believes that rate adjustments at this parking facility are warranted at this time.

To bring these transient rates charged at Baltimore Street Garage in line with its surrounding facilities, the PABC staff developed the submitted rate adjustment recommendations. These rate adjustments were unanimously approved by the PABC Board of Directors.

MINUTES

PABC - cont'd

Location	Proposed Transient Rate Changes			Proposed Monthly Rate Changes
Baltimore Street Garage	Regular Transient Rates			Regular Monthly Rate
	Current Rate	Proposed Rate	Last Rate Change	No Proposed rate adjustment
	Up to 2 hours \$ 11.00	\$ 12.00	June 2014	
	Up to 3 hours \$ 14.00	\$ 15.00	June 2014	

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the adjustment to the transient rates at the City-owned Baltimore Street Garage, located at 15 Guilford Avenue that is managed by the PABC.

MINUTES

Circuit Court for Baltimore City - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Grant Award from the Behavioral Health Systems Baltimore, Inc. to the LINKS Project. The period of the Grant Award is July 1, 2015 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$17,500.00 - 5000-540216-1100-109400-405001

BACKGROUND/EXPLANATION:

The LINKS Project is a part of the Juvenile Court Services office established in 2004 to address the immediate support needs of youth and families involved in the child welfare and delinquency system. The LINKS Project serves nearly 250 youth and families each year. Traditionally, referrals are made directly by Juvenile Court masters and judges.

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 a Grant Award from the Behavioral Health Systems Baltimore, Inc. to the LINKS Project.

MINUTES

Baltimore City District Court - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statement for Ms. Cory Pollock for the month of April 2015.

AMOUNT OF MONEY AND SOURCE:

\$172.80 - 4000-400515-1100-576600-603050

BACKGROUND/EXPLANATION:

Ms. Pollock LCSW-C incurred this expense for a conference required in her position as a Clinical Social Worker, Mental Health evaluator for the Baltimore City District Court, Medical Services FAST program. This request was originally submitted by mail by Ms. Pollock back in April 2015; however, it was not received by the Medical Services Division for approval until July 2015. The original request appeared to have been lost in the mail and therefore is being resubmitted.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statement for Ms. Cory Pollock for the month of April 2015.

MINUTES

Police Department - Grant Awards

The Board is requested to approve and authorize acceptance of the Grant Awards. The period is July 1, 2015 through June 30, 2016, unless otherwise indicated.

1. **GOVERNOR'S OFFICE OF CRIME** **\$ 15,152.00**
CONTROL AND PREVENTION

Account: 5000-597416-2041-195800-600000

The New/Replacement Body Armor grant will provide funding to replace 16 vests with imminent expiration dates for sworn officers and 16 new vests for anticipated new hires.

2. **GOVERNOR'S OFFICE OF CRIME** **\$2,763,600.00**
CONTROL AND PREVENTION

Account: 5000-511216-2041-196700-600000

The Neighborhood Foot Patrol Program grant will provide funds to assist the Police Department to continue its pursuit to strengthen communities and eliminate violent crime. The Neighborhood Foot Patrol Program will deploy police officers to walk foot patrol throughout communities to bolster public trust, significantly reduce violent crime, and improve public safety in the City.

3. **GOVERNOR'S OFFICE OF CRIME** **\$ 50,189.00**
CONTROL AND PREVENTION

Account: 5000-587916-2013-212900-600000

The Domestic Violence Unit Program grant is designed to increase the efficiency and effectiveness of ex-parte/protective order data entry services and to reduce the high occurrence of domestic violence in the City.

MINUTES

Police Department - cont'd

This grant will provide funding for the services of a contractual administrative assistant who will provide data entry and coordination of the overall operation of the program, while Police Officers will work on an overtime basis to increase the number of orders served.

4. **GOVERNOR'S OFFICE OF CRIME** **\$ 65,000.00**
CONTROL AND PREVENTION

Account: 5000-597116-2013-212900-600000

The Police Department's Gun Violence Reduction Program grant assists in developing and implementing strategies specifically intended to reduce gun related crimes in the State of Maryland. The goal is to reduce firearm related crimes by supporting the Multi-Jurisdictional Gun Trace Task Force and Baltimore's Gun Offender Registry. This award funds a Data Entry Operator and a Gun Trace Analyst.

5. **GOVERNOR'S OFFICE OF CRIME** **\$2,454,422.00**
CONTROL AND PREVENTION

Account: 5000-511516-2013-198400-600000

The Violent Crime Reduction-Drug Interdiction Initiative grant provides the Police Department with the resources to combat violent crime and drug related violence. This project will deploy Police Officers to suppress violent crime and deter the creation of street level drug organizations.

MINUTES

Police Department - cont'd

The officers will target violent offenders, eliminate open air drug markets, dismantle violent drug organizations, dismantle gang recruitment capabilities, and debrief all arrestees' forwarding information to other units.

The Grant Awards are late because the notice of awards was not received until recently.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the foregoing Grant Awards. Item no. 2 was **DEFERRED** until September 9, 2015.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. Geraldine Cottman, a Life Estate With Full Powers, Remainder to Stephanie A. Cottman, Regina M. Cottman and Roslyn D. Cottman as Joint Tenants	4723 Park Heights Ave.	F/S	\$12,500.00

Funds are available in account 9910-903183-9588-900000-704040,
Park Heights 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.

DHCD - Condemnations

2. Kwang E. Lee and Ok S. Lee	4804 Park Heights Ave.	F/S	\$75,000.00
Funds are available in account 9910-903183-9588-900000-704040, Park Heights Project.			

3. Frank Angelo Manno and Rose Elizabeth Manno	4841 Park Heights Ave.	G/R \$120.00	\$ 800.00
Funds are available in account 9910-903183-9588-900000-704040, Park Heights Project.			

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations - cont'd</u>			
4. Clarence Small and Annie Mae Small as life tenants and Peggy Abdool (deceased), Clarence Small, Jr., Francois A. Abdool, Taber Jamal Small and Sharif Jamal Small	4817 Park Heights Ave.	L/H	\$29,700.00

Funds are available in account 9910-903183-9588-900000-704040,
Park Heights Project.

DHCD - Condemnation/Redemption

5. Frieda and Manny Peretz	900 N. Castle St.	Sub-G/R \$78.00	\$ 520.00
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Funds are available in account 9910-906409-9588-900000-704040,
EBDI Project Phase II.

The Board is requested to approve acquisition of the ground rent interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for this property.

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

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payment of Settlement</u>			
6. CE Realty, LLC (Previous Owner)	4666 Park Heights Ave.	F/S	\$25,000.00

Funds are available in account 9910-903183-9588-900000-704040, Park Heights Project.

On September 17, 2014, the Board approved the acquisition of the Fee Simple interest in the property located at 4666 Park Heights Avenue for the amount of \$10,000.00 based upon an independent appraisal report. The previous owner produced a report that valued the property at \$72,375.00. After negotiations, the parties agreed to settle the case for \$35,000.00. Therefore, the Board is requested to approve an additional \$25,000.00 in settlement of the case.

UPON MOTION duly made and seconded, the Board approved the Option, the Condemnations, the Condemnation/Redemption, and the Payment of Settlement.

MINUTES

TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfer of Funds

listed on the following page:

2965

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 Mayor **ABSTAINED** on item no. 1.

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Mayorality-Related/Department of Planning</u>		
1. \$100,000.00 General Funds	9904-922027-9129 Capital Project Priorities - Reserve	9904-922027-9197 Broadband Infra- structure Plan - Active

This transfer will provide funds for the Smarter City Initiative. This initiative will provide oversight and coordination of the Baltimore City fiber assets, including City-owned and controlled, as well as other public and private assets, creating metrics to establish benchmarks for broadband in Baltimore City, developing pilot projects in coordination with MOIT and City agencies to demonstrate the viability of using the City's owned and peered assets to enable broadband deployment. Creating a more robust broadband infrastructure is key to achieving the City's goals across various areas including economic development, workforce development, public safety, and transportation. Coordinating the several activities across the various contributing entities, both with Baltimore City government agencies and offices and with external agents is critical to success.

MINUTES

Mayors' Office of - Agreements and Amendment to Grant Agreement
Human Services

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

1. **BEHAVIORAL HEALTH SYSTEMS BALTIMORE, INC. \$69,760.00**

Account: 4000-486316-6051-452200-603051

Behavioral Health Systems Baltimore, Inc. will use funds to provide mental health services in conjunction with the City's Head Start programs. The recipients of the services are the children and families participating in the Head Start programs. The period of the agreement is July 1, 2015 through June 30, 2016.

The agreement is late because of a delay in the receipt of funding from the Office of Head Start.

MWBOO GRANTED A WAIVER.

2. **THE WOMEN'S HOUSING COALITION, INC. \$ 66,589.50**

Account: 4000-496215-3573-591435-603051

The Women's Housing Coalition, Inc. will provide permanent housing and supportive services to 29 individuals. The period of the agreement is October 1, 2015 through September 30, 2016.

MWBOO GRANTED A WAIVER.

MINUTES

Mayor's Office of - cont'd
Human Services

3. JOBS, HOUSING AND RECOVERY, INC. \$100,496.00

Account: 4000-496215-3573-591458-603051

Jobs, Housing and Recovery, Inc. will provide permanent housing and supportive services to seven households. The period of the agreement is October 1, 2015 through September 30, 2016.

MWBOO GRANTED A WAIVER.

GRANT AGREEMENT

4. MANNA HOUSE, INC. \$89,736.00

Account: 1001-000000-3572-327220-603051

Manna House, Inc. will provide breakfast and case management to 50 homeless men per day in the City. The period of the agreement is July 1, 2015 through June 30, 2016.

The agreement is late because of delays at the administrative level.

MWBOO GRANTED A WAIVER.

AMENDMENT TO CONTRACT

5. MARIAN HOUSE, INC. \$90,580.00

Account: 4000-496215-3572-591419-603051

On March 4, 2015, the Board approved an agreement with Marian House, Inc. in the amount of \$58,068.00. This amount was incorrect, the correct amount is \$90,580.00. The mistake occurred at the administrative level. This Amendment No. 1 to contract will correct the amount of the agreement. All other terms of the agreement will remain the same. The period of the agreement is March 1, 2015 through February 29, 2016.

MWBOO GRANTED A WAIVER.

MINUTES

Mayor's Office of - cont'd
Human Services

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Agreements and the Amendment to Grant Agreement.

MINUTES

Mayor's Office on Criminal Justice - Notice of Extension

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the Notice of Extension of the Intergovernmental Agreement with the Housing Authority of Baltimore City (HABC). The period of the extension is July 1, 2015 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$400,000.00 - 1001-000000-2251-247700-603026

BACKGROUND/EXPLANATION:

The HABC and Baltimore City have entered into intergovernmental agreements since 2009 for the purpose of maintaining, repairing, replacing, and upgrading HABC security cameras and associated equipment. Currently, there are 182 cameras in operation and maintained by the City as part of the CitiWatch system. The extension will continue this partnership for fiscal year 2016.

The Notice of Extension is late because of the administrative process.

MBE/WBE REQUIREMENT:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the Notice of Extension of the Intergovernmental Agreement with the Housing Authority of Baltimore City.

MINUTES

Mayor's Office of Employment Development - Inter-governmental Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Inter-governmental Agreement with the Department of Human Resources, Baltimore City Department of Social Services (DHR/BCDSS). The period of the agreement was June 29, 2015 through August 7, 2015.

AMOUNT OF MONEY AND SOURCE:

\$1,000,000.00 - 4000-809615-6397-456000-404001

BACKGROUND/EXPLANATION:

The purpose of the Inter-governmental Agreement was to provide funding for the 2015 Youth Works Summer Jobs Program. The program provided summer employment and training opportunities to eligible Baltimore City residents between the ages of fourteen and twenty-one. These opportunities included work experiences with private sector, nonprofit, and City and State government employers throughout Baltimore.

This Inter-governmental Agreement is late because of the additional time necessary to reach a comprehensive understanding between the parties.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Inter-governmental Agreement with the Department of Human Resources, Baltimore City Department of Social Services.

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 EHM @ Harwood, LLC, Developer, for the sale of the City-owned vacant buildings located at 452 E. Lorraine Avenue and 423 Whitridge Avenue, in the Harwood neighborhood.

AMOUNT OF MONEY AND SOURCE:

\$ 5,000.00 - 452 E. Lorraine Avenue
5,000.00 - 423 Whitridge Avenue
\$10,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The properties will be purchased and renovated with a combination of public funds and grants. The Developer will receive approximately \$100,000.00 from the City through the use of Bond funds. The Developer also received a \$30,000.00 lead paint abatement grant from the DHCD, State of Maryland, and a \$50,000.00 loan from the France-Merrick Foundation.

The project will consist of two City-owned vacant buildings to be totally rehabilitated and returned to residential use as single-family dwellings. When completed, the properties will be rented to low-income tenants with disabilities at affordable rates.

The properties have been journalized and approved for sale on June 27, 2011 and December 22, 2010, respectively.

MINUTES

DHCD - cont'd

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

N/A - The properties are being sold at the price determined in accordance with the Appraisal Policy of Baltimore City through the Waiver Valuation process.

MBE/WBE PARTICIPATION:

The Developer will purchase the properties for a price that is less than \$50,000.00 and will receive City funds or incentives for the purchase or rehabilitation; therefore, MBE/WBE is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with EHM @ Harwood, LLC, Developer, for the sale of the City-owned vacant buildings located at 452 E. Lorraine Avenue and 423 Whitridge Avenue, in the Harwood neighborhood.

MINUTES

Department of Housing and - Community Development Bond Fund
Community Development Deferred Loan

ACTION REQUESTED OF B/E:

The Board is requested to approve a Community Development Bond Fund Deferred Loan (Bond Fund Loan) to EHM @ Harwood, LLC (Borrower), a wholly owned-subsiary of Empire Homes of Maryland, Inc. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction SUBJECT to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

<u>Sources</u>		<u>Uses</u>	
CDA/Shelter & Transitional Grant Funds	\$266,393.00	Construction	\$384,058.00
City Community Development Bond Funds	115,000.00	Fees Related to Construction	32,870.00
CDA/Lead Paint Grant	30,000.00	Financing Fees	16,032.00
Affordable Housing Trust	50,000.00	Acquisition	13,100.00
France-Merrick Foundation	50,000.00	Development Fee	60,567.00
Deferred Development Fee	<u>12,234.00</u>	Reserves	<u>17,000.00</u>
Total	\$523,627.00		\$523,627.00

Account: 9910-907835-9588

MINUTES

DHCD - cont'd

BACKGROUND/EXPLANATION:

Proceeds of the Bond Fund Loan will be used to support a portion of the hard and construction-related costs for the rehabilitation of properties located at 452 East Lorraine Avenue and 423 Whitridge Avenue in the Harwood Community of Baltimore City.

Empire Homes of Maryland, Inc. (EHM) is a non-profit Community Housing Development Organization whose mission is to develop, manage, and maintain affordable residential properties for low-income individuals and those with disabilities. The EHM provides multiple housing options that include transitional housing, scattered site independent living, single-family homes, mid-sized multi-family buildings, and an assisted living facility. Since 2002, the EHM has developed, managed, or leased housing throughout Baltimore City and Baltimore County. Using a wide range of public and private financing sources, the EHM has developed in excess of 303 units of scattered site supportive rental housing. The organization serves special populations (i.e., disabled, homeless youth and adults, and persons living with HIV/AIDS) whose incomes are at or below 30% of the area median income, adjusted for family size.

In the summer of 2014, the EHM submitted a proposal for capital assistance through the DHCD's Notice of Funding Availability process for the redevelopment of 423 Whitridge Avenue and 452 East Lorraine Avenue in the Harwood Community of Baltimore City. The EHM will acquire the houses from the City through the Vacants to Value program. The houses have completely deteriorated and are in need of total reconstruction. When completed, the two and three-bedroom single-family row houses will allow the EHM to serve homeless families from the City's Continuum of Care waitlist.

MINUTES

DHCD - cont'd

The residents will receive the benefit of the EHM's Sponsored Based Shelter Plus Care subsidies to cap the resident portion of the rents to no more than 30% of their income. As required by the Shelter Plus Care program, supportive services and case management will be available to the residents. The housing units must remain affordable for 15 years.

PARTICIPATING PARTIES**A. Owner/Developer**

EHM @ Harwood, LLC will be the borrower of record. The Borrower is a wholly owned subsidiary of EHM.

B. General Contractor/Architect

Maryland Bay Construction, Inc. will act as the general contractor and will post a 100% Payment and Performance Bond. ATI, Inc. will provide architectural services.

C. Participating Lenders:**CDA - 1st lien position**

The Community Development Administration (CDA), a unit of the Division of Development Finance of the Maryland Department of Housing and Community Development, will be providing a grant from its Shelter and Transitional Housing Facility Grant Program funds in the amount of \$266,393.00 (the State Grant). The State Grant will be recoverable and in first lien position. Sponsors must agree to maintain the project for its intended use for a minimum of 15 years.

MINUTES

DHCD - cont'd

Baltimore City Bond Fund Deferred Loan - 2nd lien position

During the construction phase, interest will be at the rate of zero percent per annum on sums advanced. During the Permanent Loan Period, the interest rate charged would be at the rate of zero percent per annum. The construction phase will be for a period not to exceed 12 months from the date of closing which includes time permitted for cost certification, if required. The Permanent Loan Period will be no less than 15 years commencing at the end of the construction phase (the Permanent Loan Period). It is intended that if the Borrower complies with all applicable terms and covenants of the loan, the payment of the outstanding principal will be forgiven at the Maturity Date of the loan. The entire principal and any interest will be due and payable in the event of a refinancing, sale, transfer, conveyance or any encumbrance of the Project or portion thereof without prior written consent of DHCD. Should an event of default occur, interest will accrue from the date of the default at the prime rate of interest plus four percent (P+4%). The last day of the Permanent Loan Period will constitute the Maturity Date. The Bond Fund Loan will be long-term, subordinate, non-recourse debt.

Grants & Deferred Developer Fee

The project expects to include as gap financing grants in the approximate amounts of \$50,000.00 from the Frances-Merrick Foundation and \$50,000.00 from the Maryland Affordable Housing Trust Program. The CDA will also provide a grant from its Special Loan Program funds, a Lead Paint Abatement Grant in the amount of \$30,000.00.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

Article 5, Subtitle 28 of the Baltimore City Code for Minority and Women's Business Opportunity is fully applicable and no request for a waiver of exception has been made.

THE DEPARTMENT OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$115,000.00	9910-902848-9587	9910-907835-9588
30 th Comm. Dev. Bonds	Home Program - Reserve	EHM @ Harwood

This transfer will provide Community Development Bonds for the construction costs to rehabilitate a property in the Harwood Community of Baltimore City.

UPON MOTION duly made and seconded, the Board approved the Community Development Bond Fund Deferred Loan (Bond Fund Loan) to EHM @ Harwood, LLC, a wholly owned-subsubsidiary of Empire Homes of Maryland, Inc. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this

MINUTES

DHCD - cont'd

Transaction, SUBJECT to review and approval for form and legal sufficiency by the Department of Law. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Housing and - Weatherization Assistance
Community Development Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Weatherization Assistance Grant Agreement with the Maryland Department of Housing and Community Development, (MD-DHCD). The period of the Weatherization Assistance Grant Agreement is effective upon Board approval through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$1,063,042.00 - 5000-594114-5971-439500-603051

BACKGROUND/EXPLANATION:

The Federal Department of Energy (DOE) has authorized the State of Maryland to operate a Weatherization Assistance Program (WAP) for low income families in the State of Maryland pursuant to the provisions of the Energy Conservation and Production Act, 42 U.S.C. Section 6851 et seq., as amended (the Act) and the federal regulations set forth in 10 CFR Part 440, as amended.

The Department is receiving \$1,063,042.00 in DOE 2015 funds to continue its operation of the WAP. Approximately 200 low-income families will benefit from these services during the period of the grant.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Weatherization Assistance Grant Agreement with the Maryland Department of Housing and Community Development.

MINUTES

Department of Housing and Community Development - Community Development
Community Development (DHCD) Bond Fund Loan

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a Community Development Bond Fund Loan (the City Bond Loan) to the CHAI-Fallstaff Limited Partnership (the Borrower), a wholly owned subsidiary of Comprehensive Housing Assistance, Inc. (CHAI). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction SUBJECT to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

<u>Sources</u>		<u>Uses</u>	
TRF Loan	\$ 770,000.00	Construction	\$1,715,343.00
CDA RHP Loan	1,815,000.00	Const. Fees	319,500.00
State EmPOWER Loan	87,000.00	Financing Fees	259,650.00
City Bond Loan	550,000.00	Acquisition	832,000.00
State Lead Paint Loan	10,000.00	Reserves	87,831.00
Deferred Fee	364,723.00	Dev. Fee	<u>399,899.00</u>
Interim Income	10,000.00		
Tenant Services	<u>7,500.00</u>		
Total	\$3,614,223.00	Total	\$3,614,223.00

Account: 9910-906845-9588

BACKGROUND/EXPLANATION:

Incorporated in 1970, CHAI is an agency of The Associated Jewish Community Federation of Baltimore that provides services in three basic areas: elderly housing planning and development, residential housing services, and neighborhood organization and development.

MINUTES

DHCD - cont'd

CHAI is committed to and provides a range of services that promote fair housing and improved opportunities for low-income groups, minorities, the disabled, and the elderly.

CHAI has submitted a proposal for the rehabilitation of an existing three-story, garden-style, walk-up residential apartment building built in the 1950's as a market rate apartment complex, known as the CHAI Fallstaff Apartments located at 3800 - 3810 Fallstaff Road. Upon completion of the rehabilitation, the Project will result in the conversion from a market rate building to a primarily affordable family housing project. Located in the Fallstaff neighborhood of Baltimore City, the Project will consist of the construction/rehabilitation of 16 rental units, of which, 14 units (the Affordable Units) will be affordable to families with incomes at or below 60% of the Area Median Income (AMI) adjusted for family size, and two market rate units. Of the Affordable Units, four units will be affordable for persons with incomes at or below 30% of the AMI, five units will be affordable for persons with incomes at 40% - 50% of the AMI, five units will be affordable for persons with incomes at 50% - 60% of the AMI.

The Housing Authority of Baltimore City (HABC) intends to support the Project by providing Project-Based Section 8 subsidies in the form of Project Based Housing Choice Vouchers for a minimum of 15 years for four units (the PBV Units). The PBV Units will be a subset of the Affordable Units.

CHAI will designate two of the PBV Units as units for Non-Elderly Persons with Disabilities (the NED Units). The term NED Unit is defined as a household that meets the following criteria: (i) whose sole member, head of household, or head of household's spouse has a disability and is under age 62; (ii) which is eligible for a one-bedroom public housing unit or for a two-bedroom public housing unit because a second bedroom is needed for disability-related reasons; and (iii) which is on HABC's waiting list for public or Section 8 subsidized housing.

MINUTES

DHCD - cont'd

In addition to the NED Units, one of the PBV Units will be a Bailey Long-Term Affordable "UFAS" unit. Long Term Affordable units are those units that are reserved and leased upon initial occupancy for individuals from the HABC's public housing waiting list and will remain affordable for a period of 40 years, in accordance with the Bailey Consent Decree.

Finally, one of the PBV Units will be targeted and restricted to an individual or a family who is suffering from chronic homelessness.

Proceeds of the City Loan will finance or refinance a portion of the hard construction costs for the Affordable Units.

Chaney & Associates prepared an appraisal dated May 20, 2015, for the private bank lender. The estimated market value of the property, as completed and stabilized with income restricted rents with consideration to the affordable rents, favorable financing and Payment in Lieu of Taxes (PILOT), is \$1,340,000.00. The appraised value is below the total development of the Project, which is common for affordable housing transactions involving subsidized rents and subordinate governmental financing. The rents are considered "restricted" because they are supported with financing that requires long-term income and rent restrictions. As a result, the rent levels for the Affordable Units are set below the market rate, thereby decreasing the property's appraised value.

MINUTES

DHCD - cont'd

Gap financing such as the City's Loan and other governmental sources are in place in order to allow for continuing affordability. The appraised value meets the underwriting standards for the must pay permanent superior mortgage. The Department is comfortable with recommending the City Loan as described under these circumstances. In addition, the developer has submitted and the Board of Estimates will consider a PILOT agreement, which has been considered in determining the as-built valuation.

PARTICIPATING PARTIES:**A. Owner/Developer:**

CHAI-Fallstaff Limited Partnership (the Borrower), a wholly-owned subsidiary of Comprehensive Housing Assistance (CHAI), Inc. will be the Borrower of record.

B. General Contractor/Architect:

Harkins Builders, Inc. will act as the general contractor. The contractor will post a 100% Payment and Performance Bond. Marks, Thomas Architects will provide architectural services.

C. Participating Lenders:**The Reinvestment Fund (TRF): 1st Lien Construction/Permanent**

The Reinvestment Fund will provide construction and permanent loan funds to the Borrower of up to an aggregate amount of \$770,000.00 (the TRF Loan) to assist with the financing of the project, consisting of approximately \$375,000.00 (Note A) and approximately \$395,000.00 of energy financing (Note B). The TRF Loans will have a construction term of 12 months (the Construction Period) and a permanent term of up to 15-years following construction completion (the Term Period). The annual interest rate will be fixed on "Note A" at approximately 7% and on "Note B" at approximately 3%.

MINUTES

DHCD - cont'd

During the Construction Period, the Borrower will make monthly payments of accrued and unpaid interest only at the stated rate on the principal balance of the loans outstanding during the preceding calendar month. During the Term Period, the Borrower will repay the TRF Loan in monthly payments that would be required to amortize the principal balance of the TRF Loan in full over a hypothetical 25-year period with a balloon payment at maturity.

MD DHCD (EmPOWER) + CDA (Rental Housing): 2nd Lien Construction/Permanent:

The Maryland Department of Housing and Community Development (MD DHCD) will be providing a loan of approximately \$87,000.00 from the State's EmPower Program (the EmPOWER Loan) and the Community Development Administration (CDA), a unit of the Division of Development Finance of the MD DHCD, will be providing a loan from its Rental Housing Program funds in the approximate amount of \$1,815,000.00 (the RHP Loan, and together with the RHP Loan, the State Loans). The State Loans will be in second-lien position. Interest on the RHP Loan and the EmPower Loan will accrue on sums advanced at the rate of 0%. The Borrower will make annual contingent payments on the RHP Loan based on available cash flow in accordance with the CDA requirements following payment of Project expenses authorized by CDA, including superior loan payments. Payments on the EmPOWER Loan will be deferred until maturity or an event of default. The State Loans will be long-term, subordinate, non-recourse debt.

Baltimore City Bond Loan: 3rd Lien Construction/Permanent:

The Borrower will provide a valid third lien mortgage on the Project to secure the City Loan. The construction phase will be for a period of approximately 12-months from the date of closing, which includes the time permitted for cost certification (the Construction Loan Period).

MINUTES

DHCD - cont'd

During the Construction Loan Period, the interest will be at the rate of 0% per annum on sums advanced and no payments will be required. The Permanent Loan Period will be 40 years commencing at the conversion of the Construction Loan Period and during this period, the interest rate charged will be at the rate of 0% per annum. During the Permanent Loan Period, annual payments of principal and interest will be due from the available cash flow, in accordance with the CDA requirements or as otherwise agreed to by the parties following the payment of Project expenses authorized by the CDA. To the extent such cash flow is not available, required payments due and owing will be deferred. The outstanding principal balance, plus any deferred and accrued payments, will be due and payable at the maturity of the City Loan. The City Loan will be long-term, non-recourse, subordinate debt.

The entire principal and any interest of the City Loan will be due and payable in the event of a refinancing, sale, transfer, conveyance or any encumbrance of the Project or portions thereof, without the prior written consent of the Department. Should an event of default occur under the loan documents, interest will accrue from the date of the default at the prime rate of interest declared by the Wall Street Journal from time to time, plus 4% (P+4%).

MD DHCD (Lead Paint): 4th Lien Construction/Permanent:

The MD DHCD will be providing a loan of approximately \$10,000.00 from its lead paint funds (the Lead Paint Loan). The Lead Paint Loan will be in fourth-lien position.

MINUTES

DHCD - cont'd

The interest on the Lead Paint Loan will accrue on sums advanced at the rate of 0% and the term will be 20 years. No payments of principal and interest will be required until maturity, at which time the outstanding principal balance will be due and payable.

Grants and Deferred Development Fee:

The Project expects to include as gap financing grants in the approximate amounts of \$150,000.00 from the Maryland Affordable Housing Trust Program.

However, if for some reason, such funds are not available at the time of the project closing, the funds will be replaced by an increase in the deferred developer's fee.

MBE/WBE PARTICIPATION:

Article 5, Subtitle 28 of the Baltimore City Code for Minority and Women's Business Opportunity is fully applicable and no request for a waiver or exception has been made.

THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.

A LETTER OF SUPPORT WAS RECEIVED FROM BALTIMORE CITY COUNCIL, OFFICE OF ROCHELLE "RIKKI" SPECTOR, 5TH DISTRICT.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$550,000.00	9910-902848-9587	9910-906845-9588
30 th Comm. Dev.	Home Program	CHAI Fallstaff
Bonds	Reserve	Apartments

This transfer will provide Community Development Bonds for the construction costs to rehabilitate 16 rental units in the Fallstaff neighborhood of Baltimore City.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the Community Development Bond Fund Loan (the City Bond Loan) to the CHAI-Fallstaff Limited Partnership (the Borrower), a wholly owned subsidiary of Comprehensive Housing Assistance, Inc. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction SUBJECT to review and approval for form and legal sufficiency by the Department of Law. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.



August 18, 2015

Mr. President and Members
Baltimore City Board of Estimates
City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Dear Mr. President and Members, Baltimore City Board of Estimates

I write to support the request by Comprehensive Housing Assistance, Inc. (CHAI) for approval of a \$550,000 Bond Fund Loan and a PILOT for the CHAI-Fallstaff project, at 3800-3810 Fallstaff Road.

That property and CHAI are both located in Northwest Baltimore, in Baltimore City's Fifth District, which I represent in the Baltimore City Council. As the City Councilmember for this area, I am, and have been, very familiar with the work of CHAI in developing affordable housing in this community. I understand that CHAI-Fallstaff will have 14 units of affordable housing and two units of market-rate housing. I also understand that the intended population includes a formerly homeless individual or family, as well as non-elderly disabled or Bailey waiting list persons.

I am aware that the Fallstaff Community Association supports this project, as an additional means for creating and maintaining a strong residential base in this neighborhood.

I am also aware that CHAI-Fallstaff embodies the Baltimore City objectives of access to affordable housing and permanent housing for an underserved population.

I urge the Board of Estimates to approve this funding request. Thank you for your consideration.

Sincerely,

Councilwoman Rochelle "Rikki" Spector

- Planning Commission
- City Council Liaison to Annapolis
- MD Association of Counties
- National Association of Counties

Committee Membership:

- Land Use and Transportation
- Urban Affairs & Aging
- Judiciary & Legislative Investigations
- Highways & Franchises Subcommittee

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|-------------|-------------|
| 1. APPLIED TECHNOLOGY SERVICES, INC. | \$37,319.90 | Sole Source |
| Contract No. 08000 - Upgrade License Plate Recognition System - Department of Transportation/Safety Division - Req. No. R703667 | | |

The License Plate Recognition System (LPR) was procured under a Maryland State contract from this vendor. The Department of Transportation would like to upgrade their system to expand the LPR hardware platform, which can be done by upgrading two of their existing LPR vehicles. Since the LPR hardware was previously purchased from Applied Technology Services this sole source will maintain the equipment compatibly.

- | | | |
|---|-------------|-------------|
| 2. INFORMATION TECHNOLOGY SOLUTIONS | \$29,999.00 | Sole Source |
| Contract No. 08000 - Vampire Forensic Tactical Device - Baltimore City Police Department - Req. No. R706511 | | |

Information Technology solutions is the sole source for Vampire Forensic Tactical Device.

- | | | |
|--|-------------|-------------|
| 3. CHANNING BETE COMPANY, INC. | \$47,437.68 | Sole Source |
| Contract No. 08000 - Specialty Items Used for Teaching Pedestrian and Bicycle Safety - Department of Transportation - Req. No. R705372 | | |

Channing Bete Company, Inc. is the sole proprietor of these educational books. The books will be used to reinforce pedestrian and bicycle safety principles taught through the Department of Transportation Safety City Program.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONSVENDOR AMOUNT OF AWARD AWARD BASISBureau of Purchases - cont'd

4. UNIVAR USA, INC. \$200,000.00 Renewal
 Contract No. B50003714 - Sulfur Dioxide Liquid in One Ton Container - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P529083

On October 15, 2014, the Board approved the initial award in the amount of \$250,000.00. The award contained four 1-year renewal options. This renewal in the amount of \$200,000.00 is for the period October 15, 2015 through October 14, 2016, with three 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

5. MARTIN SUPPLY COMPANY, INC. \$ 33,000.00 Renewal
 Contract No. B50003642 - Sign, Screen and Digital Printing Supplies - Department of Public Works, Office of the Director - P.O. No. P528329

On August 13, 2014, the Board approved the initial award in the amount of \$33,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$33,000.00 is for the period August 14, 2015 through August 15, 2016, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

6. FERGUSON ENTERPRISES, INC. \$200,000.00 Renewal
 Contract No. B50002465 - Water Meter Expansion Connectors - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P521302

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 - cont'd

On August 15, 2012, the Board approved the initial award in the amount of \$300,000.00. The award contained two 1-year renewal options. On August 27, 2014, the Board approved the first renewal in the amount of \$300,000.00. This final renewal in the amount of \$200,000.00 is for the period September 3, 2015 through September 2, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | | |
|----|---|---------------------|----------------|
| 7. | <u>SKALAR, INC.</u> | <u>\$ 20,000.00</u> | <u>Renewal</u> |
| | Contract No. 08000 - Consumable Parts for Skalar San++ Analyzer Systems - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P528790 | | |

On September 17, 2014, the Board approved the initial award in the amount of \$65,000.00. The award contained three 1-year renewal options. This renewal in the amount of \$20,000.00 is for the period September 17, 2015 through September 16, 2016, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

- | | | | |
|----|---|---------------------|----------------|
| 8. | <u>SMITH-BLAIR, INC.</u> | <u>\$100,000.00</u> | <u>Renewal</u> |
| | Contract No. B50002456 - Pipe Repair Clamps - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P521288 | | |

On August 15, 2012, the Board approved the initial award in the amount of \$50,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$100,000.00 is for the period September 21, 2015 through September 20, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|-------------------------------|--------------|---------|
| 11. SECURITY EQUIPMENT
CO. | \$ 20,000.00 | Renewal |
|-------------------------------|--------------|---------|
- Solicitation No. B50003093 - Stihl Landscaping Equipment and Replacement Parts - P.O. No. P524915 - Departments of Transportation, Recreation and Parks and Public Works

On September 18, 2013, the Board approved the initial award in the amount of \$100,000.00. The award contained four 1-year renewal options. This renewal in the amount of \$20,000.00 is for the period September 18, 2015 through September 17, 2016, with three 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | |
|-----------------------|--------------|---------|
| 12. GETINGE USA, INC. | \$ 25,410.00 | Renewal |
|-----------------------|--------------|---------|
- Contract No. 08000 - Autoclave Preventive Maintenance - Department of Public Works, Water and Wastewater - P.O. No. P529371

On November 18, 2014, the City Purchasing Agent approved the initial award in the amount of \$24,673.00. The award contained two 1-year renewal options. This renewal in the amount of \$25,410.00 is necessary for the continuity of preventive maintenance for the autoclave equipment for the Patapsco Wastewater Treatment Plant, Ashburton Water Filtration Plant, and Montebello Filtration Plant facilities.

This renewal in the amount of \$25,410.00 is for the period October 1, 2015 through September 30, 2016 with one 1-year renewal option remaining.

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 - cont'd

13. HD SUPPLY WATERWORKS, LIMITED
PARTNERSHIP
L/B WATER SERVICE, INC.

\$200,000.00

Renewal

Contract No. B50002106 - MJ Gate Valves - Department of Public Works, Bureau of Water and Wastewater - P.O. Nos. P518384 and P518385

On October 5, 2011, the Board approved the initial award in the amount of \$400,000.00. The award contained two 1-year renewal options. On September 3, 2014, the Board approved the first renewal in the amount of \$100,000.00. This final renewal in the amount of \$200,000.00 is for the period October 15, 2015 through October 14, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

14. **FIRST CALL**
FERGUSON ENTERPRISES, INC.
SECOND CALL
HD SUPPLY WATERWORKS, LIMITED
PARTNERSHIP

\$100,000.00

Renewal

Contract No. B50002447 - Poly Vinyl Chloride Pipe and Fittings - Department of Public Works, Bureau of Water and Wastewater - P.O. Nos. P521295 and P521294

On August 22, 2012, the Board approved the initial award in the amount of \$120,000.00.

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 - cont'd

The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$100,000.00 is for the period September 9, 2015 through September 8, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | | |
|-----|---|-----------------------|-----------------|
| 15. | <u>CORRELLI INCORPORATED</u> | <u>\$1,000,000.00</u> | <u>Increase</u> |
| | Contract No. B50002613 - Aftermarket Parts and Service for Heavy Trucks and Equipment - Department of General Services, Fleet Management - P.O. No. P522357 | | |

On December 5, 2012, the Board approved the initial award in the amount of \$2,500,000.00. The award contained two 1-year renewal options. Two increases have been approved. Due to increased usage, an increase in the amount of \$1,000,000.00 is necessary. This increase will make the award amount \$5,400,000.00. The contract expires on January 31, 2016 with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

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|-----|---|----------------|------------------|
| 16. | <u>THE IRVIN H. HAHN</u> | <u>\$ 0.00</u> | <u>Extension</u> |
| | <u>COMPANY, INC.</u> | | |
| | Contract No. B50000784 - Police Badges and Insignias - Police Department, Sheriff's Office, etc. - P.O. No. P505784 | | |

On December 10, 2008, the Board approved the initial award in the amount of \$125,000.00. The award contained two 1-year renewal options. All renewals were exercised and three extensions were previously approved.

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 - cont'd

Subsequent actions have been approved. Authority is requested to extend the contract while adequate specifications are drafted for a very large variety of badges, in order that a new solicitation B50003980 can be advertised and awarded. The extension is for the period September 16, 2015 through December 15, 2015.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|----------|
| 17. AETNA HEALTH AND LIFE
INSURANCE COMPANY | \$ 61,054.00 | Increase |
| Contract No. B50000452 - Health Maintenance Organization (HMO) and Point of Service (POS) Medical Plans for City Employees/Retirees and Dependents - Department of Human Resources - Req. No. R706740 | | |

On August 6, 2008, the Board approved the initial award to Aetna Health and Life Insurance Company for HMO and PPO for medical plans for City Employees/Retirees and Dependents. This increase is for a pilot program for one-year for Aetna's Jellyvision "ALEX" system to provide City employees an informative enrollment tool that allows employees to compare and select the best plan based on their personal information from among all the plans from all the vendors offered by the City.

MWBOO SET GOALS OF 14% MBE AND 5% WBE.

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 - cont'd

The City entered into negotiations with the low vendor Equifax Workplace Solutions; however, the vendor refused to execute the City's Business Associate Agreement. The Patient Protection and Affordable Care Act ("ACA", P.L. 111-148, as amended) is a Federal law that requires the City to offer health and prescription drug coverage to its full-time eligible (FTE) employees, i.e. those employees working 30 or more hours per week/per month or the City would potentially incur certain penalties beginning in 2015, as defined under IRS Code Section 4980H(a) or (b).

The City is further required to submit reports to the IRS pursuant to IRS Code Sections 6055 and 6056 beginning in 2016, regarding the type and period of coverage for covered employees and whether minimum essential coverage was offered to the City's employees meeting the threshold requirements. The vendor will provide services to ensure the City's continued compliance with the ACA through monitoring of the City's approximately 15,000 employees, ongoing determinations regarding employee eligibility in accordance with the evolving ACA legal landscape, and preparation of required and necessary IRS reports consistent with current and future regulatory requirements.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Department of General Services

19. <u>TRIONFO BUILDERS, INC.</u>	\$ 35,300.00	Low Bid
GS 15809, Kitchen Upgrade - Engine Co. 30		

UPON MOTION duly made and seconded, the Board approved the Informal Awards, Renewals, and the Increases to Contracts and Extensions. The Board further approved and authorized execution of the Agreement with Tango Health, Inc. (item no. 18).

MINUTES

Office of the State's Attorney - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Memorandum of Understanding (MOU) with the State of Maryland, Department of Public Safety and Correctional Services (DPSCS). The period of the MOU is July 1, 2015 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$194,500.00 - 4000-403716-1150-118100-601001

BACKGROUND/EXPLANATION:

The DPSCS will reimburse the Office of the State's Attorney for the salary and benefits of three Assistant State's Attorneys that will work as prosecutors in the Baltimore City Drug Treatment Court Initiative. The MOU is late because the grant award was recently received from the State.

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 Memorandum of Understanding (MOU) with the State of Maryland, Department of Public Safety and Correctional Services.

MINUTES**BOARDS AND COMMISSIONS**1. Prequalification of Contractors

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

Adira Construction, Inc.	\$ 8,000,000.00
Allied Control Services, Inc.	\$ 8,000,000.00
Alpha Painting & Construction Co., Inc.	\$124,731,000.00
C & D Waterproofing Corp.	\$ 8,000,000.00
C & N Associates, LLC	\$ 972,000.00
Case Foundation Company	\$105,345,000.00
Chereco Company, Inc.	\$ 8,000,000.00
Cole Roofing Company, Inc.	\$ 8,000,000.00
Contracting Specialists, Incorporated-DC	\$ 1,500,000.00
Cossentino Contracting Company, Inc.	\$ 8,000,000.00
Cotten Construction Company	\$ 3,564,000.00
Denver-Elek, Inc.	\$ 65,502,000.00
Fireline Corporation	\$ 8,000,000.00
Furbish Company, LLC	\$ 8,000,000.00
Gradeline Construction Co., Inc.	\$ 1,500,000.00
Gray & Son, Inc.	\$ 93,951,000.00
LB Construction Enterprises, Inc.	\$ 1,323,000.00
M.C. Dean, Inc.	\$617,679,000.00
Machado Construction Co., Inc.	\$ 20,151,000.00
McEnroe Voice & Data Corporation	\$ 1,500,000.00
McGee Mobile Crane, Inc.	\$ 1,500,000.00
Park Lane Construction & Development Corp.	\$ 8,000,000.00
PC Construction Company	\$433,332,000.00
Starlight Security, Inc.	\$ 639,000.00
Sunryse Construction Services, Inc.	\$ 8,000,000.00
T.E.A.M Service Corporation of New York	\$ 4,500,000.00
Utilities Unlimited, Inc.	\$ 7,335,000.00

MINUTES**BOARDS AND COMMISSIONS** - cont'd2. 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:

Accurate Infrastructure Data, Inc.	Engineer Property Line Survey
ATI, Inc.	Engineer Architect
Baker, Ingram & Associates	Engineer
Core Studio Design, LLC	Landscape Architect
Dewberry Engineers, Inc.	Engineer
EDSA	Landscape Architect
Floura Teeter Landscape Architects	Landscape Architect
Hanover Land Services, Inc.	Engineer Land Survey
HDR Engineering, Inc.	Architect Landscape Architect Engineer
Heery International, Inc.	Architect Engineer
Henry Adams, LLC	Engineer
Hill International, Inc.	Engineer

MINUTES**BOARDS AND COMMISSIONS** - cont'd

Land Studies, Inc.	Engineer Landscape Architect
Pure Engineering Services, Inc.	Engineer
So-Deep, Inc./So-Deep US, P.C	Engineer Property Line Survey
The OLIN Partnership (d.b.a. "OLIN")	Landscape Architect
Wallace, Montgomery & Associates, LLP	Engineer Land Survey
Whitney Bailey Cox and Magnani, LLC	Landscape Architect Architect Land Survey Engineer

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Prequalification of Contractors and the Prequalification of Architects and Engineers for the listed firms.

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

3005 - 3006

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfers of Funds were approved

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

MINUTES

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time Ext.	% Compl.
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Department of Transportation

1. EWO #003, \$857,217.78 - TR 14007, Resurfacing Highways at Various Locations, Sector III

\$2,499,261.98	\$421,214.95	P. Flanigan & Sons, Inc.	-	-
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This authorization is to cover the cost of additional assigned locations and to account for existing project overruns. This change order will also satisfy the contract completion.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,168,499.55 GF (HUR)	9950-904214-9514 New Construction Major Reconstruc- tion - Local Resurfacing Northwest Sector	9950-903867-9514-2 Contingencies - Resurfacing High- ways - SW III TR 14007

This transfer will cover the deficit and fund Change Order No. 3, for Project TR 14007, Resurfacing Highways at Various Locations, Sector III by P. Flanigan & Sons, Inc. in the amount of \$857,217.78.

3. EWO #007, \$66,462.81 - TR 08310, Rehabilitation of Central Avenue and Storm Drain: Eastern Avenue to Madison Avenue

\$27,776,125.47	\$503,527.35	Monumental Paving & Excavating Inc.	-	-
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MINUTES**EXTRA WORK ORDERS**

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

Department of Transportation

This authorization is to pay for work caused by failing BGE equipment and failing infrastructure as well as the needed upgrade to electric services for down businesses. It was agreed to utilize the contractor in order to expedite the process.

4. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$66,462.81	9950-903256-9509	9950-902256-9508-2
Other	Constr. Reserve Central Avenue Reconstruction Phase I	Contingencies - Central Avenue Reconstruction Phase I

This transfer will provide funds for Change Order No. 7, Project TR 08310, Rehabilitation of Central Avenue and Storm Drain, Eastern Avenue to Madison Avenue with Monumental Paving & Excavating, Inc. in the amount of \$66,462.81.

MINUTES

Baltimore Development - Land Disposition Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement with HTA Development LLC, Developer, for the purchase of City-owned properties located at 213, 215 Park Avenue; 105-107 Clay Street and 208, 210-216 N. Liberty Street.

AMOUNT OF MONEY AND SOURCE:

\$300,000.00

BACKGROUND/EXPLANATION:

On February 19, 2014, BDC released an RFP for six scattered sites located in Ward 4, Section 10, in the Market Center Neighborhood, 11th Council District. The Developer submitted a proposal that was awarded for the Property. The Developer's proposed workforce housing project is expected to include between 70-74 residential units, and outdoor amenity space. The Developer intends to finance the redevelopment of the City-owned properties primarily through State low-income housing tax credits. The Developer has applied for HOME funds through HCD, and has received design approvals through the Baltimore City Urban Design Architectural Review Panel.

MBE/WBE PARTICIPATION:

Article 5, Subtitle 28 of the Baltimore City Code, Minority and Women's Business Enterprise Program is fully applicable, and the Developer has signed the Commitment to Comply with the MBE and WBE goals. MWBOO set goals of 27% MBE and 10% WBE.

MINUTES

BDC - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with HTA Development LLC, Developer, for the purchase of City-owned properties located at 213, 215 Park Avenue; 105-107 Clay Street and 208, 210-216 N. Liberty Street.

MINUTES

Health Department - FY 2016 Unified Grant Awards

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the FY 2016 Unified Grant Awards for the period effective July 1, 2015 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

The funding is provided by the State of Maryland Department of Health and Mental Hygiene.

<u>GRANT NO.</u>	<u>GRANT DESCRIPTION</u>	<u>AMOUNT</u>
CH560CFT	Core Public Health Services	\$ 8,940,735.00
MH3740TH	Healthcare for the Homeless	\$ 664,582.00
CH580OIP	Oral Disease & Injury Prevention	\$ 34,480.00
CH831PHP	Public Health Emergency Preparedness	\$ 406,554.00
CH831PHP	Cities Readiness Initiative	\$ 96,998.00
MA411HSP	Expanded ACC	\$ 498,000.00
CH903BBH	Babies Born Healthy Initiative	\$ 870,000.00
PR051PHP	PHEP Ebola Supplemental	\$ 67,000.00
CH929MHP	Children with Special Health Care Needs	\$ 28,356.00
FHB64HVP	Home Visiting Planning Grant	\$ 361,265.00
FHB66PRE	Personal Responsibility Educ. Program	\$ 390,000.00
FHD19MMH	Maryland Million Hearts	\$ 44,104.00
FHC69CHS	Child Health Systems Improvement	\$ 1,813,924.00
FHD39MIC	HFA Expansion	\$ 1,155,731.00
FHE41ABS	Abstinence Education	\$ 170,000.00
FHD95TSC	Tobacco Enforcement Initiative Support Synar Compliance	\$ 150,000.00
FHC250DH	State and Local Public Health Actions	\$ 161,509.00
FH201FFP	Reproductive Health/Family Planning	\$ 562,327.00

MINUTES

Health Department - cont'd

<u>GRANT NO.</u>	<u>GRANT DESCRIPTION</u>	<u>AMOUNT</u>
FH386HTA	Healthy Teens/Young Adults	\$ 899,563.00
FHD62SQI	Surveillance and Quality Improvement	\$ 191,180.00
W1213WIC	WIC	\$ 2,506,600.00
FH219PYD	Children/Adolescent Health Advocacy	\$ 40,143.00
FHC88SHN	School Health Nurse	\$ 95,818.00
FHC84LPO	Lead Paint Poisoning Prevention	\$ 848,552.00
MA055DCE	Adult Day Care	\$ 136,753.00
MA005EPS	Administrative Care Coordination	\$ 2,505,500.00
MA157ACM	PWC Eligibility	\$ 2,087,343.00
MA365GTS	General Transportation Grant	\$ 8,171,266.00
CH051STD	Sexually Transmitted Disease	\$ 151,013.00
CH350IMM	Immunization-HEP-IAP, HEP-B	\$ 764,100.00
AD697CMA	AIDS Case Management	\$ 2,832,688.00
AD419RWS	RW-B Health Support Services	\$ 2,478,473.00
FHD08SCC	Climate Change	\$ 15,000.00
AD712HCV	Community Base Prgm to Test & Cure HEP C	\$ 222,676.00
AD714PFC	Partnership for Care	\$ 155,000.00
AD615NEP	Needle Exchange Program	\$ 290,860.00
FHB39CPE	Cancer Prev, Educ, Scrn, Diag- Non Clinical	\$ 22,000.00
CH586TPG	Tobacco Use Prevention - Community- Based	\$ 100,000.00
CH586TPB	Tobacco Use-Cessation	\$ 177,057.00
	TOTAL	\$41,107,150.00

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modifications, and/or reductions will be processed through the granting administrations with revised Unified Grant Awards being issued.

MINUTES

Health Department - cont'd

The most current Unified Award document will be the official award of record.

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 FY 2016 Unified Grant Awards for the period effective July 1, 2015 through June 30, 2016.

MINUTES

Health Department - Agreements

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

1. **MICHAEL BAUM, PH.D.** **\$ 20,000.00**

Account: 4000-425516-3110-306700-603018

The consultant will perform on-site evaluations of clients referred for nursing home placements and on-site evaluations of clients in nursing homes. Mr. Baum will review psychological reports for patients in nursing homes, submit written psychological reports to the Department's Adult Evaluation and Review Services Program, and delineate a treatment plan for each patient. The period of the Agreement is July 1, 2015 through June 30, 2016.

The consultant will be reimbursed at the rate of \$200.00 per comprehensive psychological evaluation, and \$50.00 for each review of a psychological evaluation.

The Agreement is late because the Department was waiting for signatures.

2. **THE JOHNS HOPKINS UNIVERSITY** **\$ 289,757.00**

Account: 4000-422514-3030-271500-603051

The Johns Hopkins University will provide Sexually transmitted disease services with the emphasis on surveillance and data management. The surveillance manager and the epidemiologist will complete all reports required for internal management, external funding agencies, as well as responding to custom queries. The period of the Agreement is January 1, 2015 through December 31, 2015.

MINUTES

Health Department - cont'd

The Agreement is late because budget revisions delayed processing.

MWBOO GRANTED A WAIVER.

3. **HEALTHCARE ACCESS MARYLAND, INC. \$2,042,937.00**

Account: 4000-421116-3080-294600-603051

HealthCare Access Maryland, Inc. (HCAM) will continue to assist City residents in accessing comprehensive health care services. The HCAM works closely with Managed Care Organizations to assist Medicaid/Medicaid eligible clients obtain proper and adequate health care services through their insurance and serves as a local resource for information to eligible residents in the City. The period of the Agreement is July 1, 2015 through June 30, 2016.

The Agreement is late because budget revisions delayed processing.

MWBOO GRANTED A WAIVER.

4. **ROSEMARIE MANOR, LLC \$ 124,800.00**

Account: 5000-534016-3044-273304-603051

The Department would like to disburse State Subsidized Assisted Housing Funds for low income residents at Rosemarie Manor, LLC located at the following facilities: 3809 Belle Avenue, Baltimore, Maryland 21215, 3300 Alto Road and 3333 Alto Road, Baltimore, MD 21216.

These facilities are enrolled in the Senior Assisted Living Group Home Subsidy Program and provide subsidized senior assisted housing services for individuals age 62 and over, who have temporary or periodic difficulties with the activities of daily living.

MINUTES

Health Department - cont'd

The Senior Assisted Housing residents receive shelter, meals, housekeeping, personal care services, and 24-hour on-site supervision. The period of the Agreement is July 1, 2015 through June 30, 2016.

The Agreement is late because of the wait time on grant information and signatures from the organization.

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 foregoing Agreements. The President

ABSTAINED on item no. 2.

MINUTES

Health Department - Agreements

ACTION REQUESTED OF B/E:

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

SENIOR COMPANION PROGRAM

- | | | |
|----|--|---------------|
| 1. | TODAY'S CARE AND FAMILY, INC. | \$0.00 |
| 2. | KESWICK MULTI-CARE CENTER, INC. | \$0.00 |

The above-listed organizations will serve as Volunteer Stations for the Senior Companion Program. Through a grant from the Corporation for National and Community Services, the Department sponsors the Senior Companion Program. The grant pays for 100% of the cost of Senior Companions to volunteer to assist special needs clients who want to remain in their homes. While the senior companions are on duty, the grant provides for their life insurance, transportation and other benefits. The period of the agreement is July 1, 2015 through June 30, 2016.

The Agreements are late because the Department was waiting for signatures.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Health Department - Second No-Cost Extension to Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve a Second No-Cost Extension to the Grant Agreement with the Abell Foundation. The period of the agreement will be extended through September 1, 2015.

AMOUNT OF MONEY AND SOURCE:

No additional funding is associated with this action.

BACKGROUND/EXPLANATION:

On October 30, 2013, the Board approved the initial grant agreement in the amount of \$50,000.00 for the period October 1, 2013 through September 30, 2014 for the Teen Pregnancy Preventative Initiative.

On October 29, 2014, the Board approved a no-cost extension to the grant, which extended the Project period from October 1, 2014 through January 31, 2015, to allow the Department to complete its research.

The Department was unable to complete the research within the extended time period and requested another no-cost extension.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved the Second No-Cost Extension to the Grant Agreement with the Abell Foundation.

MINUTES

Department of General Services - Developers' Agreements

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

	<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
1.	FC 1812 ASHLAND LLC	1423	\$ 78,744.00

FC 1812 Ashland, LLC would like to install a new sewer main to its proposed construction located in the vicinity of 1812 Ashland Avenue. This agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$78,744.00 has been issued to FC 1812 Ashland, LLC which assumes 100% of the financial responsibility.

2.	1715 THAMES STREET LLC	1418	\$537,116.00
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1715 Thames Street, LLC would like to install new water, sewer, sanitary and streetscape improvements to its proposed construction located in the vicinity of 1715 Thames Street. This agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$537,116.00 has been issued to 1715 Thames Street, LLC which assumes 100% of the financial responsibility.

MINUTES

Department of General Services - cont'd

MBE/WBE PARTICIPATION:

City funds will not be utilized for the projects, therefore, MBE/WBE participation is not applicable.

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

MINUTESDepartment of Transportation - 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. 209 Key Highway	Harbor Quay, LLC	Single face electric sign 24.9 sq. ft.
Annual Charge: \$ 70.30		
2. 464 E. Cross St.	Michael W. Myers	Balcony 40 sq. ft.

Annual Charge: \$140.60

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

There being no objection, the Board, UPON MOTION duly made and seconded, approved the above Minor Privilege Applications.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Traffic Mitigation Agreement with 1400 Greenmount LLC.

AMOUNT OF MONEY AND SOURCE:

\$369.22 - 9950-909095-9512-000000-490375

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 11-529, approved on May 9, 2012, determined that a Traffic Impact Study was required for the Development. The Developer proposes to perform the Scope of Work for Open Works located at 1400 Greenmount Avenue, renovating a 38,815 sq. ft. former warehouse to an Artist Community Center. The Developer agrees to make a one-time contribution in the amount of \$369.22 to fund the City's multimodal transportation improvements in the Development's vicinity to the extent practicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Traffic Mitigation Agreement with 1400 Greenmount LLC.

MINUTES

Department of Transportation - On-Call Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Traffic Engineering Services Agreement with Rummel, Klepper & Kahl, LLP for Project No. 1209. The period of the On-Call Traffic Engineering Services Agreement is effective upon Board approval for three years.

AMOUNT OF MONEY AND SOURCE:

\$1,500,000.00 - Upset Limit

BACKGROUND/EXPLANATION:

The Department of Transportation has negotiated and procured the On-Call Consultant Agreement approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commissions and now desires to utilize the services of Rummel, Klepper & Kahl, LLP. The cost of services rendered will be on actual payroll rates not including overhead and burdens times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

The Consultant will assist with the scope of services which includes, but is not limited to traffic impact studies for economic development projects including recommendations for traffic mitigation under adverse conditions, designing traffic control devices including signals, vehicle detection equipment, signs, pavement markings, and traffic calming installations. Other services include technical reports, cost estimates and contract documents, signal and traffic engineering, studies including warrant, accident investigation analysis, travel time and delay, speed studies, parking studies, intersection capacity, pedestrian safety, bicycle facilities and traffic calming, feasibility analysis and alternatives development for

MINUTES

Dept. of Transportation - cont'd

highway, bridge and transit including identifying planning, engineering, and operational safety, traffic, and signal timing analysis.

MBE/WBE PARTICIPATION:

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

MBE: RJM Engineering, Inc.	\$180,000.00	12%
SAMMS Engineering, LLC	<u>225,000.00</u>	<u>15%</u>
	\$405,000.00	27%
 WBE: iDesign Engineering, Inc.	 \$150,000.00	 10%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the On-Call Traffic Engineering Services Agreement with Rummel, Klepper & Kahl, LLP for Project No. 1209. The President Voted **NO**.

MINUTES

Bureau of the Budget and Management Research (BBMR) - Appropriation Adjustment Order

ACTION REQUESTED OF B/E:

The Board is requested to approve an Appropriation Adjustment Order (AAO) to transfer Federal Funds within the Baltimore City Fire Department from Service 608 (Emergency Management) to Service 609 (Emergency Medical Services).

AMOUNT OF MONEY AND SOURCE:

\$28,000.00 - From: Fire Department, Service 608
4000-400015-2131-228200-404001
Unallocated Federal Funds

To: Fire Department, Service 609
4000-479116-3191-308700-404001
Maryland Institute for Emergency
Medical Services Systems (MIEMSS)
Ambulance Strike Team

The source of funds is the grant award from the United States Department of Homeland Security and the MIEMSS, which was approved by the Board on August 12, 2015.

BACKGROUND/EXPLANATION:

The transfer is necessary to fund an Ambulance Strike Team. Initially, Federal funding was appropriated within an unallocated Federal fund account in the Fiscal 2015 Ordinance of Estimates. With this AAO, funding will be moved from the unallocated grant source, in accordance with the actual grant award.

MINUTES

BBMR - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Appropriation Adjustment Order (AAO) to transfer Federal Funds within the Baltimore City Fire Department from Service 608 (Emergency Management) to Service 609 (Emergency Medical Services).

MINUTES

Mayor's Office of Minority and Women-Owned Business Development - Governmental/Charitable Solicitation Application

ACTION REQUESTED OF B/E:

The Board is requested to endorse a Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City to benefit the Baltimore City Foundation, Inc. for the 2015 Supplier Diversity and Inclusion (SDI) Minority Enterprise Development (MED) Week. The period of the campaign will be effective upon Board approval through December 31, 2015.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

BACKGROUND/EXPLANATION:

The SDI/MED Week is designed to show that the City of Baltimore is open for business for Minority and Women-Owned Business Enterprises. The 2015 SDI/MED Week will be held on October 26 - 30, 2015.

The campaign will support the costs associated with the event, i.e. production, fundraising, programs, and advertising. The solicitations will be made to the business community by letters, phone calls, and at the event.

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity. Ethics Regulation 96.26B sets out the standards for approval, which includes the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designee.

MINUTES

Mayor's Office of Minority and - cont'd
Women-Owned Business Development

UPON MOTION duly made and seconded, the Board endorsed the Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City to benefit the Baltimore City Foundation, Inc. for the 2015 Supplier Diversity and Inclusion Minority Enterprise Development Week.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement with the Community College of Baltimore County (CCBC). The period of the Agreement is July 20, 2015 through December 4, 2015.

AMOUNT OF MONEY AND SOURCE:

\$16,704.00 - 2070-000000-5501-396404-603020
12,528.00 - 2070-000000-5501-396804-603020
12,528.00 - 2070-000000-5501-396904-603020
\$41,760.00 - Water Utility

BACKGROUND/EXPLANATION:

The Baltimore City Joint Apprenticeship Program requires that apprentices assigned to the Waste Water Treatment Plants of Baltimore City be provided with 144 hours of classroom instruction for each year of the four years that they are employed to successfully complete the Instrumentation Technician Apprenticeship Program.

The CCBC has an extensive background in Instrumentation Training and has provided a custom curriculum that enables the apprentices to be exposed to the technical requirements of the program as they relate to the actual work environment of a Water and Wastewater Treatment Plant.

This request is for the first and second year sessions of the four year instruction of the class of trainees hired as Instrumentation Technician Apprentices. The training will take place on-site using existing equipment and materials.

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

BW&WW - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with the Community College of Baltimore County.

MINUTESEmployee Expense Statements

The Board is requested to approve the Employee Expense Statements from the various agencies for the following employees.

DEPARTMENT OF PUBLIC WORKS/
BUREAU OF WATER AND WASTEWATER (DPW)

1. **ANTHONY CIANFERANO** **\$352.80**

Account: 9960-907719-9557-900020-705050

The expense statements for Mr. Cianferano are for the months of April and September 2014. The original expense statements for Mr. Cianferano were misplaced during the approval process.

2. **RONALD HAYES** **\$209.88**

Account: 2071-000000-5601-398500-603002

The originally submitted expense account for Mr. Hayes for April 2015 was returned for corrections in data. The resubmitted request exceeded the 40 day limit for acceptance and approval.

3. **SARA ANSTINE** **\$ 69.37**

\$17.87 - 2071-000000-5471-609100-603002

\$51.50 - 2071-000000-5471-609100-603003

The Division of Customer Support and Services inadvertently failed to have Mrs. Anstine's employee mileage expense report processed in time to be received by the Bureau of Accounting and Payroll Services.

MINUTESEmployee Expense Statements - cont'd

DEPARTMENT OF PUBLIC WORKS/
BUREAU OF WATER AND WASTEWATER - cont'd

4. **NIRANJANA TEJANI** **\$200.00**

Account: 2071-000000-5501-399602-603022

Ms. Tejani is entitled to reimbursement for getting her Environmental Health Specialist License. Ms. Tejani waited on the actual license to come before submitting her expense statement. She was informed to submit her paperwork without the license. When it was received by the Bureau of Accounting and Payroll Services, she was informed that it had exceeded the 40 work day period.

5. **RICKEY BELL** **\$100.00**

Account: 2071-000000-5521-632301-603022

Mr. Bell is entitled to reimbursement for getting his Water Treatment 4 License. He did not turn in his paper work in a timely manner, as he was unaware that he was eligible for reimbursement until after the 40 days from the end of April 2015. This time frame exceeded the 40 work day period for submission of the expense report to the Bureau of Accounting and Payroll Services. Mr. Bell has been made aware of the proper procedures for submitting reimbursements and other eligible activities.

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

MINUTES

Department of Public Works/
Bureau of Water and Wastewater - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statements for the foregoing employees.

MINUTES

Department of Public Works/Office - Expenditure of Funds
of Fiscal Management

ACTION REQUESTED OF B/E:

The Board is requested to approve the expenditure of funds to pay the Baltimore Metropolitan Council, Inc.

AMOUNT OF MONEY AND SOURCE:

\$26,000.00 - 2071-000000-5181-399800-603026

BACKGROUND/EXPLANATION:

The funding of \$26,000.00 will be used as Baltimore City's share of costs to hire a contractor to develop a Watershed Management Plan document to support an expanded watershed monitoring effort.

The Baltimore Metropolitan Council, Inc. an entity governed by the City and five surrounding counties, provides coordination and staff to support the Reservoir Watershed Management Program which is a cooperative program developed by the City of Baltimore, local municipal governments, and key state agencies in order to: monitor water quality trends in the three metropolitan water supply reservoirs, promote regulatory policies and actions which will protect them, address emerging new technical issues involving the reservoirs, comment on land-use trends, local government policies, utility plans, and provide proposed land-use decisions, in the watersheds that could affect one or more of the three City-owned drinking water reservoirs. The fundamental goal of the program is to ensure that the three reservoirs and their respective watersheds will continue to serve as sources of high-quality raw water for the Baltimore Metropolitan water supply system.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Department of Public Works/Office - cont'd
of Fiscal Management

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay the Baltimore Metropolitan Council, Inc.

MINUTES

Department of Public Works/ - Pilot Project Agreement
Office of Asset Management

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Leak Detection Pilot Project Agreement with L/B Water Service, Inc. The period of the Leak Detection Pilot Agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

L/B Water Service, Inc. approached the Department of Public Works - Office of Asset Management with an offer to supply and install leak detection technologies at agreed upon locations throughout the Baltimore Metro Water Distribution System. The pilot will test each technology's effectiveness at detecting and correlating leaks within the system. L/B Water Service, Inc. and the City agreed to conduct this pilot project at absolutely no cost or expense for the City pursuant to the terms of the agreement.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Leak Detection Pilot Project Agreement with L/B Water Service, Inc.

MINUTES

Department of Public Works/Office - Partial Release of Retainage of Engineering & Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Partial Release of Retainage agreement with Monumental Paving & Excavating, Inc. for Water Contract No. 1251R, Repaving Utility Cuts at Various Locations.

AMOUNT OF MONEY AND SOURCE:

\$204,239.96 - 2071-000000-5521-000000-200001

BACKGROUND/EXPLANATION:

On October 9, 2013, Monumental Paving & Excavating, Inc. was granted a Conditional Acceptance of Water Contract 1251R. Monumental Paving and Excavating, Inc. has requested a Partial Release of Retainage for \$204,239.96. Currently the City is holding \$254,324.04 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$50,084.08. The remaining amount of \$50,084.08 is sufficient to protect the interest of the City.

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 Partial Release of Retainage agreement with Monumental Paving & Excavating, Inc. for Water Contract No. 1251R, Repaving Utility Cuts at Various Locations.

MINUTES

Department of Public Works/Office - Task Assignment
of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 015 to Rummel, Klepper & Kahl, LLP under Project No. 1402, On-Call Project and Construction Management Assistance Services Inspection Services. The duration of this task is approximately six months.

AMOUNT OF MONEY AND SOURCE:

\$101,202.56 - 9956-905644-9551-900020-705032

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is in need of continued assistance from Rummel, Klepper & Kahl, LLP to provide on-site inspection services on S.C. 900 Improvements to Sanitary Sewers in Upper Jones Falls and Maryland Avenue Areas in the Jones Falls Sewershed for the Bureau of Water and Wastewater, Department of Public Works.

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 FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Department of Public Works/Office - cont'd
of Engineering and Construction

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 015 to Rummel, Klepper & Kahl, LLP under Project No. 1402, On-Call Project and Construction Management Assistance Services Inspection Services.

MINUTES

Department of Public Works/Office - Amendment No. 2 to Agreement
Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Amendment No. 2 to Agreement with Rummel, Klepper & Kahl, LLP under S.C. 852R, PAS Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant (PWWTP). The Amendment No. 2 to Agreement extends the period through June 2017.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

The original agreement for SC 852R - Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at the PWWTP commenced on May 5, 2010. The original agreement expires on December 6, 2015. This agreement will allow the consultant to continue providing post award engineering services up to the completion of the project. During this time extension, the consultant will provide services to prepare engineer's operation and maintenance manual, start up and performance testing, conditional acceptance inspection, final acceptance inspection, record drawings, update City maintenance information system, and operational assistance with performance verification and certification. The Consultant was approved by the Office of Boards and Commissions and Architectural and Engineering Awards Commission.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Department of Public Works/Office - cont'd
Engineering and Construction

AUDITS NOTED THE NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 2 to Agreement with Rummel, Klepper & Kahl, LLP under S.C. 852R, PAS Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

3041 - 3068

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

The Mayor **ABSTAINED** on item nos. 44 and 45.

The President **ABSTAINED** on item no. 3.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Office of Civil Rights and Wage Enforcement</u>		
1. LILLIE LEWIS	\$ 8.25	\$8,580.00

Account: 1001-000000-1561-171501-601009

Ms. Lewis will continue to work as a Contract Services Specialist II (Office Assistant I). Her duties will include, but are not limited to filing, answering the telephones, sorting mail, and covering the reception desk. The period of the agreement is effective upon Board approval for one year.

2. Upgrade the following two classes:

- a. Classification: Civilian Review Board Investigator
Job Code: 10132

From Grade: 903 (\$42,500.00 - \$68,000.00)

To Grade: 906 (\$48,700.00 - \$77,800.00)

Classification: Community Relations Representative

Job Code: 84221

From Grade: 089 (\$42,600.00 - \$51,722.00)

To Grade: 904 (\$45,100.00 - \$72,200.00)

Office of the City Council

3. MICHAEL L. SWIFT	\$90.00	\$6,750.00
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Account: 1001-000000-1000-104800-601009

Mr. Swift will continue to work as a Contract Service Specialist II (Parliamentarian), and report to the President of the City Council. His duties will include, but are not limited to attending City Council meetings and providing technical support to the President of City Council. He will also provide advice on parliamentary procedures, review and comment on questions of parliamentary procedures, and educate the President and City Council on parliamentary procedures. The period of the agreement is effective upon Board approval for one year.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Department of General Services</u>		
4. MICHAEL O'CONNOR	\$33.33	\$39,996.00

Account: 1001-000000-1981-194700-601009

Mr. O'Connor will continue to work as a Contract Services Specialist I (Financial Assessment Specialist). His duties will include, but are not limited to, reviewing the Fleet Management Consultant's recommendations and providing oversight of the implementation project that will phase in new operational and financial structures by Mercury Associates. He will also develop an internal service fund for the Building Maintenance Division and assist in the implementation of that fund so that structure is in place when General Services prepares for the FY 17 budget. This will include developing funding structures to support the reorganization of the Department of General Services, including the establishment of the Property Management Bureau and Contract Administration Section, development of a defined procedure to capture Capital Funding, and tracking and reporting Expenditures, attending meetings within the Department and other Agencies on behalf of the CFO such as Citistat statistical prep, Outcome Budget assessments and reviews, and other budget related meetings, and making recommendations regarding the budgetary and fiscal structure with an emphasis on improvements. The period of the agreement is effective upon Board approval for one year.

5. Create the following new classifications:

- a. Classification: Analyst/Programmer Supervisor
 Job Code: 33145
 Grade: 929 (\$64,600.00 - \$103,200.00)

MINUTES**PERSONNEL**Hourly RateAmountDepartment of General Services - cont'dCreate the following position:

- b. Classification: Analyst/Programmer Supervisor
 Job Code: 33145
 Grade: 929 (\$64,600.00 - \$103,200.00)
 Position No.: To be determined by BBMR

State's Attorney's Office

6. **CHRISTINE BARRATT** \$33.20 **\$39,840.00**

Account: 5000-504716-1150-118300-601009

Ms. Barratt will work as a Contract Services Specialist II (Attorney). She will be responsible for reviewing and expediting charging documents for the Juvenile Justice Center, making decisions to release or charge juvenile offenders based on principles of law and producing and providing recommendations on charges if they should be reduced or upgraded. The period of the agreement is effective upon Board approval for one year.

7. **WILLIAM E. COLE** \$32.54 **\$57,985.00**

Account: 1001-000000-1150-118000-601009

Mr. Cole will continue to work as a Contract Services Specialist I (Investigator). He will be responsible for investigating homicide cases, locating and interviewing witnesses and act as a liaison with police agencies. The salary is a 2% increase in the hourly rate from the previous contract. The period of the agreement is effective upon Board approval for one year.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>State's Attorney's Office - cont'd</u>		
8. ROBERT W. BITTINGER	\$32.54	\$57,985.00

Account: 1001-000000-1150-118000-601009

Mr. Bittinger will continue to work as a Contract Services Specialist I (Investigator). He will be responsible for ordering the analysis of drugs, obtaining lab reports, ascertaining the correct names and/or dates of birth of juveniles being prosecuted in Juvenile Court, and locating witnesses and interviewing victims and witnesses. The salary is a 2% increase in the hourly rate from the previous contract. The period of the agreement is effective upon Board approval for one year.

9. MICHAEL A. TOWNSEND	\$27.20	\$48,470.00
10. YOLANDA V. ROBINSON	\$27.20	\$48,470.00

Account: 1001-000000-1150-11800-601009

Mr. Townsend and Ms. Robinson will each continue to work as a Contract Services Specialist I (Investigator). They will be responsible for assisting the Assistant State's Attorneys in the movement of cases, inputting of charges, finalizing of charging documents, finding open warrants and communicating with Public Safety staff and members of the Baltimore City Police Department. The salary is a 1% increase in the hourly rate from the previous contract. The period of the agreement is effective upon Board approval for one year.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>State Attorney's Office - cont'd</u>		
11. SAMUEL D. BOWDEN	\$28.00	\$55,552.00

Account: 1001-000000-1150-118000-601009

Mr. Bowden will work as a Contract Services Specialist I (Investigator). His duties will include, assisting in preparing prosecution cases by locating persons of interest, researching pertinent documents and verifying information. The Department of Human Resources recommends granting this employment contract. The period of the agreement is effective upon Board approval for one year.

On March 3, 1999 your Honorable Board of Estimates approved a waiver of the AM 212-1 to allow the hiring of retired Police Officers as Investigators for the Office of the State's Attorney with no restrictions on the number of work hours and rate of pay.

Mayor's Office of Criminal Justice

12. THOMAS CORY TURNER	\$25.00	\$32,500.00
13. D'LEON BARNETT	\$25.00	\$32,500.00
14. PRECIOUS GRANT	\$25.00	\$32,500.00
15. CARL BARRINGTON HEADLEY	\$25.00	\$32,500.00

Account: 1001-000000-2252-729400-601009

Mr. Turner, Mr. Barnett, Ms. Grant, and Mr. Headley will each continue to work as a Contract Services Specialist II (Youth Connector). Their duties will include, but are not limited to creating needs assessment tools based on evidence

MINUTES**PERSONNEL**Hourly RateAmountMayor's Office of Criminal Justice - cont'd

based models and in consultation with other stakeholders, assessing every youth at the connection center to identify needs; identifying services and making connections for youth and their families, participating in the strategic planning for service delivery at the Centers, building relationships to promote the Centers as safe places for youth, collecting data from youth, their families and from participating agencies, delivering and coordinating recreational activities, life skills training and educational opportunities, and assisting in supervision and transportation of youth. The period of the agreement is effective upon Board approval through July 31, 2016.

Police Department

16. SHEILA T. PETERS	\$14.42	\$30,000.00
17. DAVID M. WERNER	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Ms. Peters and Mr. Werner, retirees, will each continue to work as a Contract Services Specialist I for the Records Management Section. They will be responsible for reviewing original National Crime Information Center (NCIC) entries, police reports, and supporting documentation. In addition, they will access local, state, and federal databases for additional information, update records on the NCIC, and prepare supplemental reports. The period of the agreement is August 28, 2015 through August 27, 2016.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department - cont'd</u>		
18. ERNESTINE RUFFIN	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Ms. Ruffin, retiree, will continue to work as a Contract Services Specialist I for the Human Resources Section - Applicant Investigation Unit. She will be responsible for conducting pre-employment investigations for police officer applicants and civilian applicants and conducting local, state, and national records and warrants checks. In addition, Ms. Ruffin will investigate references, conduct neighborhood canvasses, interview applicants, gather all vital documents, and summarize into pre-employment files. The period of the agreement is August 28, 2015 through August 27, 2016.

19. ALBERT M. DIGGS	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Mr. Diggs, retiree, will continue to work as a Contract Services Specialist I for the Overtime and Secondary Employment Unit. He will be responsible for coordinating, scheduling oversight, and billing associated with permanent sites and events. Mr. Diggs will also maintain and administer the record of members in violation of their respective responsibilities. The period of the agreement is August 28, 2015 through August 27, 2016.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department - cont'd</u>		
20. DOUGLAS W. KERR	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Mr. Kerr, retiree, will continue to work as a Contract Services Specialist I for the Property Section - Inventory Control Unit. He will be responsible for inventory and accountability of all Department equipment and will assist all other units in the Property Section, as needed. In addition, Mr. Kerr will identify and label all non-expendable property and enter it into the Consolidated Management Receipt database. The period of the agreement is August 28, 2015 through August 27, 2016.

21. KATHY L. KLINE	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Ms. Kline, retiree, will continue to work as a Contract Services Specialist I for the Internal Affairs Division. She will be responsible for handling the initial intake of complaints from citizens and members of the agency and ensuring proper notifications are made through channels and forwarded to supervisors for assignment to an Internal Affairs Division Investigator. In addition, Ms. Kline will conduct preliminary investigations of complaints from City Hall and the Police Commissioner's Office. The period of the agreement is August 28, 2015 through August 27, 2016.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department - cont'd</u>		
22. NANCY P. BYERS	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Ms. Byers, retiree, will continue to work as a Contract Services Specialist I for the Communications Information Retrieval Unit. She will be responsible for audio reproduction of recordings of 911 and 311 calls from the public, police radio dispatchers, and other recorded calls. Ms. Byers will reproduce calls that require research in the computer-aided dispatch system and the recording system. In addition, she will search for individual audio files, placing them in the order of occurrence, and produce a CD or tape. The period of the agreement is August 28, 2015 through August 27, 2016.

ON JANUARY 3, 1996, THE BOARD OF ESTIMATES APPROVED A WAIVER OF THE ADMINISTRATIVE MANUAL POLICY 212-1, PART I. THIS WAIVER ALLOWED THE BALTIMORE POLICE DEPARTMENT TO HIRE RETIRED POLICE OFFICERS ON A CONTRACTUAL BASIS.

23. Reclassify the following position:

Position No. 2044-35596:

From: Police Captain
Job Code: 10277
Grade: 83P (\$117,200.00)

To: Operations Officer V
Job Code: 00089
Grade: 936 (\$76,100.00 - \$121,700.00)

Costs: \$6,631.00 - 1001-000000-2003-195500-601001

MINUTES**PERSONNEL**

Police Department - cont'd

24. Reclassify the following position:

Position No. 2041-46384:

From: Police Lieutenant Colonel
Job Code: 10279
Grade: 85P (\$130,500.00)

To: Police Major
Job Code: 10278
Grade: 84P (\$123,900.00)

Costs: (\$9,725.00) - 1001-000000-2042-220000-601062

25. Abolish the following vacant 14 positions:

a. Position No.: 2041-18743

Classification: Community Service Officer
Job Code: 41179
Grade: 080 (\$30,834.00 - \$36,271.00)

b. Position No.: 2044-19241

Classification: Fingerprint Technician Supervisor
Job Code: 71146
Grade: 086 (\$37,774.00 - \$45,563.00)

c. Position No.: 2003-50149

Classification: Training Officer
Job Code: 33672
Grade: 927 (\$59,600.00 - \$95,400.00)

MINUTES**PERSONNEL**Police Department - cont'd

- j. Position No.: 2042-18590

 Classification: Typist II
 Job Code: 33252
 Grade: 075 (\$27,652.00 - \$31,432.00)
- k. Position No.: 2041-18564

 Classification: Typist III
 Job Code: 33253
 Grade: 078 (\$29,378.00 - \$33,879.00)
- l. Position No.: 2003-16639

 Classification: Typist III
 Job Code: 33253
 Grade: 078 (\$29,378.00 - \$33,879.00)
- m. Position No.: 2042-18576

 Classification: Typist III
 Job Code: 33253
 Grade: 078 (\$29,378.00 - \$33,879.00)
- n. Position No.: 2010-33508

 Classification: Word Processing Operator III
 Job Code: 33258
 Grade: 078 (\$29,378.00 - \$33,879.00)

Costs: (\$684,405.00) - Account Nos. - Various

MINUTES**PERSONNEL**Police Department - cont'd**BACKGROUND/EXPLANATION:**

The Department of Human Resources has reviewed a request from the Baltimore City Police Department to abolish the above listed 14 positions. The abolishment of these vacant positions was to occur in the FY16 budget, but due to timing challenges, that action did not happen. Therefore, the Police Department has requested that these positions be abolished to help offset the Cost of Living Adjustment received by the Fraternal Order of Police.

Baltimore City Health Department

26. ANJA FRIES	\$18.23	\$37,919.00
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Account: 1001-000000-3001-599000-601009

Ms. Fries will work as a Contract Services Specialist II (Special Assistant). Her duties will include, but will not be limited to assisting the Deputy Commissioner of Population Health & Disease Prevention with program strategy, development and implementation in the areas of clinical services, field health and emergency preparedness. The period of the agreement is effective upon Board approval through August 31, 2016.

27. PAULINE HOULIARAS	\$25.00	\$ 1,750.00
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Account: 1001-000000-2401-258300-601009

Ms. Houliaras will work as an Animal Hearing Panel Member for the Bureau of Animal Control. Her duties will include,

MINUTES**PERSONNEL**Health Department - cont'd

but will not be limited to providing notices of hearings in writing to the aggrieved party, any interested party, and the office at least five days before the hearing, and attend hearings as scheduled by the Chairperson of the Panel. She will also conduct hearings in an orderly, but informal manner, insuring procedural due process in accordance with Panel Hearing Procedure Regulations. In addition, she will be responsible for obtaining all relevant evidence pertaining to the issues in question and to limit the evidence to that which has bearings on the issues involved at the hearing, etc. The period of the agreement is effective upon Board approval for eleven months.

28. Reclassify the following position:

Position No. 3254-47961

c. From: Social Services Coordination Supervisor
 Job Code: 81175
 Grade: 923 (\$57,200.00 - \$91,700.00)

To: Social Program Administrator II
 Job Code: 81152
 Grade: 927 (\$60,800.00 - \$97,300.00)

Cost \$4,656.00 - 5000-532816-3044-273300-601001

29. Reclassify the following position:

Position No. 3100-33430

From: Office Supervisor
 Job Code: 33215
 Grade: 084 (\$35,564.00 - \$42,446.00)

MINUTES**PERSONNEL**Health Department - cont'd

To: Office Support Specialist III
 Job Code: 33213
 Grade: 078 (\$29,672.00 - \$34,218.00)

Cost (\$7,864.05) - 6000-624915-3100-295900-601001

Department of Law

30. **HERSH STEIN** \$33.00 **\$39,600.00**

Account: 1001-000000-5824-408970-601009

Mr. Stein, retiree, will work as a Contract Service Specialist I (Special Assistant City Solicitor). His duties will include, but will not be limited to reviewing title reports in connection with the City's acquisition of interests in real property, searching Land Records and other public records to obtain title information, render legal advice to City agencies concerning acquisition of real property interests and issues of Real Property law. He will also review and approve for legal sufficiency Options, Contracts of Sale, Deeds, and Easements. He will represent the City at settlements of real property acquisitions, review and approve settlement sheets, fees and other charges of title companies, process post settlement procedures established by the Law Department and City agencies. The period of the agreement is effective upon Board approval for one year.

This salary is in compliance with AM 212-1, Part I.

MINUTES**PERSONNEL**Department of Transportation

31. PATRICK A. FLEMING	\$43.27	\$90,001.60
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Account: 2076-000000-2351-256200-601009

Mr. Fleming will work as a Contract Services Specialist II (Special Senior Manager of Legislative Affairs). His duties will include, but will not be limited to formulating and implementing legislative policies, practices, and procedures and establishing long-term goals for the Department, particularly in regards to Traffic Enforcement Officer Protections and responsibilities, conducting studies of major or controversial Local, State and Federal legislation as it pertains to the Department. He will also analyze and recommend actions on proposed bills in line with the goals and mission of the Department, attend and lead legislative and operational meetings to discuss pending legislative proposals and solicit reactions to determine those proposals' political, operational, and fiscal impacts. He will represent the Department at other legislative, operational and community meetings, forums, and conferences related to the work of the Department, monitor bills at the local and state levels through all levels of the legislative process, and act as a liaison between the Department and officials that represent the City at the local, state and federal levels. The period of the agreement is effective upon Board approval for one year.

MINUTES**PERSONNEL**Fire Department32. Create the following position:

Classification: Deputy Fire Chief
Job Code: 10213
Grade: 84F (\$129,587.00)

Cost \$204,747.00 - 1001-000000-2121-226300-601061

33. Create the following classification:

a. Classification: Fire Risk Reduction Officer
Job Code: 41288
Grade: 343 (\$69,425.00 - \$86,738.00)

Reclassify the following position:

Position No. 2121-12609

b. From: Battalion Fire Chief
Job Code: 41259
Grade: 343 (\$69,425.00 - \$86,738.00)

To: Fire Risk Reduction Officer
Job Code: 41288
Grade: 343 (\$69,425.00 - \$86,738.00)

Cost \$0.00

MINUTES**PERSONNEL**Department of Human Resources34. a. Create the following new salary grade:Grade No.: 99P

(\$190,800.00 - \$243,800.00)

b. Abolish the following salary grade:Grade No.: 89P

(\$190,800.00 - \$243,800.00)

c. Adjust the grade of the following classification:

Classification: Police Commissioner

Job Code: 10282

From: Grade 89P (\$190,800.00 - \$243,800.00)

To: Grade 99P (\$190,800.00 - \$243,800.00)

On July 1, 2014, the Board approved the creation of Grade 89P in conjunction with the creation of other Baltimore City Police Department senior sworn command ranks in fixed salary relationships with the maximum seniority salary of the Police Lieutenant classification of the Fraternal Order of Police Supervisory Unit II.

All of the other salary grades created at the time were flat salaries consistent with the intent of the fixed salary relationship being established. However, as the salary associated with Grade 89P does not adhere to the flat salary point, but has a range, it is necessary to assign a new grade designator to this grade in order to align it with other similar salary ranges.

MINUTES**PERSONNEL**Department of Human Resources - cont'd

This will resolve programming issues in HRIS that were discovered in processing the most recent MAPS Cost of Living Adjustments. This position is considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

35. Reclassify the following 3 positions:Position No.: 16131

From: Executive Director I

Job Code: 00095, Grade 990 (\$115,000.00 - \$189,700.00)

To: Executive Director III

Job Code: 00097, Grade 992 (\$129,500.00 - \$213,700.00)

Position No.: 24037

From: Executive Director II

Job Code: 00096, Grade 991 (\$122,000.00 - \$201,300.00)

To: Executive Director III

Job Code: 00097, Grade 992 (\$129,500.00 - \$213,700.00)

Position No.: 43649

From: Executive Director I

Job Code: 00095, Grade 990 (\$115,000.00 - \$189,700.00)

To: Executive Director II

Job Code: 00096, Grade 991 (\$122,000.00 - \$201,300.00)

MINUTES**PERSONNEL**Department of Human Resources - cont'd

On June 25, 2014, the Board approved the implementation of the Managerial and Professional Society (MAPS) classification and compensation study. Following implementation of this comprehensive study which included a new classification evaluation plan, the Decision Band Method (DBM) and the development of an entirely new salary structure consisting of open salary ranges on July 1, 2014; agencies and affected employees were given the opportunity to submit appeals of the determinations. The Appeals were conducted in a two-step process of 1st Level Reviews by the Department of Human Resources and a 2nd Level Appeal Review evaluations conducted by the MAPS Appeals Committee. The Committee included the following six voting members: the Deputy Chief of Staff, the Chief of Staff of the Office of the President of the City Council, the Director of Human Resources, the Director of Finance, the Labor Commissioner, and the Chief of the Law Department's Litigation Division. Each agency also designated a representative to address any questions that might be raised by the Committee. When requested to appear before the Committee to address inquires, the Agency Designee voted on their Agency's appeal submission(s).

On June 10, 2015, the Board approved the results of those appeals that were submitted. The above listed position actions reflect the outcomes of the 1st and 2nd Level Appeal determinations which were omitted from the original Board memo.

As appeals of the original study, DHR requests authorization to apply the same implementation procedures. Class and Position Actions will be retroactive to July 1, 2014. Employees will be placed laterally within the new salary range. Employees will not receive salary increases except under the following two conditions:

MINUTES**PERSONNEL**Department of Human Resources - cont'd

- (1) The employee's current salary is below the minimum salary of the new salary range. They will be placed at the minimum of the new salary range.
- (2) The employee did not receive the full 2% Cost of Living Adjustment (COLA) and the 2% MAPS salary Adjustment in July of 2014 due to being at or above the maximum of the salary range at that time. The employee will receive any outstanding portion, providing that it does not increase the employee's salary above the maximum of the new salary range.

Employees who are eligible to receive a salary increase will be paid retroactive to July 1, 2014, or the date they entered into the appealed position, whichever is later.

Employees in a position which was determined to be a lower DBM Rating and Grade will be placed laterally into the new salary range. Those employees whose salary is above the maximum of the new salary range will be Red Circled; that is, they will be frozen at their current salary until such time as the salary range can accommodate their salary. They will not be eligible to receive any Cost of Living (COLA) increase or other adjustments until their salary falls below the maximum of the new range.

Cost \$0.00

36. Reclassify the following position:

Position No. 1603-10027

Classification: Purchasing Assistant

Job Code: 33501

Grade: 081 (\$32,076.00 - \$38,001.00)

MINUTES**PERSONNEL**Department of Human Resources - cont'd

Classification: Accounting Assistant III

Job Code: 34133

Grade: 084 (\$35,564.00 - \$42,446.00)

Cost \$5,257.00 - 1001-000000-1603-172500-601001

37. Reclassify the following position:

Position No.: 1603-47493

From: HR Specialist II

Job Code: 33628

Grade: 927 (\$60,800.00 - \$97,300.00)

To: Recruitment & Talent Acquisition
Specialist II

Job Code: 33678

Grade: 927 (\$60,800.00 - \$97,300.00)

There are no costs associated with this action.

38. Create the following position:

Classification: HR Business Partner

Job Code: 33679

Grade: 931 (\$69,600.00 - \$111,300.00)

Position: to be assigned by BBMR

Costs: \$130,527.00 - 1001-000000-1603-172500-601001

MINUTES**PERSONNEL**

Department of Human Resources - cont'd

39. Reclassify the following position:

Position No.: 1603-47028

From: Operations Officer III
 Job Code: 00087
 Grade: 929 (\$64,600.00 - \$103,200.00)

To: HR Specialist II
 Job Code: 33629
 Grade: 927 (\$60,800.00 - \$97,300.00)

Cost: (\$4,750.00) - 1001-000000-1603-172500-601001

40. Create the following two positions:

a. Classification: Operations Officer III
 Job Code: 31111
 Grade: 929 (\$64,600.00 - \$103,200.00)
 Position No.: to be assigned by BBMR

b. Classification: HR Business Partner
 Job Code: 33679
 Grade: 931 (\$69,600.00 - \$111,300.00)
 Position No.: to be assigned by BBMR

Cost: \$121,719.00 - 1001-000000-1603-172500-601001
 \$130,527.00 - 1001-000000-1603-172500-601001

MINUTES**PERSONNEL**Department of Finance41. Create the following three positions:

- a. Classification: Operations Manager I
Job Code: 00090
Grade: 939 (\$80,500.00 - \$132,600.00)
Position No.: to be assigned by BBMR
- b. Classification: Program Coordinator
Job Code: 31192
Grade: 923 (\$57,200.00 - \$91,700.00)
Position No.: to be assigned by BBMR
- c. Classification: Administrative Coordinator
Job Code: 31100
Grade: 087 (\$39,701.00 - \$47,990.00)
Position No.: to be assigned by BBMR

Cost: \$288,541.00 - 6000-604816-1550-771400-601001

Department of Planning42. Reclassify the following position:

Position No.: 1872-51067

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

To: City Planner II
Job Code: 74137
Grade: 927 (\$60,800.00 - \$97,300.00)

Cost: \$72,713.00 - 1001-000000-1872-187400-601001

MINUTES

PERSONNEL

Dept. of Planning - cont'd

43. Reclassify the following position:

Position No.: 1875-50759

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

To: City Planner II
Job Code: 74137
Grade: 927 (\$60,800.00 - \$97,300.00)

Cost: \$83,418.00 - 1001-000000-1875-187400-601001

Mayor's Office

44. Reclassify the following position:

Position No.: 2301-33548

From: Special Assistant
Job Code: 10063
Grade: 089 (\$43,026.00 - \$52,239.00)

To: Office Manager
Job Code: 00021
Grade: 906 (\$48,700.00 - \$77,800.00)

Cost: \$7,648.00 - 1001-000000-2301-248700-601001

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Mayor's Office of Economic and Neighborhood Development</u>		
45. JASON HARDEBECK	\$80.00	\$44,000.00

Account: 9904-922027-9127-900000-709009

Mr. Hardebeck will work as a Contract Services Specialist II (Broadband Coordinator). His duties will include, but are not limited to, coordinating a GIS map of all the City fiber assets, including City-owned and controlled as well as other public and private assets, creating metrics to establish benchmarks for broadband in the City. He will also develop pilot projects in coordination with the Mayor's Office of Information Technology and City agencies to demonstrate the viability of using the City's owned and peered assets to enable broadband deployment. He will recommend implementation steps for the City's broadband strategy, including formation of an organizational structure and staffing as required, represent the Mayor's Office at all public meetings regarding broadband and field community concerns and questions, and perform other projects relating to broadband and technology city-wide.

President: "Madam Mayor, would you like to introduce the guests?"

Mayor: "Yes, I want to introduce the guests but also want to acknowledge -- we were able -- thanks to the support of the Board, we were able to move forward with hiring a man named Jason Hardebeck, who will be working as our Broadband Coordinator."

MINUTES

PERSONNEL

Mayor's Office of Economic and Neighborhood Development - cont'd

I'm very pleased to bring him on board, uh, it is also Jason's birthday today, and I heard it was a big one. I don't know if you want to share?"

Mr. Jason Hardebeck: "30 plus?"

Mayor: "30 plus."

City Solicitor: "That's much too young."

Mayor: "Just want to wish you a Happy Birthday, so, welcome aboard. I'm looking forward to your work as we uh -- continue to push for progress when it comes to innovation and also when it comes to uh -- assessing the assets that we have in a way that will get the best bang for our buck with our infrastructure assets. So, thank you very much."

* * * * *

MINUTES

PERSONNEL

Baltimore Convention Center

46. Create the following position:

Classification: PC Support Technician

Job Code: 07103

Grade: 087 (\$39,701.00 - \$47,990.00)

Position No.: To be assigned by BBMR

Cost: \$19,000.00 - 1001-000000-5311-391300-601001

MINUTESDepartment of Human Resources - Consultant Agreements

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

AGREEMENTS

	<u>Rate of Pay</u>	<u>Amount</u>
1. ALEXIA CLIFTON	\$70.00 per hour	\$ 22,750.00

Account: 1001-000000-1602-725700-603018

Ms. Clifton will design, coordinate, lead physical activities, and have primary oversight for ongoing weekly physical activities throughout FY 15 as a part of the Wellness Program. The period of the agreement is effective upon Board approval for one year.

2. MARY ANN FOREMAN, ALWAYS GINGA FIT INC.	\$70.00 per hour	\$ 22,750.00
---	---------------------	---------------------

Account: 1001-000000-1602-725700-603018

Ms. Foreman will coordinate, lead physical activities, and have overall responsibility for ongoing weekly physical activities throughout FY 15. The period of the agreement is effective upon Board approval for one year.

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 above Consultants Agreements.

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:

3071 - 3076

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

Item No. 5 was **WITHDRAWN**.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- | | | | |
|----|--|-----------------------------|--------------|
| 1. | B50004206, Storm
Drain Video
Camera and
Accessories | Atlantic Machinery,
Inc. | \$ 87,800.00 |
|----|--|-----------------------------|--------------|

(DPW - Ashburton - Water Quality Mgt.)

MWBOO GRANTED A WAIVER.

A PROTEST WAS RECEIVED FROM VIRGINIA PUBLIC WORKS EQUIPMENT COMPANY.

President: "The first item on the non-routine agenda can be found on page 103, item no. 1, Recommendation for Contract Awards/Rejection, Bureau of Purchasing, B50004206, Storm Drain Video Camera, and Accessories. Will the parties please come forward? Will the parties please come forward? I will entertain a Motion."

City Solicitor: "Move denial of the protest which was not very specific uh -- to begin with and approval of the recommendation of Bureau of Purchases."

Comptroller: "Second."

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



8383 Old Richfood Rd.
Mechanicsville, Virginia 23116
Phone (804) 730-4040
(800)-868-8485
Fax (804) 730-4242

Luke Kahelski
Virginia Public Works Equipment Company
8383 Old Richfood Road
Mechanicsville, VA 23116

8/24/15

Board of Estimates
100 North Holliday Street Room 204
Baltimore, MD 21202

RE: Solicitation B50004206

Dear Purchasing Agent,

My name is Luke Kahelski and I represent Virginia Public Works Equipment Company, and I am writing this letter to protest the decision of the City in reference to the recent award of a storm water video inspection camera solicitation referenced above. I understand that the award went to the lowest bidder based on price alone. However, the equipment that they provided in their bid package did not at least meet the minimum requirements spelled out in the bid specifications. The department spelled out in the specifications the capability requirements and specific needs of the equipment for their needs. Choosing the lowest bid and not considering the specifications required by the department and whether they were truly met, defeats the intent of the bidding process.

Kindly reconsider your decision concerning the solicitation and the overall value of the equipment to the department based on the specifications they wrote. I would appreciate a response from you regarding this issue. I can be reached at 804-339-9012 or luke@vpwe.com

Thank you for taking the time to read this letter.

Sincerely,

Seaboard Asphalt Products Company



(410) 355-0330

3601 FAIRFIELD ROAD

BALTIMORE, MARYLAND 21226

August 24, 2015

City of Baltimore
Board of Estimates
Room 204, City Hall
100 North Holliday Street
Baltimore, MD 21202

REF: Bid Protest

Solicitation # B50004177

Bituminous Paving Materials (Hot & Cold Patch)

Attention: Clerk

I am writing to protest Solicitation # B50004177 Bituminous Paving Materials (Hot & Cold Patch).

PROTEST CLAIMANT: Seaboard Asphalt Products Company
3601 Fairfield Road
Baltimore, MD 21226
Shawn Campbell
410-355-0330

BID PROTESTED: Solicitation # B50004177 Bituminous Paving Materials (Hot & Cold Patch)

BUYER: Bolu Oluwasuji

PROTEST DETAILS:

The product offered by P. Flanigan & Sons is not in compliance with specifications and is an asphalt cutback.

1. UPM Liquid Blend does not meet the specifications under Section DS1.D BINDER.
2. UPM Liquid Blend contains greater than the allowed amount of oil distillate (fuel oil).
 - a. See attached UPM MSDS
 - i. Finished patch contains 1-3% oil distillate (fuel oil).

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

2. B50004177, Paving P. Flanigan & Sons, \$6,756,750.00
 Materials - Hot Incorporated
 and Cold Patch

(DOT, DPW)

MWBOO GRANTED A WAIVER.

A PROTEST WAS RECEIVED FROM SEABOARD ASPHALT PRODUCTS COMPANY.

President: "The second item on the non-routine agenda can be found on page 103, item 2 Recommendation for Contract Awards/Rejection, Bureau of Purchasing, B50004177, Paving Materials - Hot and Cold Patch. Will the parties please come forward? Are the protestors here? I will entertain a Motion."

City Solicitor: "In the absence of the protestors, I uh -- Move denial of the protest for the absent protestors and approval of the recommendation of Bureau of Purchases."

Comptroller: "Second."

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

* * * * *

- ii. The liquid binder portion of this mix design would subsequently yield 30-60% oil distillate.
 - b. See attached Federal Study on Emissions chart on page 3 of report where the details on emissions from asphalt cutbacks, which demonstrates the emissions from asphalt cutbacks of various styles. This information provides that the UPM Liquid Blend does not meet specification requirements for DS1.D. BINDER.
3. The bid offer from P. Flanigan and Sons did not contain the required certifications under Section DS1.F. CERTIFICATION.
 - a. Their bid offer did not contain MSDS
 - b. Their bid offer did not contain guarantee of conformity.
 - c. Their bid offer did not contain laboratory testing from accredited third party lab.
4. The bid offer from P. Flanigan and Sons did not contain the required QC Plan as specified under Section DS1.E. QUALITY CONTROL PLAN.

Seaboard Asphalt should be awarded the Line Item A and B for Cold Patch for the following reasons:

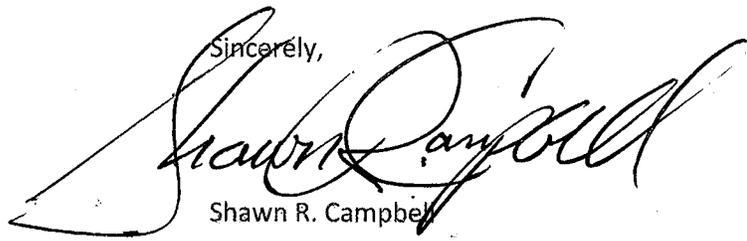
1. Seaboard was low bidder for Item B.
2. Seaboard BOND-X GREEN meets all specification requirements.
3. Seaboard provided all required documents.
4. Seaboard met all requirements of the solicitation.

RELIEF REQUESTED:

The bid offer from P. Flanigan and Sons for Cold Patch Items should be rejected for non-conformity of product to specifications and unresponsive in not providing required documents with bid offer. Seaboard Asphalt should be awarded both Items A and B for Cold Patch for providing the best responsive bid offer for these items for this solicitation.

I would thank you for review of our protest. If the Board of Estimates has any additional questions or would like clarification on any points; please do not hesitate to contact me at 410-355-0330 or via email at sales@seaboardasphalt.com.

Sincerely,



Shawn R. Campbell
VP Sales

UPM MATERIAL SAFETY DATA SHEET

PRODUCT NAME(S): UPM[®] PERMANENT PAVEMENT REPAIR MATERIAL

MATERIAL SAFETY DATA SHEET

UNIQUE PAVING MATERIALS CORPORATION

Date Prepared: September 26, 2006

Reviewed: September 26, 2006

UPM[®] PERMANENT PAVEMENT REPAIR MATERIAL

1.0 CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Product Name(s): UPM Permanent Pavement Repair Material

Company: Unique Paving Materials Corporation
3993 East 93rd Street
Cleveland, Ohio 44105

Emergency Telephone Numbers: (216) 441-4880 (8:00 am-4:30 pm Mon-Fri)
(800) 424-9300 CHEMTREC

2.0 COMPOSITION/INFORMATION ON INGREDIENTS

<u>Ingredients</u>	<u>CAS Number</u>	<u>% By Weight</u>
Limestone	1317-65-3	91-97
Petroleum Asphalt Base	8052-42-4	2-8
Petroleum Solvent	68476-30-2	1-3
Additives		<1.0

3.0 HAZARDS IDENTIFICATION

Potential Health Effects and Symptoms of Exposure

Eyes: Severe irritation including redness, tearing and blurred vision.

Skin: Prolonged or repeated contact may cause skin irritation and/or dermatitis.

Swallowing: Swallowing these materials can cause irritation of the mouth, throat and stomach. Nausea, vomiting and diarrhea may result from ingestion. However, it is unlikely that people working with these materials would swallow them.

PRODUCT NAME(S): UPM® PERMANENT PAVEMENT REPAIR MATERIAL

Inhalation: Breathing the fumes from these materials, particularly when they are heated and/or in an enclosed space may cause headache, nausea, and feeling of dizziness or weakness. Fumes from these materials can irritate the nose, throat and lungs. Prolonged exposure to high levels of fumes may result in loss of consciousness and in rare instances, death as a result of being unable to breathe.

Cancer Information: The International Agency for Research on Cancer (IARC) has determined that there is sufficient evidence for the carcinogenicity of asphalt fumes (refined bitumens) in experimental animal, but not in humans. (See Section 11.0 Toxicological Information).

Developmental and Reproductive Effects: Currently no information is available on the potential effects that exposure to these products may have on a person's ability to conceive a child or on the embryonic and fetal development of a child.

4.0 FIRST AID MEASURES

Eyes: If these materials get into the eyes, flush the person's eyes with large amounts of water for at least fifteen (15) minutes. Be certain to lift the upper and lower lids to ensure that all of the material is flushed out of the eyes. Contact a physician.

Skin: Immediately remove any contaminated clothing and wash the affected areas of skin with soap and water. Launder contaminated items of clothing before wearing. If skin irritation or redness persists or develops after exposure, contact a physician.

Inhalation: Move the individual to fresh air away from the fumes. If he/she is having difficulty breathing or is not fully conscious, administer oxygen and obtain immediate medical attention.

Swallowing: Do not induce vomiting. Vomiting can cause the material to be aspirated into the lungs, causing chemical pneumonitis. This can be fatal. Keep the person warm and quiet. Obtain immediate medical attention.

Note: Seek immediate medical attention for over-exposure.

PRODUCT NAME(S): UPM® PERMANENT PAVEMENT REPAIR MATERIAL

5.0 FIRE FIGHTING MEASURES

Flash Point: Greater than 200 ° F (Cleveland Tag Open Cup method)

Explosive Limit: Unknown **Flammable Limit:** Unknown

Extinguishing Media: Carbon dioxide foam, dry chemical and water fog.

Fire Fighting Instructions: A self-contained breathing apparatus with a full-face piece operating in a positive pressure mode may be required. Avoid using a water stream to prevent frothing. Water or foam may cause frothing which can be violent and may present a life-threatening situation. Frothing is most likely to occur when streams of water or foam are sprayed into hot or burning containers.

Fire and Explosion Hazards: Never use a welding or cutting torch on or near drums of this material (even empty drums) because the material can ignite explosively.

Hazardous Products of Combustion: Carbon monoxide and other organic compounds may be formed upon combustion.

6.0 ACCIDENTAL RELEASE MEASURES

Small Spill: Scoop up material into a suitable container. The material can be reused.

Large Spill: Same as for a small spill. The material can be reused.

Waste Disposal Method: Use old material as a base under fresh product.

7.0 HANDLING AND STORAGE

Store in well ventilated area away from heat and flame. Dispose of used containers according to local, state and federal requirements.

8.0 EXPOSURE CONTROLS/PERSONAL PROTECTION

Respiratory Protection: Respiratory protection should not be required when handling these products in the open air. However, if these materials are being handled in a confined area, wear a respirator with a NIOSH-approved organic vapor respiratory cartridge, or NIOSH-approved air supplied breathing equipment to prevent inhaling fumes. A respirator is only required when working with this material in a confined or inadequately ventilated area. Provide sufficient

PRODUCT NAME(S): UPM® PERMANENT PAVEMENT REPAIR MATERIAL

ventilation (mechanical ventilation such as a general or local exhaust system) to prevent vapors from accumulating and to maintain exposure levels below TLV(s).

Eye and Skin Protection: Wear a face shield or safety glasses, impervious clothing, gloves and shoes.

Hygiene Practices: Wash hands thoroughly after working with this material. Remove and launder contaminated clothing before wearing.

Exposure Guidelines: The following occupational exposure guidelines are for the major ingredients in this material. The Permissible Exposure Limit (PEL) and the Threshold Limit Value (TLV) are expressed in parts per million (PPM) of the ingredient in the workplace air.

<u>Ingredient</u>	<u>PEL</u>	<u>TLV</u>
Petroleum Asphalt Base (a)	5 ppm	5 ppm
Limestone (b)	15 mg/cu.m.	15 mg/cu.m.
Petroleum Solvent Additives	N/E	N/E

(a) As fumes

(b) Total dust

N/E: Not Established

9.0 PHYSICAL AND CHEMICAL PROPERTIES

Boiling Point: Not Applicable

Specific Gravity: Greater than water

Vapor Density: Heavier than air

Evaporation Rate: Slower than ether

Percent Volatile: 0-4% by volume

Solubility in Water: Negligible

Odor, Appearance and Color: Black, coated stone with petroleum odor.

10.0 STABILITY AND REACTIVITY

Hazardous Polymerization: This material is not known to undergo hazardous polymerization.

Hazardous Decomposition: Carbon monoxide and other potentially hazardous organic compounds may be formed when this material burns.

Chemical Stability: Stable

Incompatibility: Avoid contact with strong acids, oxidizing agents and petroleum products to preserve the quality of this material.

11.0 TOXICOLOGICAL INFORMATION

The relevant toxicological information for the major components of UPM Cold Mix are summarized below.

Petroleum Asphalt: The International Agency for Research on cancer (IARC) has determined that there is sufficient evidence to classify extracts of bitumens (the primary components of asphalt) as carcinogenic in experimental animals. Studies on workers exposed to asphalt fumes have not produced conclusive evidence of an increased risk of cancer. Some epidemiologic studies have shown no increased risk of cancer among exposed workers, while other studies show a slightly increased risk of lung, other respiratory tract and gastrointestinal tract cancers. In those studies where an increased risk of cancer was reported, a number of the workers who were included in the studies also may have been exposed to coal tar products other than asphalt. Consequently, the increased risk may not be exclusively attributable to exposure to asphalt fumes.

Dermal applications of undiluted (hot) asphalt to experimental animals have reportedly produced tumors at the site of application. However, these findings should be interpreted with caution because the applications may have produced burns and irritation that could have been related to tumor production. Solvent dilutions of different types of asphalt have been evaluated in chronic skin painting studies. Condensates of asphalt fumes diluted in solvent have been evaluated in skin painting studies. The conditions under which these studies were conducted may not be representative of the conditions to which people working with these materials are likely to be exposed. However, exposure to asphalt can produce skin irritation in people who get these materials on their skin.

Extracts of asphalt tested in modified Ames Assay gave negative or slightly positive findings (mutagenicity index <1.5). Fume condensates derived from heating asphalt to high temperatures (>450 ° F) were moderately mutagenic (mutagenicity index 4-9). By comparison, fumes generated by heating coal tar pitch were >1000 times more mutagenic in the Ames Assay than asphalt.

Petroleum Solvent: IARC has determined that Petroleum Solvent contains components that may be carcinogenic. Prolonged and repeated applications of petroleum solvent to the skin of laboratory animals have been shown to produce skin tumors. Tumors were produced in association with marked irritation. IARC has classified combustion products of petroleum solvent as probable human carcinogens. Lifetime exposure to these combustion products has been shown to cause cancer in laboratory animals. However, no combustion products are expected to be generated from the intended use of UPM Asphalt Cold Mix. Consequently, inhalation of petroleum solvent combustion products is not a relevant exposure for people working with these materials under normal conditions.

PRODUCT NAME(S): UPM® PERMANENT PAVEMENT REPAIR MATERIAL

Limestone: Limestone (calcium carbonate) is not on the NTP, IARC or ASHA list of known or potential carcinogens. The potential health concern from the use of crushed limestone is from the dust that may be created. Calcium carbonate dust can cause coughing, sneezing and nasal irritation. Limestone dust may contain respirable silica particles that may cause silicosis if inhaled at high enough concentrations over a prolonged period of time.

12.0 ECOLOGICAL INFORMATION

Although there is no evidence that the components of UPM Asphalt Cold Mix bioaccumulate in food chains, the heavier molecular weight components of asphalt and Petroleum Solvent may be persistent under some environmental conditions. Release of these products into surface waters should be avoided.

13.0 DISPOSAL CONSIDERATIONS

Use old or contaminated material as a base for fresh product.

14.0 TRANSPORT INFORMATION

DOT Description:

Proper Shipping Name:	Not regulated by DOT as a hazardous substance
Hazard Class:	None
UN Number:	None
NA Number:	None

15.0 REGULATORY INFORMATION

US Federal Regulations

OSHA Hazard Communication Standard (29 CFR 1910.1200):

This product is considered to be non-hazardous as defined in OSHA's Hazard Communication Standard.

EPA Toxic Substances Control Act, TSCA (40 CFR part 710):

All components of this product are in compliance with the inventory listing requirements of TSCA.

PRODUCT NAME(S): UPM® PERMANENT PAVEMENT REPAIR MATERIAL

EPA SARA Title III (Superfund Amendments and Reauthorization Act) –
Sections 302, 304, 311, 312, 313:

Section 302 – Extremely Hazardous Substances (40 CFR Part 355):

This product contains the following component(s) identified on
Appendix A and B of the extremely hazardous substance list:

	Reportable	Threshold Planning
--Component--	--Quantity (Lbs.)--	--Quantity (Lbs.)--

NONE

Section 304 – Emergency Release Notifications (40 CFR Part 355):

This product contains the following component(s) identified
Either as an extremely hazardous substance (see Section 302) or a
CERCLA Hazardous Substance (40 CFR 302) which in the case of
a spill or release may be subject to the reporting requirements
under Section 304 of Title III:

NONE

Sections 311 and 312 – Material Safety Data Sheet (MSDS)
Requirements (40 CFR Part 370):

This product is not a hazardous chemical under 29 CFR 1910.1200
and therefore is not covered by Title III of SARA.

Section 313 – Toxic Chemical Release Reporting 940 CFR 372):

This material does not contain ingredients subject to Section 313 of
SARA Title III.

<u>State Right-to Know Laws:</u> <u>%Weight:</u>	<u>Components</u> <u>subject to reporting:</u>	<u>CAS Number:</u>
Connecticut	No component subject to reporting	
Florida	No component subject to reporting	
Illinois	No component subject to reporting	
Louisiana	No component subject to reporting	
Massachusetts	No component subject to reporting	
New Jersey	No component subject to reporting	
Pennsylvania	No component subject to reporting	
California Proposition 65	The required chemical analyses and risk assessments were performed on this product. Results indicate that there are no significant	

PRODUCT NAME(S): UPM® PERMANENT PAVEMENT REPAIR MATERIAL

risks (or observable effects), as defined by this statute, associated with this product under conditions of normal use.

16.0 OTHER INFORMATION

<u>NFPA Classification</u> <u>Rating</u>	<u>HMIS Classification</u>	<u>Hazard</u>
Health: 1	Health: 1	0 - Least
Fire: 1	Fire: 1	1 - Slight
Reactivity: 0	Reactivity: 0	2 - Moderate
Other: -	Personal Protection:*	3 - High
		4 - Extreme

Comments:

* See Section 8 of this MSDS for guidance in selection of personal protective equipment.

The information contained in this MSDS is believed to be accurate as of the time that this document was prepared. All chemicals may present unknown health hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist. Final determination of suitability of the chemical(s) is the sole responsibility of the user. Users of any chemical should satisfy themselves that the conditions and methods of use assure that the chemical is used safely.

NO REPRESENTATIONS OR WARRANTIES, EITHER EXPRESSED OR IMPLIED, OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER NATURE ARE MADE HEREUNDER WITH RESPECT TO THE INFORMATION CONTAINED HEREIN OR THE CHEMICAL TO WHICH THE INFORMATION REFERS.

FEDERAL STUDY ON EMISSIONS

4.5 Asphalt Paving Operations

4.5.1 General¹⁻³

Asphalt surfaces and pavements are composed of compacted aggregate and an asphalt binder. Aggregate materials are produced from rock quarries as manufactured stone or are obtained from natural gravel or soil deposits. Metal ore refining processes produce artificial aggregates as a byproduct. In asphalt, the aggregate performs 3 functions: it transmits the load from the surface to the base course, takes the abrasive wear of traffic, and provides a nonskid surface. The asphalt binder holds the aggregate together, preventing displacement and loss of aggregate and providing a waterproof cover for the base.

Asphalt binders take the form of asphalt cement (the residue of the distillation of crude oils), and liquified asphalts. To be used for pavement, asphalt cement, which is semisolid, must be heated prior to mixing with aggregate. The resulting hot mix asphalt concrete is generally applied in thicknesses of from 5 to 15 centimeters (2 to 6 inches). Liquified asphalts are: (1) asphalt cutbacks (asphalt cement thinned or "cutback" with volatile petroleum distillates such as naphtha, kerosene, etc.) and (2) asphalt emulsions (nonflammable liquids produced by combining asphalt and water with an emulsifying agent, such as soap). Liquified asphalts are used in tack and seal operations, in priming roadbeds for hot mix application, and for paving operations up to several inches thick.

Cutback asphalts fall into 3 broad categories: rapid cure (RC), medium cure (MC), and slow cure (SC) road oils. SC, MC, and RC cutbacks are prepared by blending asphalt cement with heavy residual oils, kerosene-type solvents, or naphtha and gasoline solvents, respectively. Depending on the viscosity desired, the proportions of solvent added generally range from 25 to 45 percent by volume.

Emulsified asphalts are of 2 basic types: 1 type relies on water evaporation to cure, the other type (cationic emulsions) relies on ionic bonding of the emulsion and the aggregate surface. Emulsified asphalt can substitute for cutback in almost any application. Emulsified asphalts are gaining in popularity because of the energy and environmental problems associated with the use of cutback asphalts.

4.5.2 Emissions^{1,2}

The primary pollutants of concern from asphalts and asphalt paving operations are volatile organic compounds (VOC). Of the 3 types of asphalts, the major source of VOC is cutback. Only minor amounts of VOCs are emitted from emulsified asphalts and asphalt cement.

VOC emissions from cutback asphalts result from the evaporation of the petroleum distillate solvent, or diluent, used to liquify the asphalt cement. Emissions occur at both the job site and the mixing plant. At the job site, VOCs are emitted from the equipment used to apply the asphaltic product and from the road surface. At the mixing plant, VOCs are released during mixing and stockpiling. The largest source of emissions, however, is the road surface itself.

For any given amount of cutback asphalt, total emissions are believed to be the same, regardless of stockpiling, mixing, and application times. The 2 major variables affecting both the quantity of VOCs emitted and the time over which emissions occur are the type and the quantity of petroleum distillate used as a diluent. As an approximation, long-term emissions from cutback

asphalts can be estimated by assuming that 95 percent of the diluent evaporates from rapid cure (RC) cutback asphalts, 70 percent from MC cutbacks, and about 25 percent from SC asphalts, by weight percent. Some of the diluent appears to be retained permanently in the road surface after application. Limited test data suggest that from RC asphalt, 75 percent of the total diluent loss occurs on the first day after application, 90 percent occurs within the first month, and 95 percent in 3 to 4 months. Evaporation takes place more slowly from MC asphalts, with roughly 20 percent of the diluent being emitted during the first day, 50 percent during the first week, and 70 percent after 3 to 4 months. No measured data are available for SC asphalts, although the quantity emitted is believed to be considerably less than with either RC or MC asphalts, and the time during which emissions take place is expected to be considerably longer (Figure 4.5-1). An example calculation for determining VOC emissions from cutback asphalts is given below:

Example: Local records indicate that 10,000 kg of RC cutback asphalt (containing 45 percent diluent, by volume) was applied in a given area during the year. Calculate the mass of VOC emitted during the year from this application.

To determine VOC emissions, the volume of diluent present in the cutback asphalt must first be determined. Because the density of naphtha (0.7 kg/L) differs from that of asphalt cement (1.1 kg/L), the following equations should be solved to determine the volume of diluent (x) and the volume of asphalt cement (y) in the cutback asphalt:

$$10,000 \text{ kg cutback asphalt} = (x \text{ liter, diluent}) \cdot \left(\frac{0.7 \text{ kg}}{\text{liter}} \right) + (y \text{ liter, asphalt cement}) \cdot \left(\frac{1.1 \text{ kg}}{\text{liter}} \right)$$

and

$$x \text{ liter, diluent} = 0.45 (x \text{ liter, diluent} + y \text{ liter, asphalt cement})$$

From these equations, the volume of diluent present in the cutback asphalt is determined to be about 4900 liters, or about 3400 kg. Assuming that 95 percent of this is evaporative VOC, emissions are then: 3400 kg x 0.95 = 3200 kg (i. e., 32%, by weight, of the cutback asphalt eventually evaporates).

These equations can be used for medium cure and slow cure asphalts by assuming typical diluent densities of 0.8 and 0.9 kg/liter, respectively. Of course, if actual density values are known from local records, they should be used in the above equations rather than typical values. Also, if different diluent contents are used, they should also be reflected in the above calculations. If actual diluent contents are not known, a typical value of 35 percent may be assumed for inventory purposes.

In lieu of solving the equations in the above example, Table 4.5-1 may be used to estimate long-term emissions from cutback asphalts. Table 4.5-1 directly yields long-term emissions as a function of the volume of diluent added to the cutback and of the density of the diluents and asphalt cement used in the cutback asphalt. If short-term emissions are to be estimated, Figure 4.5-1 should be used in conjunction with Table 4.5-1.

No control devices are employed to reduce evaporative emissions from cutback asphalts. Asphalt emulsions are typically used in place of cutback asphalts to eliminate VOC emissions.

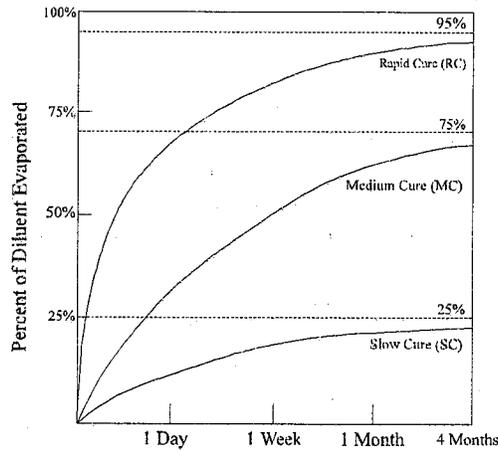


Figure 4.5-1. Percent of diluent evaporated from cutback asphalt over time.

Table 4.5-1. EVAPORATIVE VOC EMISSIONS FROM CUTBACK ASPHALTS AS A FUNCTION OF DILUENT CONTENT AND CUTBACK ASPHALT TYPE^a

EMISSION FACTOR RATING: C

Type Of Cutback ^b	Percent, By Volume, Of Diluent In Cutback ^c		
	25%	35%	45%
Rapid cure	17	24	32
Medium cure	14	20	26
Slow cure	5	8	10

^a These numbers represent the percent, by weight, of cutback asphalt evaporated. Factors are based on References 1-2.

^b Typical densities assumed for diluents used in RC, MC, and SC cutbacks are 0.7, 0.8, and 0.9 kg/liter, respectively.

^c Diluent contents typically range between 25 - 45%, by volume. Emissions may be linearly interpolated for any given type of cutback between these values.

References For Section 4.5

1. R. Keller and R. Bohn, *Nonmethane Volatile Organic Emissions From Asphalt Cement And Liquified Asphalts*, EPA-450/3-78-124, U. S. Environmental Protection Agency, Research Triangle Park, NC, December 1978.
2. F. Kirwan and C. Maday, *Air Quality And Energy Conservation Benefits From Using Emulsions To Replace Asphalt Cutbacks In Certain Paving Operations*, EPA-450/2-78-004, U. S. Environmental Protection Agency, Research Triangle Park, NC, January 1978.

3. David W. Markwordt, *Control Of Volatile Organic Compounds From Use Of Cutback Asphalt*, EPA 450/2-77-037, U. S. Environmental Protection Agency, Research Triangle Park, NC, December 1977.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

3. B50004153, Water- Works Repair Parts HD Supply Waterworks, Limited Partnership \$ 300,000.00

Ferguson Waterworks, LLC

(DPW - Water and Wastewater)

MWBOO GRANTED A WAIVER.

4. B50004145, Fiber Optic Cable Installation, Maintenance and Repair Services Highlander Contracting Company, LLC \$1,000,000.00
- Bluestar Technologies, Inc.

(MOIT, DPW, and Others)

MWBOO SET GOALS OF 17% MBE AND 5% WBE.Highlander Contracting Company, LLC

MBE: Machado Construction Company, Inc. \$53,975.00 17%

WBE: Cuddy & Associates, LLC \$15,875.00 5%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of PurchasesBluestar Technologies, Inc.

MBE: A-Connection, Inc.	\$64,260.00	17%
WBE: The Allocated Formula Group, Inc.	\$15,120.00	4%
K Supply, Inc.	3,780.00	1%
	<u>\$18,900.00</u>	<u>5</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

5. B50004056, Enterprise \$15,000,000.00
Technology Staffing Telecommunication
Support Systems, Inc.

Skyline Network
Engineering, LLC
d/b/a Skyline
Technology
Solutions

(MOIT, DPW, DOT and Others)

MWBOO SET GOALS OF 27% MBE AND 10% WBE.

Telecommunication Systems, Inc.

MBE: Bithgroup Technologies, Inc.	27%
WBE: Realistic Computing, Inc.	10%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

Skyline Network Engineering, LLC d/b/a Skyline Technology
Solutions

MBE: Full Circle Solutions, Inc. 27%

WBE: Bay-Tek Consulting, Inc. 10%

MWBOO FOUND VENDOR IN COMPLIANCE.

6. B50004074, J.I.T. Rudolph's Office & \$9,000,000.00
Office Supplies Computer Supply,
Inc.

(City-wide)

MWBOO SET GOALS AT 5% MBE AND 0% WBE.

MBE: Sue Ann's Office Supply, Inc. 5%

MWBOO FOUND VENDOR IN COMPLIANCE.

A PROTEST WAS RECEIVED FROM WHITEFORD, TAYLOR, AND PRESTON, L.L.P. ON BEHALF OF MY OFFICE PRODUCTS. A SUPPLEMENTAL PROTEST WAS RECEIVED FROM WHITEFORD, TAYLOR, AND PRESTON, L.L.P. ON BEHALF OF MY OFFICE PRODUCTS.

A RESPONSE TO THE PROTEST FROM WHITEFORD, TAYLOR, AND PRESTON, L.L.P. ON BEHALF OF MY OFFICE PRODUCTS WAS RECEIVED FROM RUDOLPH'S OFFICE & COMPUTER SUPPLY, INC.

WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
MAIN TELEPHONE (410) 347-8700
FACSIMILE (410) 752-7092

THURMAN W. ZOLLIFFER, JR.
DIRECT LINE (410) 347-9453
DIRECT FAX (410) 223-4353
TZollicoffer@wtplaw.com

BALTIMORE, MD
BETHANY BEACH, DE*
BETHESDA, MD
COLUMBIA, MD
DEARBORN, MI
FALLS CHURCH, VA
LEXINGTON, KY
ROANOKE, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

July 20, 2015

Sent via facsimile ((410)685-4416) and regular mail

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

Re: Request for Postponement (Solicitation No. B50004074)

Honorable President and Members of the Board of Estimates:

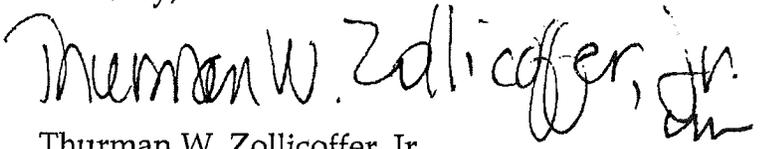
We represent My Office Products, the apparent low bidder on Solicitation No. B50004074. We have tried to determine whether My Office Products will be awarded the contract, but so far have not been able to ascertain that information. We anticipate, however, that at Wednesday's scheduled Board of Estimates meeting, one of two things might happen: (1) the agency will try to maintain its relationship with the incumbent, in which case My Office Products will protest; or (2) if My Office Products is awarded the contract, there will be a protest by the incumbent. I will be out of town on Wednesday, and, therefore, if either of these events is to occur, we respectfully request a postponement of the vote on this contract to allow us to properly represent My Office Products's interests before the Board of Estimates.

Please do not hesitate to contact me if you have any questions or concerns.

Thank you for your attention to this matter.

July 20, 2015
Page 2

Sincerely,

A handwritten signature in black ink that reads "Thurman W. Zollicoffer, Jr." with a stylized flourish at the end.

Thurman W. Zollicoffer, Jr.

cc: Deborah H. Diehl
Heather A. James
Peter W. Sheehan, Jr.

WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1636

MAIN TELEPHONE (410) 347-8700
FACSIMILE (410) 752-7092

THURMAN W. ZOLLIFFER, JR.
DIRECT LINE (410) 347-9453
DIRECT FAX (410) 223-4366
tzollicoffer@wtplaw.com

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*
DEARBORN, MI

WWW.WTPLAW.COM
(800) 987-8705

August 24, 2015

VIA HAND DELIVERY

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

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

The Honorable Stephanie Rawlings-Blake
Mayor's Office, City Hall
100 N. Holliday Street, Room 400
Baltimore, Maryland 21202

George Nilson, Esquire
City Solicitor
101 City Hall
Baltimore, Maryland 21202

The Honorable Bernard C. "Jack" Young
Baltimore City Council
Office of the President
City Hall
100 N. Holliday Street, Suite 400
Baltimore, Maryland 21202

Mr. Rudolph S. Chow
Director of Public Works
600 Abel Wolman Municipal
Building
Baltimore, Maryland 21202

***Re: Request for Proposals Number B50004074 for Procurement of
Just In Time Office Supplies***

Dear Madam Clerk:

On behalf of MyOfficeProducts, Inc. ("MyOfficeProducts"), we are providing the following additional information in connection with the MyOfficeProducts' pending July 28, 2015 and August 21, 2015 bid protests to the above-referenced solicitation ("RFP"). We ask the Board to consider the following key points prior to voting on this matter.

I. Additional Points

MyOfficeProducts has asserted in its protest that the City rejected its proposal by improperly interpreting the RFP to require full implementation of a Government-to-Business Punch-Out interface with the City's electronic purchasing system, BuySpeed by Periscope, within 3 months of contract award. The relevant RFP section, Section SW25.L.1. (Part 1, page B-15) provides as follows:

Within three months of an award, the Contractor must have an Internet ordering system *with the ability to implement* a Government-to-Business Punch-Out interface with the City's electronic purchasing system, BuySpeed by Periscope.

(emphasis added).

The RFP does not, as the City contends, require a full implementation of the Government-to-Business Punch-Out interface (the "Interface") within three (3) months of award; it requires that the awardee's Internet system have the functional capability to implement the Interface. The MyOfficeProducts Internet ordering system does in fact have the ability to implement the Interface, and the MyOfficeProducts proposal does not indicate otherwise, nor does it seek a deviation from the foregoing RFP requirement.

At the August 19, 2015 Board of Estimates meeting, MyOfficeProducts, the City purchasing office and the incumbent, Rudolph's Office Supply, Inc. ("Rudolph's") presented oral arguments regarding a number of issues raised in MyOfficeProducts' protests, including the implementation of the Interface. The City contended at the August 19, 2015 meeting that it interpreted the above-referenced RFP language to mean that full implementation of the Interface was to be completed within 3 months of contract award. The City further stated that it "clarified" its interpretation of the Interface requirement at a pre-bid meeting, which strongly suggests that the City is aware that the RFP language does not, as it now claims, require full implementation of the Interface within a three month period.

A verbal "clarification" during a pre-bid meeting is not a valid modification of the written RFP terms. If the City wanted full implementation of the Interface within a three (3) month period, it should have made its intentions known in the RFP, so that bidders would be on notice that their online ordering system must have implementation completed by that time, not just have the functional capability of implanting the Interface, as the RFP states. Had the City intended to modify the RFP to require a three (3) month full implementation of the Interface, it would have been required to issue a written amendment to the RFP to that effect, which it did not do.

Since it did not properly modify the RFP terms, the City was bound to follow the written RFP terms in evaluating bids for this procurement.

Significantly, the City stated during the hearing that it intended, immediately upon contract award, to extend their current contract with incumbent Rudolph's for three (3) months to allow the new vendor to implement the Interface, which appears to undercut the City's contention that a three-month implementation schedule from the date of contract award was a requirement.

Moreover, the City did not articulate during the hearing of this protest how a longer Interface implementation period would provide MyOfficeProducts with a competitive price advantage over the other bidders, as Maryland law requires if a bid is rejected as having a material deviation. See Opinions of the City Solicitor 81, 82 (February 24, 1941); McQuillan on Municipal Corporations (2nd Ed.), vol. III, sec. 1321; *Pascoe v. Barnum*, 225 N.W. 506 at 507 (1929). As we stated during the hearing, the only bidder with a competitive price advantage is Rudolph's, the incumbent, which already has an Interface up and running. Significantly, even with such a distinct competitive advantage, Rudolph's bid was still higher than MyOfficeProducts by nearly \$300,000.¹

Finally, the City's proposed rejection of MyOfficeProducts' bid violates a fundamental premise of government procurements: that bidders must be fairly advised of the basis upon which their proposals will be evaluated. It was unreasonable for the City to set forth language in the RFP that does not accurately reflect what the City's intended requirement was. Further, there is nothing in the MyOfficeProducts proposal that would cast doubt on MyOfficeProducts' ability or intention to accept and perform the City's contract requirements.

Simply put, the City improperly seeks to eliminate MyOfficeProducts, the low bidder in this procurement, based on factors not specified in the RFP and award this contract to a more expensive vendor. MyOfficeProducts protest should be sustained and the rejection of its proposal should be withdrawn.

II. Conclusion

Pursuant to Baltimore City Charter Article IV, § 11(g)(1)(ii), the Board of Estimates is required to award this contract to "the lowest responsive and responsible bidder" responding to the RFP. As the lowest priced responsive and responsible bidder in this procurement, MyOfficeProducts should have been recommended for contract

¹ The Contract is estimated in the agenda as having a total contract value of \$9 million. If the contract value is in fact \$9 million, the cost savings of the MyOfficeProducts bid is almost \$500,000 over Rudolph's.

July 28, 2015

Page 4

award. Accordingly, we request that the City's rejection of MyOfficeProducts' bid be withdrawn and MyOfficeProducts recommended for contract award.

If, however, the Board is unable to recommend award of the contract to MyOfficeProducts, we believe it is in the best interest of the City to cancel the RFP, clarify the Interface specifications in a new RFP, evaluate new bids and make a new contract award recommendation.

Please do not hesitate to contact me if you have any questions or concerns.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Thurman W. Zollicoffer, Jr.", written in a cursive style.

Thurman W. Zollicoffer, Jr.



Rebuttal to Whiteford, Taylor & Preston L.L.P. Protest on Behalf of My Office Products

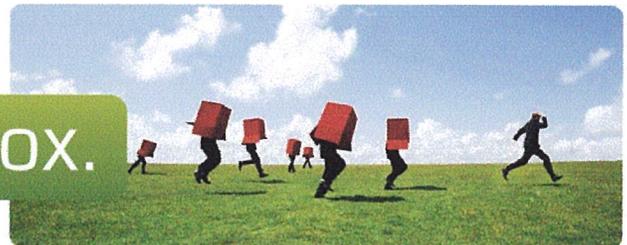
Solicitation # B50004074

J.I.T. Office Supplies

Copy 1 of 2

City of Baltimore
Office of the Comptroller
Room 204 City Hall
100 North Holliday Street
Baltimore, Maryland 21202

get out of the big box.



5020 Campbell Blvd. | Suite C | Baltimore, Maryland 21236
Woman Owned & Operated | MBE 94-126

CONFIDENTIAL

July 31, 2015

City of Baltimore
Office of the Comptroller, Room 204 City Hall
100 North Holliday Street
Baltimore, MD 21202

Attention: Office of the Comptroller, Board of Estimates

Re: Protest of Solicitation Number B50004074 for J.I.T. Office Supplies
City of Baltimore
Department of Finance
Bureau of Purchases
Sue Ziegler, Procurement Supervisor

To whom it may concern,

Upon close evaluation of the My Office Products protest to Solicitation Number B50004074 for J.I.T. Office Supplies, Rudolph's Office & Computer Supply, Inc. wishes to present a rebuttal to several points made in the protest letter filed by Whiteford, Taylor & Preston L.L.P. Our rebuttal points are outlined below and we have attached all supporting documentation.

A. My Office Products arguments listed under *II. Rudolph's Proposal Should Have Been Eliminated as Nonresponsive* are invalid.

1. Per the attached, Rudolph's selected that this insurance was currently in place with the City of Baltimore. As you will see on the attached Certificate of Insurance on record with the City of Baltimore, Rudolph's complies with (and exceeds) the Insurance Requirements detailed in the bid. The Umbrella Coverage covers up to \$5,000,000 for each Occurrence and \$5,000,000 Aggregate.
2. Per B-17 SW-Program 4, Employ Baltimore was deemed "none required"; therefore, paperwork was not required. SW-Program 4 Local Hiring was applicable and Rudolph's agreed to these terms in Tab 2 of our Technical Response Submission. See page 4 of Bidder's Qualifications, Section M – Local Hiring. In addition, this information was provided in Tab 10 – Capabilities.
3. Per the MBE form, Rudolph's completed the "Subcontract percentage of contract: 5%." Additionally, according to the Board of Estimates agenda for July 29, 2015, "MWBOO found vendor in compliance."

B. My Office Products arguments listed under *III. The City Should Have Rejected Rudolph's as a Nonresponsible Bidder* are inaccurate.

1. Prince George's County Government remains a customer. See the attached Sales History Report for Prince George's County. The last order date is July 28, 2015 and sales in June were \$146,335.32.
2. First Mariner Bank remains a customer. See the attached Sales History Report for First Mariner Bank. The last order date is July 29, 2015 and sales in June were \$14,500.56.
3. Rudolph's was notified in late June via email that Rudolph's contracts with Prince George's County would not be renewed due to our pending MBE certification with Prince George's County. Prince George's County MBE is granted based on an active MDOT State of Maryland MBE certification and, for this reason, we believed this was sent in error. We responded to Prince George's County with the attached MDOT MBE letter dated March 26, 2015 and explained our position on this matter. We expect to be reinstated shortly and all information submitted at the time of bid submittal was accurate.

4. Rudolph's has held or currently holds desktop delivery contracts with WSSC, Montgomery College, and Prince George's County. See attached for our current contract with WSSC for desktop delivery of multipurpose paper. Rudolph's held the Montgomery College Office Supplies contract from July 1, 2005 through June 30, 2015 (see attached for original contract and last renewal letter). We continue to sell Montgomery College additional product categories as part of our total offering. We have been assured by Prince George's County that all three of our contracts will be reinstated as soon as our Prince George's County MBE is reinstated. See attached for Prince George's County contract information.

As you can see, there is not merit to the protests submitted by Whiteford, Taylor & Preston L.L.P. on behalf of My Office Products and the information provided is inaccurate.

If you have any questions or concerns, please do not hesitate to contact me at 410-931-4150 or censley@rudolphsupply.com.

Sincerely,



Christina Ensley, President
Rudolph's Office & Computer Supply
5020 Campbell Boulevard, Ste C
Baltimore, MD 21236

cc: Sue Ziegler, Procurement Supervisor, Bureau of Purchases



CERTIFICATE OF LIABILITY INSURANCE

11H
DATE (MM/DD/YYYY)
7/29/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ATLANTIC INSURANCE GROUP LLC 2331 York Road, Ste 301 Timonium, MD 21093	CONTACT NAME Lisa Cain
	PHONE (A/C, No, Ext): (443) 588-0101 FAX (A/C, No): (443) 588-0112 E-MAIL ADDRESS lisac@brookemcdonald.com
INSURED Rudolph's Office & Computer Supply, Inc. 5020 Campbell Blvd., Suite C Baltimore, MD 21236	INSURER (B) AFFORDING COVERAGE Erie Insurance Exchange NAIC# 26271
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

IS/ TR	TYPE OF INSURANCE	ADBL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			Q37 0157975	01/01/15	01/01/16	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000				
			MED EXP (Any one person) \$ 10,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS			Q01 0141607	01/01/15	01/01/16	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per person) \$
			BODILY INJURY (Per accident) \$				
			PROPERTY DAMAGE (Per accident) \$				
							Uninsured Motorists \$ 1,000,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB			Q25 0174767	01/01/15	01/01/16	EACH OCCURRENCE \$ 5,000,000
	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 5,000,000
	DED <input checked="" type="checkbox"/> RETENTION \$ NIL						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y/N <input type="checkbox"/> N/A		Not Insured with our agency			PER STATUTE
					OTH-ER		
					E.L. EACH ACCIDENT \$		
					E.L. DISEASE - EA EMPLOYEE \$		
A	Business Personal Property			Q37 0157975	01/01/15	01/01/16	Blanket Business Personal Property \$ 577,900 Combined Limit

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Mayor and City Council of Baltimore are hereby named as Additional Insured with respect to General Liability coverage. A (45)day written notice of cancellation notice will be provided. The insurance company is prohibited from leading government function in absence of any specific written authority by the City. All phases of work, equipment, persons, et cetera while performing work under contract #: B50001027-J.I.T.

CERTIFICATE HOLDER Mayor and City Council of Baltimore 100 N. Holiday Street Baltimore, MD 21202	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE



115 1/3

Tab 2 H/O
Rudolph's
Response

B50004074 – J.I.T. Office Supplies – Due: June 24, 2015

submission shall be submitted in writing to the City Purchasing Agent for written approval before making the requested changes.

SW30. BALTIMORE CITY'S YOUTH WORKS PROGRAM. In accordance with Section B.

SW31. DISCRIMINATION AGAINST SUBCONTRACTORS:

A. As part of its bid, the Bidder shall provide to the City a list of all instances within the past five (5) years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Maryland that the bidder has discriminated against its subcontractors, suppliers, vendors, or commercial customers on the basis of race, gender, religion, national origin, ethnicity, sexual orientation, gender identity or expression, age or disability, and a description of any resulting sanction entered and remedial action taken.

B. Contractor's Supervision.

C. The Contractor shall be fully responsible for supervision of, and actions by, all of its employees, agents and/or volunteers.

D. The City shall exercise no supervision or other control over the Contractor's employees, agents and/or volunteers.

PROGRAMS – SEE APPLICABILITY AND REQUIREMENTS

SW-PROGRAM-1. MBE/WBE PARTICIPATION:

5% MBE and 0% WBE

SW-PROGRAM-2. LIVING WAGE REQUIREMENT:

Not Applicable

SW-PROGRAM-3. BALTIMORE CITY'S YOUTH WORKS PROGRAM:

None required.

SW-PROGRAM-4. "EMPLOY BALTIMORE" or "LOCAL HIRING":

Local Hiring applies.

N/A

A. **EMPLOY BALTIMORE.** On June 9, 2011 the Mayor signed an Executive Order titled Employ Baltimore, which applies to this solicitation if the initial award exceeds \$50,000, but is \$300,000 or less. The contractor's requirements are summarized below. (See Section B for the applicable forms to be submitted with your bid or proposal.)

(1) Bidders shall complete the Employ Baltimore Certification Statement contained in the Bid Document and submit it with their bids. (See section B.)

(2) Within two (2) weeks of receiving the award of a City contract, the contractor shall schedule a meeting with MOED to: (a) assess its employment needs, and (b) discuss other services provided by MOED. If applicable, MOED will then tailor specific hiring and/or training programs to benefit the contractor. The contractor will not receive its first progress payment under the contract, unless and until the said meeting has been scheduled.

(3) Should the contractor's workforce plan indicate a need to fill new jobs, the contractor must agree to post these positions through MOED and its One Stop Career Center Network for a period of seven (7) days prior to publicly advertising the openings. This will

B50004074 – J.I.T. Office Supplies – Due: June 24, 2015

enable MOED to identify and refer qualified City residents to the contractor as candidates for these job opportunities.

(4) Each contractor shall submit an Employ Baltimore Employment Report to MOED on June 30th and December 31st during each and every year of its contract, and at the end of the contract, indicating the number of City residents on its payroll. The submission of the Employments Reports as required shall be a condition precedent to the City's release of a final payment or any and all retainage held by the City, pursuant to the contract. (See section B.)

Applicable

B. LOCAL HIRING. Article 5, Subtitle 27 of the Baltimore City Code, as amended (the "Local Hiring Law") and its rules and regulations apply to contracts and agreements executed by the City on or after the Local Hiring Law's effective date of December 23, 2013. The requirements for the Local Hiring Law are summarized below:

(1) The Local Hiring Law applies to every contract for more than \$300,000 made by the City, or on its behalf, with any person. It also applies to every agreement authorizing assistance valued at more than \$5,000,000 to a City-subsidized project. Unless the Mayor's Office of Employment Development ("MOED") grants an exception under the Local Hiring Law, at least 51% of the new jobs required to complete the contract or project must be filled by Baltimore City residents.

(2) Within two (2) weeks of the Board of Estimate's award of the contract or approval of the agreement, the contractor shall have a meeting, either in person or via telephone, with MOED to complete an employment analysis and review the workforce plan required for such contract or agreement. The contractor will not receive any payments under the contract or agreement, unless and until the employment analysis is performed. Contact information for MOED can be found on its website: www.oedworks.com.

(3) Should the contractor's workforce plan indicate a need to fill new jobs, the contractor shall post the new job openings with MOED's One Stop Career Center Network for a period of seven (7) days prior to its publicly advertising these openings. Further, the contractor shall interview qualified Baltimore City residents referred from MOED; and unless granted an exception, fill at least fifty-one percent (51%) of the new jobs required to complete the contract or project with Baltimore City residents.

(4) For all contracts subject to the Local Hiring Law, the contractor shall submit an Employment Report to MOED by the fifth (5th) day of each month throughout the duration of the contract or agreement, regardless of whether MOED has granted a waiver of any of the Local Hiring Law's requirements.

[this section intentionally left blank]

I. Phone and Fax Numbers

Rudolph's main office phone number is 410-931-4150; the toll free number is 800-673-8438. Rudolph's fax number is 410-931-4158. All managers, customer service representatives, and support employees have direct lines so they can be reached directly.

J. Maryland State Assessments and Taxation Certificate of Good Standing

Rudolph's bid response includes a copy of our Certificate of Good Standing from the Maryland State Department of Assessments and Taxation in tab 7 labeled Certificate of Good Standing.

K. SP Richards and United Stationer's Part Numbers

Rudolph's system has the ability to accept the SP Richard's and United Stationer's part numbers and to point users to stock items.

L. Government to Business Punch-Out

Rudolph's has worked with the City of Baltimore, the State of Maryland and Anne Arundel Community College to utilize punch-out systems. We receive multiple orders per day from the punch-out sites and deliver directly to the end user the following business day. The punch out system is available 24 hours a day. Rudolph's is prepared to accept orders through the punch-out upon award.

The existing punch-out systems for the City of Baltimore and the State of Maryland use Buy Speed internet links to log into Rudolph's catalog site which is customized to show items and prices available under the contract. Rudolph's system has the ability to restrict or block items not authorized or not environmentally preferred under this contract. All purchase information is automatically imported into Buy Speed via XML and a requisition is created. Anne Arundel Community College uses punch-out software from Unimarket Collaborative Procurement.

M. Local Hiring

Rudolph's will work with the Mayor's Office of Employment Development to comply with the City of Baltimore's Local Hiring Law, including a meeting with the MOED within two weeks of award to complete an employment analysis and review the workforce plan required for such contract or agreement.



Table -
11C
1/2

B50004074 - J.I.T. Office Supplies - Due: June 24, 2015

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

COMPLETE A SEPARATE FORM FOR EACH MBE AND WBE NAMED IN THIS BID. (Make additional copies of this form as needed)

PART A INSTRUCTIONS MUST BE REVIEWED BEFORE COMPLETING THIS FORM, WITH PARTICULAR ATTENTION PAID TO SECTIONS 2, 3a, 3b and 3f

Name of Prime Contractor: Rudolph's Office & Computer Supply, Inc.

Name of MBE or WBE (circle one): *Indicate if self-performing.*
Sue-Ann's Office Supply, Inc.

Brief Narrative Description of the Work/Service to be performed by MBE or WBE:

Purchase office supplies and toner and provide delivery services

Materials/Supplies to be furnished by MBE or WBE:

Purchase office supplies and toner and provide delivery services

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

Subcontract percentage of total contract: 5 %
(If MBE sub-goals apply, please indicate the sub-goal covered by this Statement of Intent.)
African American..... % Asian American... %
Hispanic American..... % Native American.. %

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

Maisha Jones
Signature of Prime Contractor (REQUIRED)

6/19/2015
Date

Berly A. Wilton
Signature of MBE or WBE (REQUIRED)
(Leave this line blank if self-performing)

6-19-15
Date

ANY CHANGES TO THE INFORMATION ON THIS FORM MUST BE INITIALED BY BOTH PARTIES.

11C 2/2

AGENDA

BOARD OF ESTIMATES

07/29/2015

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

- 1. B50004118, Backhoe With Loader Correlli Incorporated \$ 74,350.00

(Dept. of General Services)

MWBOO GRANTED A WAIVER.

- 2. B50004136, One Ton Regular Cab Truck with a Stake Body and Lift Gate Kip Killmon Louisa Ford, LLC \$ 82,000.00

(Dept. of General Services)

MWBOO GRANTED A WAIVER.

- 3. B50004119, Regular Cab Truck with an Open Utility Body Cowles Ford, Inc. \$ 81,700.00

(Dept. of General Services)

MWBOO GRANTED A WAIVER.

- 4. B50004074, J.I.T. Office Supplies Rudolph's Office & Computer Supply, Inc. \$9,000,000.00

(City-wide)

MWBOO SET GOALS AT 5% MBE AND 0% WBE.

MBE: Sue Ann's Office Supply, Inc. 5%

MWBOO FOUND VENDOR IN COMPLIANCE.

A PROTEST WAS RECEIVED FROM WHITEFORD, TAYLOR AND PRESTON, L.L.P. COUNSEL REPRESENTING MY OFFICE PRODUCTS.





111 #. Police Dept
Sales

5020 Campbell Blvd E
Baltimore, MD 2
Phone: 410-931--
Fax: 410-931--
www.rudolphsupply.

Sales History By Accounts
Statistics: Sales
July 1, 2014 to June 30, 2015

Apr May June

July 30, 2

Account #	Accounts	Date of Last Order	Current Sales	Prior Month 1 Sales	Prior Month 2 Sales	Prior Month 3 Sales	YTD Sales	Prior Annual Sales
R2675	PRINCE GEORGE'S CO GOVERNMENT	07/28/2015	\$795,472.63	\$105,302.92	\$91,434.41	\$146,335.32	\$457,500.80	\$876.7
R4948	PRINCE GEORGE'S CO GOVERNMENT	06/30/2015	\$11,739.14	\$380.82	\$12,915.79	\$0.00	\$6,117.74	\$15.7
Total (2):			\$807,211.77	\$105,683.74	\$104,350.20	\$146,335.32	\$463,618.54	\$892,50

Search Criteria: None

Customization Filter: None

Filter Details:

Include : Accounts = PRINCE GEORGES CO GOVERNMENT, PRINCE GEORGES CO GOVERNMENT





III A
 First Mariner Sales
 5020 Campbell Blvd
 Baltimore, MD 21208
 Phone: 410-931-1111
 Fax: 410-931-1111
 www.rudolphsupply.com

Sales History By Accounts
 Statistics: Sales
 July 1, 2014 to June 30, 2015

Apr May June

July 30, 2015

Account #	Accounts	Date of Last Order	Current Sales	Prior Month 1 Sales	Prior Month 2 Sales	Prior Month 3 Sales	YTD Sales	Prior Annual Sales
R2597	FIRST MARINER BANK	07/29/2015	\$219,841.05	\$20,838.05	\$17,188.35	\$14,800.56	\$117,429.37	\$397,279.00
Total (1):			\$219,841.05	\$20,838.05	\$17,188.35	\$14,800.56	\$117,429.37	\$397,279.00

Search Criteria: None

Customization Filter: None

Filter Details:

Include : Accounts = FIRST MARINER BANK





Maryland Department of Transportation
The Secretary's Office

III A - PG MBE

Larry Hogan
Governor

Boyd Rutherford
Lt. Governor

Pete K. Rahn
Secretary

March 26, 2015

Mai Anh Jones
5020 Campbell Blvd.
Suite C
Baltimore, Maryland 21236

RE: Rudolph's Office & Computer Supply, Inc. - MDOT Certification Number 94-126

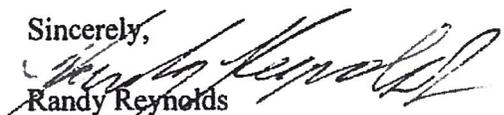
Ms. Jones:

The above referenced company is certified by the Maryland Department of Transportation's Office of Minority Business Enterprise in the Maryland Minority Business Enterprise program and the United States Department of Transportation Disadvantaged Business Enterprise and Small Business Enterprise programs in the following North American Industry Classification System ("NAICS") Code:

424120 – Stationery and Office Supply Merchant Wholesalers (Specifically: Wholesale of Office and Computer Supplies, Some Office Furniture and Machines)

If you have any questions or concerns please contact the Certification Operations Manager, Monica Crusse at (410) 865 – 1381.

Sincerely,


Randy Reynolds

Director

Office of Minority Business Enterprise

My telephone number is _____
Toll Free Number 1-888-713-1414 TTY Users Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076





Washington Suburban Sanitary Commission

14501 Switzer Lane • Laurel, Maryland 20707-5901

111 A - WSSC
Desktop
Delivery

COMMISSIONERS
Omar M. Boulware, Chair
Hon. Adrienne A. Mandel, Vice Chair
Gene W. Counihan
Mary Hopkins-Navies
Chris Lawson
Dr. Roscoe M. Moore, Jr.

GENERAL MANAGER
Jerry N. Johnson

December 23, 2014

VIA ELECTRONIC MAIL: BONNIE@RUDOLPHSUPPLY.COM

Ms. Bonnie Rudolph, President
Rudolph's Office & Computer Supply, Inc.
5020 Campbell Boulevard, Suite C
Baltimore, Maryland 21236

Re: Contract Number 6093 for Desktop Delivery of Multipurpose Paper
Option Year III Renewal

Dear Ms. Rudolph:

The Commission has decided to exercise the third option year of Contract Number 6093 through Master Purchase Order M04719000 for the continuation of Desktop Delivery of Multipurpose Paper. In accordance with Part Three, Clause 8, "Economic Price Adjustment", unit pricing for the option year will be remain the same.

All work completed from December 31, 2014 through December 30, 2015 shall be paid through the listed Master Purchase Order. Please make sure all paperwork/invoices reference this new Master Purchase Order Number.

Thank you for your continued service, support, and interest in the Commission. If you should have any questions or concerns, please feel free to contact me at Leba.Brown@wsscwater.com (e-mail), 301-206-8799 (phone), or 301-206-8290 (facsimile).

Sincerely,

Leba Brown
Acquisition Consultant I

LB

cc: Suzette Lewis, Project Manager



OFFICE OF PROCUREMENT

July 2, 2014

Mai Anh Jones, Owner
Rudolph's Office & Computer Supply, Inc.
5020 Campbell Boulevard, Suite C
Baltimore, Maryland 21236

Re: Contract 505-017, Office Supplies (Contract Renewal #5)

Dear Ms. Jones,

Thank you for your satisfactory performance under the above-referenced contract. In accordance with the terms of the contract, the College has elected to exercise its option to renew the contract for a fifth and final one-year term. This final one-year extension of the contract will cover July 01, 2014 – June 30, 2015.

If you have any questions regarding the renewal notice, please contact me at 240-567-5288 or Patrick.johnson@montgomerycollege.edu. Thank you for your continued interest in doing business with Montgomery College.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Johnson', written over a horizontal line.

Patrick Johnson, CPPB
Director of Procurement

Cc: Cherree Adams



Montgomery
College

RECEIVED JUN 28 2005

June 27, 2005

Bonnie Rudolph, President
Rudolph's Office & Computer Supply, Inc.
5020 Campbell Boulevard
Suite C
Baltimore, Maryland 21236

Re: RFB #505-017, Office Supplies (Contract Award Notice)

Dear Ms. Rudolph:

Thank you for responding to RFB #505-017 for Office Supplies. Please be advised that your company has been awarded a contract for the above-mentioned bid solicitation. This contract will commence on July 1, 2005. The initial term of the contract will cover July 1, 2005 through June 30, 2010. In addition, the College wishes to thank you and your staff for providing valuable training to college employees.

If you have any questions, please contact me at 301 279-5288. Thank you for your interest in doing business with Montgomery College, and welcome aboard.

Sincerely,

Patrick Johnson, CPPB
Senior Purchasing Agent

xc: Janet Wormack, Director of Procurement

Central Administration
900 Hungerford Drive
Rockville, MD 20850
(301) 279-5000

Germantown Campus
20200 Observation Drive
Germantown, MD 20878
(301) 353-7700

Rockville Campus
51 Mannakee Street
Rockville, MD 20850
(301) 279-8000

Takoma Park Campus
7600 Takoma Avenue
Takoma Park, MD 20912
(301) 650-1300

Continuing Education
51 Mannakee Street
Rockville, MD 20850
(301) 279-5188



PRINCE GEORGE'S COUNTY GOVERNMENT
OFFICE OF CENTRAL SERVICES
CONTRACT ADMINISTRATION AND PROCUREMENT DIVISION
1400 McCormick Drive, Suite 200
Largo, Maryland 20774
(301) 883-6440
TDD (301) 925-5167

November 18, 2014

Rudolph's Office & Computer Supply
5020 Campbell Boulevard, Suite C
Baltimore, MD 21236

Attention: Christina Ensley

The purpose of this letter is to follow-up on the status of the "Office Supplies" contract with Prince George's County Government. The Term Contract on Bid No. *C09-057 will expire on November 30, 2014. The County is requesting to extend the contract thru April 30, 2015 to allow time for a re-solicitation of the 'Office Supplies" contract, with all terms, conditions, and pricing to remain the same.

As of July 1, 2013, the Jobs First Act (CB-17-2011), became effective and creates County bidding preferences and participation requirements for certified County-based businesses on certain procurement contracts for goods and services with the County. It's purpose is to enhance the County's overall economic development. Please note that Section 10A-161(a)(3) states:

Any existing procurement contract or agreement for which a County agency or the County government secured competitive bids or proposals, including but not limited to, any procurement contract that was awarded pursuant to Section 10A-112 or Section 10A-113, and including any existing multiyear contract or extended contract, which does not include at least forty percent (40%) certified County-based business participation as prescribed in this Subsection at the time of any contemplated exercise of an option, extension or renewal including automatic extensions or renewals (e.g. "evergreen" contracts or agreements), shall not be renewed or extended. (EFFECTIVE 1/1/14)

Should you believe your company to be a County-based business, please contact our Supplier Development and Diversity Division, at 301-883-6480 to learn how to become a County Certified Business.

Your signature below will serve as your concurrence with the County to extend the expiration date. In addition, please advise us of any changes or corrections to your business, i.e., name, address, phone numbers and email address, the Tax Identification number on file is 52-1439761.

If you have questions, exceptions or require clarification, I can be reached via e-mail at vmooreshead@co.pg.md.us or 301-883-6400. Please complete the contractor section below and return both pages by email (*preferred*) or fax to (301) 883-6440.

Regards,

Vanessa Moorehead

Vanessa Moorehead, Buyer IV

I concur with extending the above referenced term contract, Bid #*C09-057 through April 30, 2014, with all terms, conditions, and pricing to remain the same.



Authorized Signature, Title *President*

11/18/2014

Date

Christina Ensley

Name Printed

Censley@rudolphsupply.com

Email Address



PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF CENTRAL SERVICES
CONTRACT ADMINISTRATION AND PROCUREMENT DIVISION

1400 McCormick Drive, Room 200
Largo, Maryland 20774
(301) 883-6400 Fax (301) 883-6440

TERM CONTRACT AWARD NOTICE

Date: December 3, 2013

Contract Number: P100531A9057(113014)N

Telephone Number: 1-800-673-8438

ATTN: Christina Ensley (521439761)
Vendor: RUDOLPH'S OFFICE & COMPUTER SUPPLY
5020 Campbell Boulevard, Suite C
Baltimore, MD 21236

Fax Number: 410-931-4158
Email: censley@rudolphsupply.com
TIN: 52-1439761

The following items contained in your offer dated October 22, 2009 in response to bid request number *C09-057 has been awarded to your company/corporation. Your offer is hereby accepted at the prices and terms stated, subject to all conditions and requirements of the Invitation, advertisements, purchase specifications, warranties, performance bond and other stipulations, if any, which are incorporated herein by reference and any special conditions which are attached hereto, and made a part hereof, if applicable.

Items BID TITLE: Office Supplies discount percentages per the attached cost sheets for Groups I through IV
Or HP Toner Cartridges 30% discount, All Other Toner Cartridges 15% , and Printer Ink Cartridges 15%
Groups

Time for Delivery A/R Days ARO. Terms Net 30 FOB Point Prince George's County, Maryland

Contract Period: From December 1, 2013 Thru November 30, 2014

SUBJECT TO AVAILABILITY OF FUNDS IN EACH SUBSEQUENT FISCAL PERIOD

Authorization to ship materials will be made via: Individual purchase orders, blanket purchase orders, or purchasing cards, as applicable, signed by the County Purchasing Agent or designee.

The County's solicitation documents, your bid/proposal and this notice of acceptance constitute the entire agreement and contract between Prince George's County and your company/corporation.

CONTACT PERSON/USING AGENCY:
County-Wide All Agencies

UM
VM

[Signature]
Prince Georges County, Maryland

Nov. 28, 2013
Date

11-25-13
[Signature]



PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF CENTRAL SERVICES
CONTRACT ADMINISTRATION AND PROCUREMENT DIVISION

1400 McCormick Drive, Room 200
Largo, Maryland 20774
(301) 883-6400 Fax (301) 883-6440

TERM CONTRACT AWARD NOTICE

Date: December 4, 2012

Contract Number: P100531A9057(113013)O

Telephone Number: 1-800-673-8438

ATTN: BONNIE RUDOLPH

Vendor: RUDOLPH'S OFFICE & COMPUTER SUPPLY (03571) Fax Number: 410-931-4158
5020 Campbell Boulevard, Suite C TIN: 52-1439761
BALTIMORE, MD 21236

The following items contained in your offer dated October 22, 2009 in response to bid request number *C09-057 has been awarded to your company/corporation. Your offer is hereby accepted at the prices and terms stated, subject to all conditions and requirements of the Invitation, advertisements, purchase specifications, warranties, performance bond and other stipulations, if any, which are incorporated herein by reference and any special conditions which are attached hereto, and made a part hereof, if applicable.

Items BID TITLE: Office Supplies discount percentages per the attached cost sheets for Groups I through IV
Or HP Toner Cartridges 30%, All Other Toner Cartridges 15%, and Printer Ink Cartridges 15%
Groups

Time for Delivery A/R Days ARO. Terms Net 30 FOB Point Prince George's County, Maryland

Contract Period: From December 1, 2012 Thru November 30, 2013

SUBJECT TO AVAILABILITY OF FUNDS IN EACH SUBSEQUENT FISCAL PERIOD

Authorization to ship materials will be made via: Individual purchase orders, blanket purchase orders, or purchasing cards, as applicable, signed by the County Purchasing Agent or designee.

The County's solicitation documents, your bid/proposal and this notice of acceptance constitute the entire agreement and contract between Prince George's County and your company/corporation.

CONTACT PERSON/USING AGENCY:
All Agencies

Signature of official
Prince Georges County, Maryland

Date: 12/4/12

CB



**PRINCE GEORGE'S COUNTY GOVERNMENT
OFFICE OF CENTRAL SERVICES
CONTRACT ADMINISTRATION AND PROCUREMENT DIVISION**

1400 McCormick Drive, Suite 200
Largo, Maryland 20774
(301) 883-6400 Fax (301) 883-6440

TERM CONTRACT AWARD

Date: March 17, 2015

SAP Number: 4400000479
Telephone Number: 410-931-4150
Fax Number: 410-931-7429
Email Address: censley@rudolphsupply.com

Vendor: Rudolphs Office & Computer Supply Inc. 1000000614
5020 Campbell Blvd, Suite C
Baltimore, MD 21236

A contract for provision of the item(s) identified below and contained in your offer dated January 15, 2013 in response to bid request number *S13-026 is awarded to your company/corporation. Your offer is hereby accepted at the prices and terms stated, subject to all conditions and requirements of the Invitation for Bids, advertisements, purchase specifications, warranties, performance bond and other stipulations, if any, which are incorporated herein by reference and any special conditions which are attached hereto, and made a part hereof, if applicable.

Bid Title: Furniture

Items discount percentages per the attached cost sheets for Groups 1 through 5
or
Groups _____

Time for Delivery AR Days Terms N30 FOB Point Prince George's County, Maryland

Contract Period: From February 15, 2015 Thru February 14, 2016 2
Option Years Remaining

SUBJECT TO AVAILABILITY OF FUNDS IN EACH SUBSEQUENT FISCAL PERIOD

Authorization to ship materials will be made via: Individual purchase orders, blanket purchase orders, or purchasing cards, as applicable, signed by the County Purchasing Agent or designee.

The County's solicitation documents, include the Invitation for Bids, Special Instructions, Addendums and all other documents issued in connection therewith your bid/proposal and this notice of acceptance constitute the entire agreement and contract between Prince George's County and your company/corporation.

Vendor Name: Rudolph's Office & Computer Supply, Inc. Prince George's County, Maryland
By: [Signature] By: _____
Print Name/Title: Christina Fensley, President Print Name/Title: _____
Date: March 17, 2015

Buyer/aide initials: VM



PRINCE GEORGE'S COUNTY GOVERNMENT

**OFFICE OF CENTRAL SERVICES
CONTRACT ADMINISTRATION AND PROCUREMENT DIVISION**

1400 McCormick Drive, Room 200
Largo, Maryland 20774
(301) 883-6400 Fax (301) 883-6440

TERM CONTRACT AWARD NOTICE

Date: June 18, 2014

Contract Number: P132135K13040(043015)O

Telephone Number: 410-931-4150

ATTN: CHRISTINA ENSLEY

Vendor: RUDOLPH'S OFFICE & COMPUTER SUPPLY, INC
5020 CAMPBELL BLVD, SUITE C
BALTIMORE, MD 21236

Fax Number: 410-931-7429
TIN: 52-1439761
EMAIL: censley@rudolphsupply.com

The following items contained in your offer dated March 19, 2013 in response to bid request number *S13-040 has been awarded to your company/corporation. Your offer is hereby accepted at the prices and terms stated, subject to all conditions and requirements of the Invitation, advertisements, purchase specifications, warranties, performance bond and other stipulations, if any, which are incorporated herein by reference and any special conditions which are attached hereto, and made a part hereof, if applicable.

Items BID TITLE: PROMOTIONAL PRODUCTS

Or DISCOUNT ON TOTAL COST: PLEASE SEE ATTACHED FOR PERCENT OFF

Groups _____

Time for Delivery A/R Days ARO. Terms Net 30 FOB Point Prince George's County, Maryland

Contract Period: From May 01, 2014 Thru April 30, 2015

SUBJECT TO AVAILABILITY OF FUNDS IN EACH SUBSEQUENT FISCAL PERIOD

Authorization to ship materials will be made via: Individual purchase orders, blanket purchase orders, or purchasing cards, as applicable, signed by the County Purchasing Agent or designee.

The County's solicitation documents, your bid/proposal and this notice of acceptance constitute the entire agreement and contract between Prince George's County and your company/corporation.

CONTACT PERSON/USING AGENCY:

COUNTYWIDE

[Signature]
Prince George's County, Maryland

June 18, 2014
Date

VM
VM/bc

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Purchases

President: "The third item on the non-routine agenda can be found on page 105, item 6, Recommendation for Contract Awards/Rejection, Bureau of Purchasing, B50004074, J.I.T. Office Supplies. Will the parties please come forward? I just have a brief question, is this the same protest that we heard on last week? Is anything new?"

Ms. Debbie Lafferty: "No."

President: "I will entertain a Motion."

City Solicitor: "Move denial of the protest and approval of the recommendation of the Bureau of Purchases."

Comptroller: "Second."

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

* * * * *

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the Labor Commissioner</u>			
1. Yvette Brown	International Public Management Association for Human Resources International Training Conference and Expo Denver, CO Sept. 27 - Oct. 1, 2015 (Reg. Fee \$649.00)	General Funds	\$2,228.60

The subsistence rate for this location is \$229.00 per night. The cost of the hotel is \$199.00 per night plus taxes of \$29.35 per night. The airfare in the amount of \$418.20 and the registration fee in the amount of \$649.00 were pre-paid on a City-issued credit card assigned to Ms. Deborah F. Moore-Carter.

The Office of the Labor Commissioner is requesting additional subsistence of \$10.00 per day for meals and incidentals and a required fee of \$50.00 round trip for luggage. Therefore, Ms. Brown will be disbursed \$1,161.40.

Department of Public Works

2. Rudolph S. Chow	2015 National Brownsfields Training Conference Chicago, IL Sept. 1-3, 2015 Reg. Fee \$200.00	General Funds	\$1,172.64
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MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Public Works - cont'd</u>			
The airfare in the amount of \$319.00 and the registration fee were prepaid by a City-issued procurement card assigned to Ms. Lyque O'Connor. The amount of funds to be disbursed to Mr. Chow is \$653.64.			
<u>Department of Public Works/Office of Sustainable Energy</u>			
3. Theodore Atwood	2015 World Energy Engineering Congress Orlando, FL Sept. 30 - Oct. 2, 2015 (Reg. Fee - Complimentary)	Public Service Commission (Exelon Grant)	\$1,276.93

The subsistence rate for this location is \$171.00 per day. The cost of the hotel is \$159.00 per night plus total hotel taxes of \$42.93. The airfare in the amount of \$776.00 was pre-paid on a City-issued credit card assigned to Mr. Atwood. As Mr. Atwood is a speaker at one of the sessions, the registration fee in the amount of \$595.00 is complimentary and covered by the World Energy Engineering Congress.

The Department is requesting additional subsistence of \$28.00 per day for meals and incidentals. Mr. Atwood will be disbursed \$500.93.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Planning</u>			
4. Jessica Varsa	Bilbao Urban Innovative and Leadership Dialogues Bilbao, Spain Sept. 15 - 20, 2015 (Reg. Fee \$250.00)	General Funds	\$ 864.87

Pursuant to AM 240-5, for travel outside the continental United States, each City representative must include a proposed amount for a daily subsistence allowance on the travel request which the representative believes to be both reasonable and economical. The Board will determine the final monetary amount of the daily subsistence allowance and stipulate the rate in its approval.

The representative has proposed a daily subsistence rate of \$50.00 for this travel request.

The German Marshall Fund of the United States gave Ms. Varsa a scholarship of \$1,000.00 towards her total transportation of \$1,404.87, leaving a balance of \$404.87. The registration fee of \$250.00 was prepaid using a City-issued credit card assigned to Jamie Cramer. The German Marshall Fund of the United States is sponsoring any remaining expenses. Therefore, the disbursement amount to Ms. Varsa will be \$614.87.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
5. Samantha Sileno	2015 CityMatCH Annual Urban Maternal and Child Health (MCH) Leadership Conference Salt Lake City, UT Sept. 26 - 30, 2015 (Reg. Fee \$500.00)	Home Visiting Expansion	\$1,773.34

Ms. Sileno, a non-City employee, is a Center for Disease Control Public Health Associate who has been assigned to the Maternal and Child Health (MCH) Bureau. She submitted two abstracts for presentation at the CityMatCH Conference in Salt Lake City, Utah and has been invited to present at the conference along with the Assistant Commissioner for Maternal and Child Health, and the Fetal and Infant Mortality Review Director.

Ms. Sileno has been an integral part of the Department's Citywide infant mortality strategy, B'more for Healthy Babies, and she will be highlighting accomplishments related to improving access to Long Acting Reversible Contraceptives and the strategic analysis of trends in infant deaths to further drive down the infant mortality rate in Baltimore City.

The subsistence rate for this location is \$167.00 per night. The cost of the hotel is \$164.00 per night plus hotel taxes of \$20.66 per day. The airfare in the amount of \$314.70 and the registration were pre-paid on a City-issued credit card assigned to Ms. Whitney Tantleff.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department - cont'd</u>			
The Department is requesting additional subsistence of \$37.00 per day for meals and incidentals. Therefore, Ms. Sileno will be disbursed \$958.64. This trip involves week-end travel.			
6. Ebony Alderman-McCauley	2015 FGP RSVP SCP Directors Training Event Reston, VA Sept. 08 - 11, 2015 (Reg. Fee \$375.00)	Federal	\$1,375.32
The registration fee was prepaid using Expenditure Authorization No. EA000170338. The disbursement to Ms. McCauley will be \$1,000.32.			
7. Rebecca Dineen Cathy Costa	The 2015 CityMatch Annual Urban MCH Leadership Conference Salt Lake City, Utah Sept. 26 - 30, 2015 (Reg. Fee \$500.00 ea.)	Home Visiting Expansion	\$3,861.38

The subsistence rate for this location is \$167.00 per day. The hotel cost is \$164.00 per night, plus taxes of \$20.66 per night. The Department is requesting additional subsistence of \$37.00 per day for food and incidentals. The registration fees and airfare were prepaid using a City-issued procurement card assigned to Whitney Tattleff. The disbursement to Ms. Dineen is \$958.64. The disbursement to Ms. Costa is \$958.64.

MINUTES**RETROACTIVE TRAVEL APPROVAL**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Housing and Community Development</u>			
8. Julia Day*	2015 Reclaiming	General	\$1,823.86
Wendi Redfern	Vacant Properties Conference Detroit, MI May 18 - 21, 2015 (Reg. Fee \$475.00)*	Funds	

Ms. Day showcased "Vacants to Value" as one of the effective new strategies being used to help address the challenges presented by blighted properties. Ms. Redfern assisted Ms. Day on a panel presentation.

This request is late because the Agency did not understand the travel process for submission to the Board of Estimates. The Department requests retroactive travel approval. The requested travel reimbursement is as follows:

TRAVEL REIMBURSEMENT

	Ms. Day	Ms. Redfern	
Airfare	\$ 272.20	\$252.20	
Hotel	327.00	327.00	
Hotel taxes	49.05	49.05	
Food	27.32	<u>45.04</u>	
Registration	<u>475.00</u>		
	\$1,150.57	\$673.29	
9. Michael Braverman	Clinton Global Initiative (CGI) America Denver, CO June 8 - 10, 2015	General Funds	\$1,217.50

MINUTES**TRAVEL REIMBURSEMENT** - cont'd

Mr. Braverman travelled to Denver, Colorado to attend the CGI America held on June 8 - 10, 2015. The subsistence rate for this location is \$229.00. Mr. Braverman's registration fee for the conference was waived.

The request is late because Mr. Braverman did not receive the invitation until mid-May, with a decision deadline of May 26, 2015. The Department felt that Mr. Braverman's presence would be beneficial for Baltimore's continued partnership with the Clinton Global Initiative. As such, Mr. Braverman accepted the invitation.

The hotel cost for the first night is \$299.00 plus taxes of \$44.10. The hotel cost for the second night is \$239.00 plus hotel taxes of \$35.25. Additional subsistence is requested due in the amount of \$70.00 for the first night and \$10.00 for the second night, for food and incidentals.

TRAVEL REIMBURSEMENT

\$	617.35	- Hotel
	545.00	- Airfare
	55.15	- Taxi
	<u>617.35</u>	
	\$1,217.50	

UPON MOTION duly made and seconded, the Board approved the travel requests, the retroactive travel approval, and the travel reimbursement. Acting on behalf of the Director of Public Works, Ms. S. Dale Thompson, Deputy Director of Public Works, **ABSTAINED** on item no. 2.

MINUTES**PROPOSALS AND SPECIFICATIONS**

1. Department of Public Works/
Office of Eng. & Construction - WC 1306, Washwater Lake
Residuals Removal at the
Montebello Water Filtration
Plant
BIDS TO BE RECV'D: 9/30/2015
BIDS TO BE OPENED: 9/30/2015

2. Department of Public Works/
Office of Eng. & Construction - WC 1337, Urgent Need Water
Infrastructure Rehabilitation
BIDS TO BE RECV'D: 9/30/2015
BIDS TO BE OPENED: 9/30/2015

3. Department of General Services - GS 15805, Courthouse East
Beam Repairs
BIDS TO BE RECV'D: 10/14/2015
BIDS TO BE OPENED: 10/14/2015

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above-listed Proposal and Specifications to be advertised for receipt and opening of bids on the date indicated.

MINUTES

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ALL ITEMS ON THE AGENDA.

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.

Kim A. Trueheart

August 25, 2015

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

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

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

1. Whom you represent: Self
2. What the issues are:
 - a. Pages 1 - 112, City Council President and members of the Board of Estimates, BOE Agenda dated August 26, 2015, if acted upon:
 - i. The proceedings of this board often renew business agreements without benefit of clear measures of effectiveness to validate the board's decision to continue funding the provider of the city service being procured;
 - ii. The Baltimore City School Board of Commissioners routinely requires submissions for board consideration to include details of the provider's success in meeting the objectives and/or desired outcomes delineated in the previously awarded agreement;
 - iii. The members of this board continue to fail to provide good stewardship of taxpayers' funds as noted by the lack of concrete justification to substantiate approval of actions presented in each weekly agenda;
 - iv. This board should immediately adjust the board's policy to ensure submissions to the board include measures of effectiveness in each instance where taxpayer funds have already been expended for city services;
 - v. In the interest of promoting greater transparency with the public this board should willing begin to include in the weekly agenda more details which it discusses in closed sessions without benefit of public participation.

Email: kimtrueheart@gmail.com

5519 Belleville Ave
Baltimore, MD 21207

vi. Lastly this board should explain to the public how, without violating the open meeting act, a consent agenda is published outlining the protocols for each week's meeting prior to the board opening its public meeting.

3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various agencies and departments of the Baltimore City municipal government which potentially cost myself and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending.

4. Remedy I desire: The Board of Estimates should immediately direct each agency to include measures of effectiveness in any future submissions for the board's consideration.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 26, 2015.

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

Sincerely,
Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES**ACKNOWLEDGEMENT**

Mayor: "And I also want to thank the young people who are here. I think it is Ms. Alston. Yes, thank you very much. Uh -- very interested in engaging young people in government and making sure that they know about how laws are made, what business is done on their behalf in the City. So, I want to thank all the students for being here today. I look forward to a chance to meet with you in a little bit. Thank you."

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

* * * * *

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 Public Works - SC 903, Improvements to Patapsco Sewershed
BIDS TO BE RECV'D: 09/09/2015
BIDS TO BE RECV'D: 09/09/2015

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

Department of Public Works - WC 1120, Guilford Water Pumping Station Rehabilitation Design

W.M. Schlosser Co., Inc.
 PC Construction
 Allan Myers, Inc.
 The Whiting-Turner Contracting Co.
 Cianbro Corp.
 Shaney Construction Co., Inc.
 Ulliman Schutte Construction, LLC

MINUTES

Department of Public Works - SC 919, Improvements to Sanitary Sewers in the Outfall Sewershed

AM-Liner East, Inc.
SAK
Spinello
Tutor-Perini Corp.

Department of Public Works - SC 937, Improvements to Sanitary Sewers in HR07A and Along Chesterfield Avenue in Herring Run Sewershed

SAK
Spiniello
Metra Industries
Tutor Perini Corp.
Anchor Construction Corp.

Bureau of Purchases - B50004066, Carpentry Services

Tito Contractors, Inc.
Total Contracting, Inc.
JB Contracting, Inc.
Colossal Contractors, Inc.
UK Construction
JLN Constructions Services, LLC

Bureau of Purchases - B50004067, Provide Coach Style Bus Transportation Services for Sandtown-Winchester and Oliver Senior Citizen Center

Higher Ground Transportation Services
KB Tours and Travel, LLC
D.T.S. Worldwide Transportation

MINUTES

Bureau of Purchases - B50004193, Storm Drain Inlet
Cleaning Services

Video Pipe Services, Inc.
Stormwater Maintenance, LLC
Allied Contractors, Inc.
Jet Blast, Inc.
Insight, LLC
Reviera Enterprises

Bureau of Purchases - B50004195, Roll-Off Containers
Rehab & Repair

Mid-Atlantic Waste Systems

Bureau of Purchases - B50004196, Replacing Cooling
Towers at Patapsco Wastewater
Treatment Plant

J.F. Fischer, Inc.

Bureau of Purchases - B50004207, Repair and Installa-
tion Services for Building Glass

Caplan Bros., Inc.
Aspen Building Products, Inc.
JLN Construction Services, Inc.

Bureau of Purchases - B50004208, Recycle Containers
& Lids

Mid-Atlantic Waste Systems
Rehrig Pacific Company
ORBIS Canada Limited
Peninsula Plastics Ltd*

*The bid of Peninsula Plastics, Ltd was returned from the Law Department with the recommendation that the bid be forwarded to the Bureau of Purchases for evaluation.

MINUTES

Bureau of Purchases

- B50004221, Hazard Reduction
Relocation Services

NO BIDS RECEIVED

Bureau of Purchases

- B50004229, Snow Removal Services
VIII

AB Trucking Contracting, LLC
Kemper System Group, LLC
P2 Cleaning Services, LLC
Corporate Maintenance Corp.

MINUTES

Bid No. B50004177, Cold Patch Asphalt, Protest

Deputy Comptroller: "Sir, would you please come up and state your name?"

Mr. Shawn Campbell: "My name is Shawn Campbell."

Deputy Comptroller: "And what company are you with, Sir?"

Mr. Campbell: "Seaboard Asphalt."

Deputy Comptroller: "And can you explain why you are here at this time at the 12:00 noon opening."

Mr. Campbell: "Yes. I am here in reference to Bid No. B50004177, where we entered a bid protest in reference to line items A and line items B for the Cold Patch Asphalt. Ah -- we were entering a bid protest. The other bidder on this solicitation um -- bid a product on the item, which did not meet the specifications for the liquid binder and the second part, the other bidder did not provide the required testing data and certifications, safety data sheets that were required by the solicitation. Ah -- As well as we were the low bidder for item number B. The other bidder was the low bidder for item no. A. Um -- and we received notice that the other bidder was the intended awardee for this solicitation."

Deputy Comptroller: "When you received your notice did it tell you the date of the Board's ah - when it would be sent to the Board for recommendation of award?"

MINUTES

Bid No. B50004177, Cold Patch Asphalt, Protest - cont'd

Mr. Campbell: "Yes, and the recommendation day was today, the 26th."

Deputy Comptroller: "Did they give you a time?"

Mr. Campbell: "They did not. But I called and they provided it. It was at twelve noon."

Deputy Comptroller: "Do you know who you talked to when you called?"

Mr. Campbell: "Um -- Bolu Oluwasuji --."

Deputy Comptroller: "Okay it's the buyer on it. I know the name. I don't know him personally. Okay, alright. This morning the Board took up that matter. At 9:00 a.m. is when the Board hears protests on recommendations for award. Twelve o'clock noon is when we receive --."

Deputy City Solicitor: "New bids."

Deputy Comptroller: "New bids and open them. Yes, so I'm not really certain sure in terms of the information that was provided. What I would recommend um -- these are the Deputies that are sitting with me -- are that we notify the Board that you did come at twelve noon today um -- to determine whether or not they will be willing to hear your protest."

MINUTES

Bid No. B50004177, Cold Patch Asphalt, Protest - cont'd

They did make an award today to uh -- P. Flanigan because they called the matter and unfortunately, no one was present from Seaboard. I understand your explanation as to why, but the Board did not what you shared with us today. So, I would recommend that we um -- advise the Board of this and then we can let you know whether or not they will allow it to be heard later. I will also notify Purchases immediately afterwards to inform that you did come at twelve noon, that's the agency, and normally the agency will be present during the presentation as well as the other recommended awardee to respond to any questions that the Board would have."

Mr. Campbell: "Thank you."

Deputy Comptroller: "Sure. So, what I am going to ask you do though is um -- before -- we will close the meeting back up and then I will get your contact information. I'm the Clerk to the Board and I will make sure that we reach back out to you and let you know. Now, just as another aside, the Board is in recess until September 9th. So, there wouldn't be an opportunity before that date, but I will immediately let the Board members know that you did come today to determine whether or not they will allow that, and it may not be today, but we will get back to you as soon as we can.

MINUTES

Bid No. B50004177, Cold Patch Asphalt, Protest - cont'd

But, I will get your information afterwards. Okay."

Mr. Campbell: "Alright. I appreciate the opportunity. Thank you."

Deputy Comptroller: "Alright. Thank you. Mr. Ralph."

Deputy City Solicitor: "No, I just wanted to get the Contract No. again."

Deputy Comptroller: "Okay. B50004177."

Deputy City Solicitor: "Okay, thank you."

Deputy Comptroller: "Alright. Thank you very much and -- ah -- we will get back with you to get your information. Okay, so we will now again adjourn the meeting. Thank you."

* * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, September 9, 2015.


JOAN M. PRATT
Secretary