

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
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 October 21, 2015, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiency of these hearings, persons who are disruptive to the hearing will be asked to leave the hearing room. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board members attention to the memorandum from my office dated October 19, 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 ca -- contained on the routine agenda."

MINUTES

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

Comptroller: "Second."

President: "All those in favor say AYE. All those opposed, NAY. The routine agenda has been adopted. There being no more business before the Board, the meeting will recess until bid opening at 12 noon. Thank you."

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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:

BLD Services, LLC	\$	8,000,000.00
CenKen Group, LLC	\$	378,000.00
Controlled Demolition, Inc.	\$	8,000,000.00
Electrico, Inc.	\$	8,000,000.00
Handon Services, Inc.	\$	540,000.00
Interior Specialists, Inc.	\$	8,000,000.00
IronShore Contracting, LLC	\$	8,000,000.00
J.F. Fischer, Inc.	\$	82,143,000.00
Powell's Trucking Company, Inc.	\$	1,500,000.00
Spears Mechanical Contractors, Inc.	\$	1,242,000.00
Tilt Up Construction, Inc.	\$	1,500,000.00
Tuckman-Barbee Construction Co., Inc.	\$	8,000,000.00

2. Prequalification of Architects and Engineers

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

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

MINUTESEmployees' Retirement System - Investment Advisory Agreement**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested by the Board of Trustees of the Employees' Retirement System to approve and authorize execution of an Investment Advisory Agreement with Marquette Associates, Inc. (Marquette). The period of the agreement is effective November 1, 2015 through October 31, 2020.

AMOUNT OF MONEY AND SOURCE:

\$282,000.00 annual fee paid to Marquette

No General Fund monies are involved in this transaction. All fees will be expended from assets of the Employees' Retirement System (ERS), the Elected Officials' Retirement System (EOS), and the City Retiree Benefit Trust (OPEB) Trust.

BACKGROUND/EXPLANATION:

In 2008, the Board of Estimates approved the initial Investment Advisory Agreement with Marquette which expires on October 31, 2015. Facing the expiration of that agreement, the Board of Trustees (Board) underwent a nationwide search for an investment consultant. The Board narrowed the Request-For-Proposal responses to three finalists, each of whom was interviewed by the Board. The Board unanimously elected to retain Marquette for another five-year term.

Marquette will continue to serve as the Investment Consultant for the ERS, the EOS, and the OPEB portfolios, which total approximately \$1.6 billion, \$23 million, and \$437 million, respectively.

MINUTES

Employees' Retirement System - cont'd

MBE/WBE PARTICIPATION:

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Investment Advisory Agreement with Marquette Associates, Inc. The Comptroller **ABSTAINED**.

MINUTES

Space Utilization Committee - 3rd Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a 3rd Amendment to Lease Agreement with Edmondson Village, LLC, Landlord, and the City, Tenant, for the rental of a part of the property known as 4400 Edmondson Avenue, consisting of approximately 2,537 square feet and known as Suite 4538. This 3rd Amendment to Lease Agreement will extend the original lease agreement for an additional two-year term through October 31, 2017.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$38,055.00	\$3,171.25

Account No.: 4000-423216-3080-294100-603013

BACKGROUND/EXPLANATION:

The leased premises will be used for offices by the Baltimore City Health Department's Women, Infants, and Children's Program (WIC). The original lease agreement was approved by the Board on April 22, 2009 for a three year period commencing November 30, 2008 to October 31, 2011 with the option to renew for an additional two year period. The renewal was approved on October 26, 2011. An amendment to lease agreement was approved on December 21, 2011 to reflect a reduction in rental from January 1, 2012 through October 31, 2013. The second Amendment to Lease Agreement extended the lease term for an additional two-year term, commencing November 1, 2013 and terminating October 31, 2015.

The Landlord will be responsible for structural repairs of the building, real estate taxes, fire insurance, security of the center, landscaping, and snow removal.

MINUTESSpace Utilization Committee - cont'd

The Tenant will be responsible for utilities, janitorial, trash removal, maintenance, and repairs of leased premises, security of leased premises, liability insurance under the City's self-insured program, and telephone and computer services for the leased premises.

The Space Utilization Committee approved this 3rd Amendment to Lease Agreement at its meeting on September 29, 2015.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 3rd Amendment to Lease Agreement with Edmondson Village, LLC, Landlord, and the City, Tenant, for the rental of a part of the property known as 4400 Edmondson Avenue, consisting of approximately 2,537 square feet and known as Suite 4538.

MINUTESDepartment of Planning - Report on Previously
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 14** favorable reports by the Planning Commission on October 8, 2015 on Transfers of Funds approved by the Board of Estimates at its meetings on September 23, 2015 and October 7, 2015.

The Board **NOTED** receipt of the **14** favorable reports by the Planning Commission on October 8, 2015 on Transfers of Funds approved by the Board of Estimates at its meetings on September 23, 2015 and October 7, 2015.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

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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**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
1. \$201,100.60 UDAG	9910-902985-9587 Housing Develop- ment - Unallocated Reserve	9910-904059-9588 Byrd Properties

This transfer will bring appropriations in line with the approved budget for this project.

Department of General Services

2. \$125,000.00 1 st Parks and Public Facilities Loan Active	9916-906098-9194 Clarence Mitchell Courthouse Roof - Reserve	9916-902198-9197 Clarence Mitchell Courthouse Roof Replacement -
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The roof at the Clarence Mitchell Courthouse is aged, has chronic roof leaks, and has exceeded its useful life. A new roof needs to be designed and ultimately constructed to alleviate these conditions.

Mayoralty-Related/Department of Planning

3. \$100,000.00 1 st Community & & Economic Development Loan	9938-927012-9485 Maryland Zoo Mansion House Renovations - Reserve	9938-913052-9483 Maryland Zoo Improvements and Upgrades - Active
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This transfer will provide funds to the Maryland Zoo in Baltimore for renovations to the first and third floor of the Mansion House. Renovations will be for administrative office space and exterior changes to maintain current code and standards for historic structures.

MINUTES

Mayor's Office of Human Services - HOPWA and Continuum of Care
Program Agreements

ACTION REQUESTED OF B/E:

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

HOUSING OPPORTUNITY FOR PERSONS WITH AIDS (HOPWA) PROGRAM

1. **HARFORD COUNTY, MD** **\$155,923.60**

Account: 4000-490816-3571-763200-603051

The organization will provide housing assistance and supportive services to individuals or to families who have a family member with AIDS. The organization will serve 20 clients. The period of the agreement is July 1, 2015 through June 30, 2018.

The agreement is late because of a delay at the administrative level.

MWBOO GRANTED A WAIVER.

CONTINUUM OF CARE PROGRAM AGREEMENTS

2. **MARIAN HOUSE, INC.** **\$ 68,268.50**

Account: 4000-407016-3571-758300-603051

The organization will provide supportive services to 19 households. This project will provide case management services to women placed in the rental assistance program who are housed in scattered sites in the City. The adults participating in the project have histories that include any or all of the following: long-term chemical addiction, childhood abuse, sexual abuse, domestic violence, chronic

MINUTES

Mayor's Office of Human Services - cont'd

mental illness, incarceration, and serious physical health issues, notably HIV/AIDS. The period of the agreement is September 1, 2015 through August 31, 2016.

The agreement is late because of a delay at the administrative level.

MWBOO GRANTED A WAIVER.

3. **HEALTH CARE FOR THE HOMELESS, INC.** **\$141,069.00**

Account: 4000-407016-3571-757900-603051

The organization will provide permanent housing and supportive services to 52 individuals. The period of the agreement is October 1, 2015 through September 30, 2016.

MWBOO GRANTED A WAIVER.

4. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$435,805.50**

Account: 4000-407016-3571-759400-603051

The organization will provide permanent housing and supportive services to 28 individuals. The period of the agreement is January 1, 2016 through December 31, 2016.

MWBOO GRANTED A WAIVER.

5. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$469,294.50**

Account: 4000-407016-3571-757100-603051

St. Vincent de Paul of Baltimore, Inc. will use funds to provide permanent housing and supportive services to 32 individuals in a Housing First model program.

MINUTES

Mayor's Office of Human Services - cont'd

The period of the agreement is October 1, 2015 through September 30, 2016.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT FOR ITEM NO. 1) AND HAD NO OBJECTION.

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

MINUTES

EXTRA WORK ORDERS

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UPON MOTION duly made and seconded,
the Board approved the
Extra Work Orders and Transfers of Funds
listed on the following page:

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All of the EWOs have been reviewed and approved
by the
Department of Audits, CORC,
and MWBOO, unless otherwise indicated.

MINUTES**EXTRA WORK ORDERS**

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

Department of Transportation

1. EWO #004, \$28,563.72 - Project 743, Reconstruction of Annapolis Road/Waterview Avenue Interchange at MD 295 Russell Street

\$698,229.63	\$220,789.36	Jacobs Engineering Group, Inc.	-	-
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2. EWO #004, \$4,223.20 - Project No. 1040, Reconstruction of the Annapolis Road Bridge of the Baltimore/Washington Parkway

\$ 999,821.38	\$614,591.32	T.Y. Lin International	-	-
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AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.

3. EWO #009, (\$46,683.27) - TR 96330, Replacement of Mount Street Bridge over Amtrak

\$1,834,574.60	\$ 89,977.33	TCC Contracting Co., Inc.	-	-
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This authorization is necessary for payment of overrun items, deduction of amounts not paid due to the underruns or not used items, and to balance out the contract.

MINUTES

Mayor's Office of Health, Human Services, - Agreement
Education and Youth (MOHS)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with The Family League of Baltimore City, Inc. (FLBC). The period of the agreement is July 1, 2015 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$970,854.00 - 1001-000000-3850-630500-607001

The first installment will be in the amount of \$242,713.50 and will be paid to the FLBC upon Board approval and \$242,713.50 will be paid to the FLBC quarterly for the next three quarters of the period of the agreement.

BACKGROUND/EXPLANATION:

The FLBC is the City of Baltimore's Local Management Board. It is a quasi-governmental non-profit organization that works with a range of partners to develop and implement initiatives that improve the well-being of Baltimore's children, youth, and families. The FLBC's work touches the lives of tens of thousands of Baltimore families each year.

Under the terms of this Agreement, the funds will be used to support prenatal home visiting programs for pregnant women and women with young children at various locations in Baltimore City. It will also support the implementation of a prenatal health literacy program designed to educate women about pregnancy, build health literacy skills, increase self-efficacy, and provide social support. The FLBC's sub-grantees are affiliated with the B'More for Healthy Babies Initiative (BHB) of the Baltimore City Health Department and will implement the Healthy Families America program, an evidence-based home visiting model.

MINUTES

MOHS - cont'd

The intended outcomes under this agreement are (1) a reduction in poor birth outcomes for low-birth weight and premature birth and (2) a reduction in the number of infant deaths due to unsafe sleep practices.

The Agreement is late because of the time needed to negotiate and finalize subcontractor budgets.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with The Family League of Baltimore City, Inc.

MINUTES

Health Department - Notification of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Notification of Grant Award (NGA) from the Maryland Department of Aging (MDoA). The period of the NGA is July 1, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$76,391.00 - 5000-591815-3044-273300-405001

BACKGROUND/EXPLANATION:

The approval of this NGA will allow the Department to accept funds received from the MDoA for State funded programs. The NGA allowed Baltimore City Health Department to spend the funds by September 30, 2015. These funds provided a variety of services for older adults residing in Baltimore City.

The NGA is late because it was recently received from the MDoA.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the Notification of Grant Award from the Maryland Department of Aging.

MINUTESHealth Department - Agreements and Grant Agreement

The Board is requested to approve and authorize execution of the various agreements and Grant Agreement. The period of the agreement is July 1, 2015 through June 30, 2016.

RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

- | | | | |
|----|--|-----------|-------------|
| 1. | N.M. CARROLL MANOR, INC. | \$ | 0.00 |
| 2. | ALZHEIMER'S DISEASE AND RELATED DISORDERS ASSOCIATION, INC. | \$ | 0.00 |

The Department was awarded a grant from the Corporation for National and Community Services. The grant pays 100% of the cost for the RSVP to volunteer and assist special needs clients who want to remain in their homes. While the Senior Volunteers are on duty, the grant provides for their life insurance, transportation and other benefits.

The agreements are late because they were recently completed.

AGREEMENTS

- | | | |
|----|-------------------------------------|--------------------|
| 3. | THE JOHNS HOPKINS UNIVERSITY | \$63,131.00 |
|----|-------------------------------------|--------------------|

Account: 4000-499015-3023-513200-603051

The organization will provide HIV prevention through counseling and testing to all obstetric registrants. Those who are identified as HIV-infected will be enrolled into an outreach program to assist them in coping with their diagnosis and obtaining appropriate health care. The outreach staff assists HIV-infected patients with access to available health and social services in Baltimore and the surrounding counties. The period of the agreement is January 1, 2015 through December 31, 2015.

The agreement is late because of a delay in receiving an acceptable budget and scope of services.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

4. **INDEPENDENT MARYLANDERS ACHIEVING GROWTH THROUGH EMPOWERMENT, INC. (IMAGE)** **\$17,993.00**

Account: 5000-563016-3044-295900-603051

The Department receives funding from the Maryland Department of Aging for the development of an Aging and Disability Resource Center through the Area Agencies on Aging (AAA), Maryland Access Point (MAP) program.

The Department will engage IMAGE to perform services in the area of MAP Enhancement for nursing home residents that want to explore the option to return to the community.

The IMAGE will provide Options Counseling and Medicaid application assistance to all referred individuals between the ages of 18 through 49 who are referred to the MAP/AAA by the Department or its designees.

The agreement is late because the Department was waiting on finalization of the budget and signatures from the provider.

GRANT AGREEMENT

5. **BALTIMORE HEALTHY START, INC.** **\$15,000.00**

Account: 1001-000000-3001-599000-603051

The purpose of this Agreement is to provide a financial contribution to the organization that will enable it to hire an executive search firm to advise and lead in the selection of a new Chief Executive Officer.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NOS. 1 AND 2) AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

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

MINUTES

Department of Transportation - Conduit Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Conduit Lease agreement with PEG Bandwidth MD, LLC, Lessee. The period of the agreement is October 22, 2015 through October 22, 2016, and then will be for a period of approximately one year, and will be renewed automatically for additional one-year periods.

AMOUNT OF MONEY AND SOURCE:

\$4,009.32 - 2024-000000-5480-259401-401980

BACKGROUND/EXPLANATION:

The Lessee is a new user and this is their first request to lease conduit space in the City's Conduit System. Their linear footage installation is 1,204 linear ft., which will be billed at \$3.33 per linear foot, totaling \$4,009.32. However, they will be billed \$2,004.66 semi-annually.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Conduit Lease agreement with PEG Bandwidth MD, LLC, Lessee.

MINUTES

Department of Transportation - Consent of Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve a Consent of Assignment of Contract No. TR08308, Reconstruct East North Avenue (US Route 1) in Baltimore from Aisquith Street to Washington Street, from Daisy Concrete, Inc. of Maryland to Allan Myers MD, Inc.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Transportation has agreed to accept the assignment of the Contract TR08308 from Daisy Concrete, Inc. of Maryland to Allan Myers MD, Inc., subject to Board approval.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved the Consent of Assignment of Contract No. TR08308, Reconstruct East North Avenue (US Route 1) in Baltimore from Aisquith Street to Washington Street, from Daisy Concrete, Inc. of Maryland to Allan Myers MD, Inc.

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>			
1. Frances M. Parker	1428 N. Gay Street	F/S	\$ 3,500.00

On August 13, 2014, the Board approved the acquisition of the fee simple interest in the property located at 1428 N. Gay Street for the fair market value of \$19,000.00, based upon an independent appraisal to acquire the subject property interest. The owner contested the valuation. An independent appraisal report revealed that the property valuation was \$22,500.00. The owner and the Mortgage Holder agreed to settle the condemnation case for \$22,500.00. Therefore, the Board is requested to approve an additional \$3,500.00.

Funds are available in account 9910-910634-9588-900000-704040.

UPON MOTION duly made and seconded, the Board approved the Payment of Settlement.

MINUTES

Parking Authority of - Amendment to Parking Facility
Baltimore City (PABC) Operations and Management Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Amendment to Parking Facility Operations and Management Agreement with PMS Parking, Inc. and LAZ Parking Mid-Atlantic, LLC (PMS/LAZ). The amendment extends the period of the agreement through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

<u>Amendment</u>	<u>Original Agreement</u>	<u>Account No.</u>
\$220,222.00	\$183,418.00	2075-000000-2321-407400-603016 Maintenance & Repair
36,000.00	36,000.00	2075-000000-2321-407400-603026 Management & Incentive
<u>10,000.00</u>	<u>2,000.00</u>	2075-000000-2321-407400-603038 Security
\$266,222.00	\$221,418.00	

BACKGROUND/EXPLANATION:

On November 12, 2014, the Board approved the original agreement for the Franklin Street Garage. The original agreement was approved for the period July 1, 2014 through June 30, 2015. The compensation to PMS/LAS was based on a monthly base management fee and a calculation for the incentive fee, with reimbursement for approved operating expenses at the parking facility. This amendment requires additional funding to pay for anticipated operating expenses and compensate PMS/LAZ during the extended term using the original compensation structure. The original agreement was approved in the amount of \$221,418.00. The amendment increases the agreement by \$266,222.00; making the total amount of the agreement \$487,640.00.

The PABC, through the Bureau of Purchases solicited bids for the management of Franklin Street Parking Facility on April 15, 2015.

MINUTES

PABC - cont'd

The bids were opened by the Board on May 27, 2015 and the lowest compliant bid was presented to the Board for approval on June 17, 2015. The Board rejected the bid on July 1, 2015. Therefore, the PABC must extend the Parking Facility Operations and Management Agreement until it can be rebid.

MBE/WBE PARTICIPATION:

PMS/LAZ was found to be compliant with MBE/WBE requirements. During the extension, PMS/LAZ will have 60 days to implement its approved plan for achieving past goals.

	<u>Commitment</u>	<u>Performed</u>	
MBE: Admiral Elevator Co.		\$ 7,739.00	8.1%
Watkins Security Agency, Inc.		991.00	1.0%
T.E. Jeff, Inc.		<u>2,321.00</u>	<u>2.4%</u>
	17%	<u>\$11,051.00</u>	<u>11.5%</u>
WBE: Sue-Ann's Office Supply		\$ 527.00	0.5%
Copy Cat Acquisition Co., LLC		<u>176.00</u>	<u>0.2%</u>
	9%	<u>\$ 703.00</u>	<u>0.7%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

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 Amendment to Parking Facility Operations and Management Agreement with PMS Parking, Inc. and LAZ Parking Mid-Atlantic, LLC.

MINUTES

Bureau of the Budget and - Appropriation Adjustment Order
Management Research

ACTION REQUESTED OF B/E:

The Board is requested to approve the Appropriation Adjustment Order (AAO) to transfer Federal funds within the Baltimore City Health Department from Service 303 (Clinical Services) to Service 310 (School Health Services).

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - From: 4000-480616-3030-294500-404001
Clinical Services
(Service 303)

To: 4000-480616-3100-268600-404001
School Health Services
(Service 310)

BACKGROUND/EXPLANATION:

The transfer is necessary to support the Baltimore City U Choose Evidence-based Teen Pregnancy Prevention Program within School Health Services. The appropriation that will be debited within Clinical Services was approved via an AAO that was approved by the Board of Estimates on August 12, 2015. This previously approved AAO was a result of a new grant which was received by the Health Department and approved by the Board of Estimates on July 29, 2015. With this AAO, funding will be moved from Clinical Services to School Health Services.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Appropriation Adjustment Order to transfer Federal funds within the Baltimore City Health Department from Service 303 (Clinical Services) to Service 310 (School Health Services).

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

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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 page:

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to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Department of Transportation

1. TR 01041, Edmondson Ave. Bridge Replacement over Gwynns Falls & CSX **REJECTION** - On June 24, 2015, the Board opened five bids. During the review process, it was discovered that the advertised plans were not approved by the Maryland State Highway and the Federal Highway Administrations and the bids submitted were based on outdated information. There have been a number of changes to the plan set in order to gain approval from the entities for advertisement. The Department of Transportation requests the Honorable Board's permission to reject all bids and to re-advertise this project with the approved contract book and plan set.

Department of Public Works/Department of Recreation & Parks

2. RP 15816, Cylburn Arboretum - Formal Garden Improvements Allied Contractors, Inc. \$222,200.00

THE TRANSFER OF FUNDS WAS APPROVED BY THE BOARD ON OCTOBER 7, 2015.

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

MBE:	Priority Construction Corporation	\$44,500.00	20.02%
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WBE:	S&L Trucking, LLC	\$ 6,720.00	3.02%
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MWBOO FOUND VENDOR IN COMPLIANCE.

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

- | | | | |
|----|---|----------------|----------------|
| 4. | <u>BROWNELLS, INCORPORATED</u> | <u>\$ 0.00</u> | <u>Low Bid</u> |
| | Solicitation No. B5000319 - Gun Cleaning & Maintenance Supplies - Baltimore City Police Department - Req. No. R646530 | | |

On October 30, 2013, the City Purchasing Agent approved the initial award in the amount of \$13,527.75. The award contained three 1-year renewal options. Subsequent actions have been approved. This second renewal in the amount of \$0.00 is for the period October 30, 2015 through October 29, 2016 with one 1-year renewal option remaining.

- | | | | |
|----|---|--------------------|-------------------------------------|
| 5. | <u>JMT TECHNOLOGY GROUP</u> | <u>\$19,167.72</u> | <u>Selected Source/
Renewal</u> |
| | Contract No.06000 - OnBase Enterprise Content Management System Software Maintenance and End User License Agreement - Department of Transportation - Req. No. R676400 | | |

On February 20, 2015, the City Purchasing Agent approved the initial award in the amount of \$18,579.60. This one-year renewal option will provide the required continuity of software maintenance of the OnBase software application modules used to integrate various business applications for the Department of Transportation to manage projects such as IT, utilities, construction demolition, etc. This renewal in the amount of \$19,167.72 is for the period November 1, 2015 through October 31, 2016.

- | | | | |
|----|--|--------------------|--|
| 6. | <u>EMD MILLIPORE CORPORATION</u> | <u>\$40,226.44</u> | <u>Ratification, Sole
Source/Agreement</u> |
| | Contract No. 08000 -EMD Millipore Maintenance and Repair - Department of Public Works - Req. No. R704081 | | |

The Board is requested to approve and authorize execution of an Agreement with EMD Millipore Corporation. The period of the Agreement is June 1, 2015 through May 31, 2018.

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

The City's Patapsco Water Treatment Plant includes three EMD Millipore Laboratory Water Systems, which require periodic service and maintenance with parts which are exclusively available from the original equipment manufacturer, EMD Millipore Corporation. The period of the award is June 1, 2015 through May 31, 2018.

The request is late because of a miscommunication with an external agency.

- | | | |
|---------------------|-------------|---------------------------|
| 7. EDMENTUM
INC. | \$53,408.50 | Sole Source/
Agreement |
|---------------------|-------------|---------------------------|
- Contract No. 08000 - Plato Educational Software - Mayor's Office of Employment Development - Req. No. R704994

The Board is requested to approve and authorize execution of an Agreement with Edmentum, Inc. The period of the Agreement is October 21, 2015 through October 20, 2017, with two 2-year renewal options.

This award is for the purchase of a two-year Edmentum license package for Educational Plato Software Courses providing skills enhancement services for Post Secondary Academic Library, GED Test Assessment and other job skill modules. This purchase is inclusive of two years of maintenance and on-site and internet service delivery and training.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|--|---------|---------|
| 8. APPLIED INDUSTRIAL TECHNOLOGIES, INC. | \$ 0.00 | Renewal |
| Contract No. B50002654 - Industrial Bearings & Related Seals, II - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P522088 | | |

On November 21, 2012, the Board approved the initial award in the amount of \$175,000.00. The award contained two 1-year renewal options. On November 12, 2014, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period November 28, 2015 through November 27, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 9. CARMEUSE LIME & STONE, INC. | \$500,000.00 | Renewal |
| Contract No. B50003774 - Quick Lime for Water Treatment - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P529525 | | |

On November 19, 2014, the Board approved the initial award in the amount of \$500,000.00. The award contained four 1-year renewal options. This renewal in the amount of \$500,000.00 is for the period January 1, 2016 through December 31, 2016, with three 1-year renewal options remaining. 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

10. USALCO, LLC	\$1,000,000.00	Renewal
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Contract No. B50002185 - Aluminum Sulfate for Water Filtration Plants - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P518918

On December 7, 2011, the Board approved the initial award in the amount of \$2,000,000.00. The award contained four 1-year renewal options. Three renewals have been exercised. This final renewal in the amount of \$1,000,000.00 is for the period January 1, 2016 through December 31, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

11. MID ATLANTIC FOUNTAIN DESIGN AND MFG. CO., INC.	\$ 500,000.00	Renewal
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Contract No. B50001980 - Routine and Preventive Maintenance of City-owned Fountains - Department of Transportation - P.O. No. P518457

On October 12, 2011, the Board approved the initial award in the amount of \$189,142.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$500,000.00 is for the period October 12, 2015 through October 11, 2016. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 17% MBE AND 1% 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

This renewal in the amount of \$150,000.00 is for the period February 26, 2016 through February 25, 2017. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | | |
|-----|--|---------------------|----------------|
| 14. | <u>LANDMARC-SLIGO LLC</u> | <u>\$ 60,000.00</u> | <u>Renewal</u> |
| | Contract No. 08000 - Sligo Pump Parts - Department of Public Works, Bureau of Solid Waste - P.O. No. P525621 | | |

On November 20, 2013, the Board approved the initial award in the amount of \$100,000.00. The award contained three 1-year renewal options. On October 22, 2014, the Board approved the first renewal in the amount of \$0.00. This second renewal in the amount of \$60,000.00 is for the period November 20, 2015 through November 19, 2016, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

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|-----|--|---------------------|----------------|
| 15. | <u>MUELLER & COMPANY, LLC</u> | <u>\$100,000.00</u> | <u>Renewal</u> |
| | Contract No. B50002617 - Fire Hydrant Parts - Department of Public Works, Bureau of Water and Wastewater - P.O. Nos. P521887 and P521888 | | |

On November 7, 2012, the Board approved the initial award in the amount of \$350,000.00. The award contained two 1-year renewal options. On December 24, 2014, the Board approved an increase in the amount of \$150,000.00. This renewal in the amount of \$100,000.00 is for the period November 13, 2015 through November 15, 2016, with one 1-year renewal option remaining. 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

On December 15, 2011, the Board approved the initial award in the amount of \$57,204.00. The award contained nine 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$57,204.00 is for the period December 21, 2015 through December 20, 2016, with five 1-year renewal options remaining.

18. FIRST CALL

P & K TUBULAR PRODUCTS,
INC.

SECOND CALL

VALMONT INDUSTRIES, INC.

	\$ 0.00	Renewal
Contract No. B50002150 - Aluminum Street Light Poles and Accessories - Department of Transportation - P.O. Nos. P519487 and P519488		

On December 7, 2011, the Board approved the initial award in the amount of \$2,500,000.00. The award contained two 1-year renewal options. On September 3, 2014, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period December 15, 2015 through December 14, 2016. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.19. TASER INTERNATIONAL, INC. \$ 0.00 Renewal

Contract No. B50003166 - Tasers and Related Equipment - Baltimore City Police Department - P.O. No. P525657

On November 6, 2013, the Board approved the initial award in the amount of \$1,500,000.00. The award contained four 1-year renewal options.

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

21. NAVMAN WIRELESS NORTH AMERICA, LTD	\$350,000.00	Increase
Contract No. B50003586 - Automatic Vehicle Location - Mayor's Office of Information Technology, Departments of Transportation, Public Works and General Services - P.O. No. P531132		

On April 8, 2015, the Board approved the initial award in the amount of \$935,532.00. This increase in the amount of \$350,000.00 will allow the Department of Public Works to utilize an additional quantity of GPS tracking equipment with enhanced functionality, rather than the base model equipment. This increase will make the award amount \$1,285,532.00. The contract expires on April 7, 2018, with three 1-year renewal options.

MWBOO GRANTED A WAIVER.

22. MARYLAND INDUSTRIAL TRUCKS, INC.	\$2,500,000.00	Increase
Contract No. 06000 - O.E.M. Parts and Service for Elgin Sweepers and Vactor Sewer Vacuum Trucks - Department of General Services - P.O. No. P526070		

On January 8, 2014, the Board approved the initial award in the amount of \$4,000,000.00. The award contained two 1-year renewal options. This increase is required due to an increase in repairs being performed by the vendor, as well as for the overhaul of five sweepers, at an estimated cost of \$50,000.00 each. This increase will make the award amount \$6,500,000.00. The contract expires on January 31, 2017, with two 1-year renewal options 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

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

MWBOO GRANTED A WAIVER.

- | | | |
|---|----------------|----------|
| 23. MOTOROLA SOLUTIONS,
INC. | \$2,200,000.00 | Increase |
| Contract No. 08000 - Furnish and Deliver Add-on Subscriber Radios, Mobile Data Subscribers, Parts, Accessories and Services - Baltimore Police Department, Fire Department, Departments of Public Works, Transportation and Health - P.O. No. P501308 | | |

On January 23, 2008, the Board approved the initial award in the amount of \$500,000.00. The award contained two renewal options. Subsequent increases and all renewal actions have been approved. On September 9, 2015, the Board approved an increase in the amount of \$1,000,000.00. This increase in the amount of \$2,200,000.00 will allow for grant funded upgrades, including but not limited to platform logging upgrades, to the City's 800 MHz communication systems. This increase will make the award amount \$8,810,000.00. The contract expires on February 1, 2016. The above amount is the City's estimated requirement.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

24. INTERPERSONAL FREQUENCY, LLC	\$ 99,330.00	Fourth Amendment to Agreement
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Contract No. B50003075 - City of Baltimore Website Redesign and Hosting - Mayor's Office of Information Technology - P.O. No. P526271

The Board is requested to approve and authorize execution of the Fourth Amendment to Agreement with Interpersonal Frequency, LLC. The contract expires on January 14, 2018 with four 1-year renewal options remaining.

On January 15, 2014, the Board approved the initial award in the amount of \$286,367.00. The award contained four 1-year renewal options. Subsequent actions and three amendments have been approved. This fourth amendment will provide enhanced security of the City of Baltimore (www.baltimorecity.gov) and Baltimore City Police Department websites (www.baltimorepolice.org) against cyber attacks.

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

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

UPON MOTION duly made and seconded, the Board approved the Informal Awards, Renewals, Increases to Contracts and Extensions. The also approved and authorized execution of Ratification, Sole Source Agreement with EMD Millipore Corporation (item no. 6), The Source Agreement with Edmentum Inc. (item no. 7), the Fourth Amendment to Agreement with Interpersonal Frequency, LLC (item no. 24).

MINUTES

Police Department - Grant Adjustment Notices

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the Grant Adjustment Notices (GANs) Nos. 1, 2, and 3 from the Governor's Office of Crime Control and Prevention (GOCCP). The GAN No. 2 extended the period of the award through September 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$ 2,930.00	- GAN No. 1
9,700.00	- GAN No. 2
<u>1,573.00</u>	- GAN No. 3
\$14,203.00	

BACKGROUND/EXPLANATION:

The GANs from the GOCCP are for the "Overtime Initiative" grant. This project provides funds to the Baltimore Police Department to assist with its initiative to suppress crime throughout Baltimore City. The funds were utilized to provide officer overtime, deploying officers in high visibility at various locations throughout Baltimore City to discourage crime and provide a safer environment.

On March 4, 2015, the Board approved acceptance of the "Overtime Initiative" grant award in the amount of \$100,000.00. On August 19, 2015, the Board approved a GAN which increased the original grant total by \$10,247.00, making the new grant award \$110,247.00.

GAN No. 1 increased the award by \$2,930.00, making the new grant total \$113,177.00. GAN No. 2 increased the award by \$9,700.00 and extended the period of the award through September 30, 2015, and made the new total \$122,877.00. GAN No. 3 increased the award by \$1,573.00, and made the new grant total \$124,450.00.

MINUTES

Police Department - cont'd

The GANs are late because the GAN documents were recently received.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Adjustment Notices Nos. 1, 2, and 3 from the Governor's Office of Crime Control and Prevention.

MINUTES

Department of Public Works - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statement for Mr. William Duval for April 8, 2015.

AMOUNT OF MONEY AND SOURCE:

\$100.00 - 2071-000000-5521-632301-603022

BACKGROUND/EXPLANATION:

Mr. Duval is entitled to reimbursement of expenses incurred for his Temporary Water Treatment Class 4 License. He did not turn in his paper work in a timely manner. Mr. Duval is an apprentice and was unaware that he was eligible for reimbursement until after the 40 days from the end of April 8, 2015. The timeframe exceeded the 40 work day period for submission of the expenses to the Bureau of Accounting and Payroll Services. Mr. Duval 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.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statement for Mr. William Duval for April 8, 2015.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve Amendment No. 2 to Agreement with Rummel, Klepper & Kahl, LLP (RK&K), under Project 1154.2, On-Call Storm Water Study and Engineering Design Services. The Amendment will extend the agreement through January 11, 2017.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The original agreement expires January 11, 2016.

To continue to improve the City's aging storm drain system, the Storm Water Engineering Office is requesting an extension. This extension will allow RK&K to continue civil engineering services to study, investigate and propose recommendations that will modify, upgrade, and repair the storm water drain systems. The work will involve the inspection, serviceability assessment, and structural assessment of various drains to determine the impacts of failure and the structural condition of drain to determine a plan for maintenance and rehabilitation as part of a Capital Improvement Project. Also, the Department requests this extension of time only to complete projects that will continue past the current expiration date, like the MDE mandated Exxon Mobil rehabilitation of the Janney Run Box Culvert and 54-inch lateral storm drain. There will be no increase in the upset limit for this extension.

MINUTES

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

However, all costs incurred with the rehabilitation of the Janney Run Box Culvert and the 54-inch lateral storm drain will be reimbursed to the City by Exxon Mobil.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved Amendment No. 2 to Agreement with Rummel, Klepper & Kahl, LLP, under Project 1154.2, On-Call Storm Water Study and Engineering Design Services.

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.003 to Hill-KCI Technologies, Inc. a Joint Venture, under Project No. 1404, (SC 902) On-Call Project and Construction Management Assistance Services. The period of this Task is effective upon Board approval for approximately 24-months.

AMOUNT OF MONEY AND SOURCE:

\$307,219.20 - 9956-909602-9551-900020-705032

BACKGROUND/EXPLANATION:

The Office of Engineering & Construction is in need of assistance from Hill-KCI Technologies, Inc. a Joint Venture to provide on-site inspection services on SC 902, Improvements of Dundalk Collection System for the Department of Public Works, Bureau of Water and Wastewater. The original contract will expire on June 10, 2017.

MWBOO APPROVED THIS TASK ASSIGNMENT.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved the Assignment of Task No.003 to Hill-KCI Technologies, Inc. a Joint Venture, under Project No. 1404, (SC 902) On-Call Project and Construction Management Assistance Services.

MINUTES

Department of Public Works - Joint Funding Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Joint Funding Agreement with the Department of the Interior, United States Geological Survey (USGS). The period of the agreement is October 1, 2015 through September 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$116,500.00	-	2071-000000-5181-399800-603026
46,525.00	-	2070-000000-5181-399700-603026
14,150.00	-	2071-000000-5521-632620-603026
<u>\$177,175.00</u>		

BACKGROUND/EXPLANATION:

The agreement provides authorization for the continued operation and maintenance for 13 flow gauging stations located within Prettyboy, Loch Raven and Liberty Reservoir Watersheds, and Moores Run Station, in Baltimore City. Because the USGS's fiscal year does not align with the City's fiscal year, payments will need to be made over 2 fiscal years.

The USGS has been under contract to operate the City's Reservoir Stream Gauging Network since 1982. The data collected is used to estimate pollutant loadings and flow to the reservoirs and is vital to the City's Reservoir Management Program. The Moores Run Station is required under the National Pollution Discharge Elimination System Permit program and has been in service since 1995.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Department of Public Works - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Joint Funding Agreement with the Department of the Interior, United States Geological Survey.

MINUTES

Office of the Mayor - Employment Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Employment Agreement with Mr. Kevin Davis. The period of the agreement is effective upon Board approval through June 30, 2020.

AMOUNT OF MONEY AND SOURCE:

\$200,000.00 - per year, subject to defined per annum adjustments

Account No.: - 1001-000000-2041-195500-601062

BACKGROUND/EXPLANATION:

Mr. Davis has served as the Interim Commissioner since July 8, 2015. His appointment as Commissioner is subject to confirmation by the City Council, which it occurred on October 19, 2015.

During his tenure as Interim Commissioner, Mr. Davis has:

- Fast-tracked the U.S. Department of Justice/Office of Civil Rights pattern or practice investigation of the Department and spearheaded proactive reform plans to be implemented prior to the release of the Department of Justice's findings and recommendations report;
- Trained and equipped Department personnel to respond professionally and comprehensively to future acts of civil disturbance;
- Finalized implementation of a Body Worn Camera Pilot Program;
- Refocused the Department's rank-and-file in the wake of civil unrest to slow the pace of violence and proactively engage violent offenders;

MINUTES

Office of the Mayor - cont'd

- Increased gun seizures by 44% from mid-July through September of 2015 over the same period in 2014;
- Established BFED (Baltimore-Federal), a first-of-its-kind partnership in which federal law enforcement agents are embedded with Department homicide detectives to provide real-time assistance with interviews and analytical intelligence;
- Created the "War Room", bringing together public safety stakeholders to enhance intelligence gathering and sharing in order to bring the City's most violent criminals to justice;
- Led the development of a "History of Baltimore" curriculum for Department recruits, which will provide insights into Baltimore's culture and include representatives from the faith, African-American, Jewish, immigrant, business, health and education communities;
- Led the development of a "Foot Patrol" curriculum for Department recruits, which will engage police officers in community outreach in a non-tactical or aggressive manner;
- Created the Community Collaboration Division, centralizing Neighborhood Services Unit offices under one commander with a direct line of communication to the Commissioner; and
- Capitalized upon social media to enhance organizational transparency and accessibility.

MINUTES

Office of the Mayor - cont'd

The Mayor and the City wish to employ Mr. Davis as the Police Commissioner of Baltimore City and Mr. Davis agrees to enter into an agreement with the City to serve as the City's Police Commissioner. The agreement details the benefits to which Mr. Davis is entitled, including potential severance payments in the event of a "termination without cause."

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Employment Agreement with Mr. Kevin Davis.

MINUTES

Office of the Mayor - Employment Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Employment Agreement for Niles R. Ford. The period of the agreement is effective upon Board approval through June 30, 2020.

AMOUNT OF MONEY AND SOURCE:

\$183,500.00 per year, subject to defined per annum adjustments

Account No.: - 1001-000000-2101-225900-601061

BACKGROUND/EXPLANATION:

Mr. Ford has served as the Fire Chief since March 10, 2014, when his appointment was approved by the City Council:

During his tenure as Fire Chief, Mr. Ford has:

- Implemented Drive Cam technology, resulting in reduced workers compensation claims among Department personnel and fewer vehicle collisions,
- Initiated high school programs that train students to become nationally certified firefighters and EMT's,
- Successfully transitioned to a new schedule that right sized the Department's shift demands, resulting in millions in savings toward the City's 10 Year Financial Plan,
- Streamlined permit processing through the Fire Marshall's Office,
- Introduced community selected hiring of personnel where citizens interview and assist in selecting highly qualified Department personnel,

MINUTESOffice of the Mayor - cont'd

- Promoted diversity within the Department by appointing the first female to the rank of Assistant Fire Chief,
- Launched both the Dive Team and Special Operations Command, and
- Spearheaded a public/private partnership to modernize several fire station kitchens for Department personnel.

The Mayor and the City wish to continue to employ Mr. Ford as the Fire Chief of Baltimore City and Mr. Ford agrees to enter into an agreement with the City to serve as the City's Fire Chief. The agreement details the benefits to which Mr. Ford is entitled, including potential severance payments in the event of a termination without cause.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Employment Agreement for Niles R. Ford.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the Land Disposition Agreement with The Central Baptist Church of Baltimore City (Developer), for the sale of the City-owned properties located at 2019, 2021, 2023, 2025, 2035, and 2037 Booth Street and 13, 15, and 19 S. Pulaski Street.

AMOUNT OF MONEY AND SOURCE:

\$	500.00	-	2019 Booth Street
	500.00	-	2021 Booth Street
	500.00	-	2023 Booth Street
	500.00	-	2025 Booth Street
	500.00	-	2035 Booth Street
	500.00	-	2037 Booth Street
	500.00	-	13 S. Pulaski Street
	500.00	-	15 S. Pulaski Street
	<u>2,500.00</u>	-	19 S. Pulaski Street
	\$6,500.00		

BACKGROUND/EXPLANATION:

The City will convey all rights, title, and interest in the properties.

The Developer will purchase the vacant lots known as 2019, 2021, 2023, 2025, 2035, and 2037 Booth Street and 13, 15 S. Pulaski Street for parking and green space. The Developer will also purchase the vacant building located at 19 S. Pulaski Street for its Gift of Love Center, to distribute food, clothing, and other family services to the surrounding community. The properties are located within the Boyd-Booth Community. The purchase price and improvements to the sites will be funded privately. The authority to sell these properties is within Article 28, § 8 of the Baltimore City Code.

MINUTES

DHCD - cont'd

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE WAIVER
VALUATION PRICE:**

The properties are being sold for \$6,500.00 total. Pursuant to Baltimore City's Appraisal policy, the Waiver Valuation process determined the prices for the properties as listed below:

2019 Booth Street	\$	653.00
2021 Booth Street		653.00
2023 Booth Street		653.00
2025 Booth Street		598.00
2035 Booth Street		598.00
2037 Booth Street		598.00
13 S. Pulaski Street		813.00
15 S. Pulaski Street		813.00
19 S. Pulaski Street		<u>5,000.00</u>
		\$10,379.00

The properties are being sold to The Central Baptist Church of Baltimore City for less than the price determined by the Waiver Valuation process because of the following reasons:

1. the greening and paving of the vacant lots and the rehabilitation of 19 S. Pulaski Street will be to the specific benefit of the immediate community,
2. elimination of blight from the block, and neighborhood, and
3. the condition of property will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

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

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the Land Disposition Agreement with The Central Baptist Church of Baltimore City (Developer), for the sale of the City-owned properties located at 2019, 2021, 2023, 2025, 2035, and 2037 Booth Street and 13, 15, and 19 S. Pulaski Street.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the Land Disposition Agreement with Necktie SF Joint Venture, (Developer), for the sale of the City-owned properties located at 1424 Druid Hill Avenue and 503 Mosher Street, in the Upton Marble Neighborhood.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - 1424 Druid Hill Avenue
1,000.00 - 503 Mosher Street
\$2,000.00 - Purchase Price, payable at settlement

BACKGROUND/EXPLANATION:

The City will convey all rights, title, and interest in the properties. The project will be privately funded.

The project will consist of converting and using the vacant lots for parking and Green Space. The Developer plans to invest approximately \$51,889.00 into this project.

The authority to sell these properties is Article 11, Section 15 of the Baltimore City and Article 28, Subtitle 8 of the Baltimore City Code (2010 Edition).

STATEMENT OF PURPOSE AND RATIONALE FOR SALE DETERMINED BELOW THE WAIVER VALUATION PRICE:

Not Applicable - 1424 Druid Hill Avenue and 503 Mosher Street are valued at \$1,000.00 each. Pursuant to the Baltimore City Appraisal Policy, properties assessed below \$2,500.00 by the State of Maryland Assessment and Taxation do not have to be appraised for value.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The Developer will purchase these properties for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchases, therefore; MBE/WBE is not applicable.

A PROTEST WAS RECEIVED FROM MS. NORMA L. GREEN REPRESENTING THE UPTON PLANNING COMMITTEE.

UPON MOTION duly made and seconded, the Land Disposition Agreement with Necktie SF Joint Venture for the sale of the City-owned property located at 1424 Druid Hill Avenue and 503 Mosher Street was **WITHDRAWN**.



UPTON PLANNING COMMITTEE

828 N. Carrollton Avenue
Baltimore, MD 21217

October 8, 2015

Board of Estimates
c/o Clerk to the Board of Estimates
Room 204
City Hall
100 North Holiday Street
Baltimore, MD 21202

Dear Clerk to the BOE:

Re: **Letter of Protest**

This letter is regarding the properties 1424 Druid Hill and 503 W. Mosher Street. A request has been made by a developer (Necktie SF Joint Venture, LLC) for those lots with the intent for them to be used for parking. The developer attended the March 12, 2015 Upton Planning Committee (UPC) meeting and shared his interest in acquiring the lots with the community.

The two lots being requested fall within the boundaries of Marble Hill, a neighborhood with historic designation. It has come to UPC's attention that the Marble Hill community has requested in writing information regarding the removal of a historic carriage house on one of two lots in question. To date, the Marble Hill community has not been provided with a response to their request in writing regarding the carriage house demolition process, including information on who requested and authorized the demolition.

Recognizing the historical footprint of Marble Hill in Upton a request seeking to build a historically relevant structure to replace the carriage house removed would be preferable.

Given the outstanding carriage house demolition issue and the desire for holistic historically relevant development in Marble Hill, the Upton Planning Committee cannot support the developer's request for acquisition of 1424 Druid Hill and 503 W. Mosher Street and thus protest this transaction with the Mayor and City Council. We welcome an opportunity to meet with the appropriate city representatives to discuss these two properties future use.

Sincerely,

Norma L. Green

Norma L. Green

Housing Committee

Upton Planning Committee

cc Councilman Bernard C. Jack Young

Councilman Eric T. Costello

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 Keys Development, Inc. for the Sale of the City-owned properties located at 1201, 1203, 1205, and 1207 North Collington Avenue (Block 1535, Lots 031, 032, 033, and 034).

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - 1201 N. Collington Avenue
 1,000.00 - 1203 N. Collington Avenue
 1,000.00 - 1205 N. Collington Avenue
 1,000.00 - 1207 N. Collington Avenue
\$4,000.00 - Purchase Price to be paid at the time of settlement

BACKGROUND/EXPLANATION:

The project will consist of the vacant buildings being rehabilitated for a new community center. The properties are located in the Broadway East neighborhood. The purchase price will be financed through private funding.

The authority to sell the properties located at 1201, 1203, 1205, and 1207 North Collington Avenue (Block 1535, Lots 031, 032, 033, and 034) was approved by City Council Ordinance No. 11-534 on November 22, 2011.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE WAIVER VALUATION PRICE:

In accordance with the Waiver Valuation policy, the DHCD has determined that the properties located at 1201, 1203, 1205 and 1207 North Collington Avenue to be valued at \$3,875.00 each and are being sold for \$1,000.00 each. The vacant properties are being sold at a price below the Waiver Valuation price for the following reasons:

MINUTES

DHCD - cont'd

- the sale will be a specific benefit for the families of that community,
- the sale will eliminate blight and create jobs during reconstruction, and
- the properties will be returned to the tax rolls.

MBE/WBE PARTICIPATION:

The Developer will purchase the property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation; therefore, MBE/WBE is not applicable.

A PROTEST OF THE SALE OF THE PROPERTIES WAS RECEIVED FROM MR. KYLE E. MCNAIR.

The Protest of Mr. Kyle E. McNair was withdrawn.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Keys Development, Inc. for the Sale of the City-owned properties located at 1201, 1203, 1205, and 1207 North Collington Avenue (Block 1535, Lots 031, 032, 033, and 034).

Kyle E. McNair
831 Woodward Street
Baltimore, Maryland 21230

October 1, 2015

Board of Estimates c/o
Clerk to the Board of Estimates
Room 204, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Dear Ms. Taylor,

I protest the sale of 1201, 1203, 1205 and 1207 North Collington Avenue to Mr. Munir Bahar through the Baltimore Housing Vacant to Value Program. I submitted my Vacant to Value Program application and supporting documents for the above named properties on July 22, 2015. As of date, I have not received formal notification that my application/bid has been rejected.

If you have any questions or concerns, please contact me at kylemcnair@hotmail.com or 410-530-1366. Thank you for your immediate attention to this matter.

Sincerely,



Kyle E. McNair

MINUTES

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

The Board is requested to approve and authorize execution of the Community Development Block Grant Agreements.

- 1. **GARWYN OAKS/NORTHWEST HOUSING** **\$60,000.00**
RESOURCE CENTER, INC.

Accounts: 2089-208916-5930-437781-603051	\$15,000.00
2089-208916-5930-437791-603051	\$35,000.00
2089-208916-5930-437783-603051	\$10,000.00

The purpose of this CDBG Agreement is to provide CDBG funding to subsidize the operating costs of the Subgrantee. The Subgrantee operates a housing center to provide housing counseling and activities to attract and retain homeowners in the Garwyn Oaks area by promoting the community as a viable place to live. The period of the Agreement is August 1, 2015 through July 31, 2016.

MWBOO GRANTED A WAIVER.

- 2. **THE INNOVATIVE HOUSING INSTITUTE, INC.** **\$43,000.00**

Account: 2089-208916-5930-427543-603051

The purpose of this CDBG Agreement is to provide CDBG funding to assist 90 non-elderly, disabled low and moderate-income families with one-time subsistence assistance grants through the Enhanced Leasing Assistance Program (ELAP), established in accordance with the Consent Decree entered in the Bailey V. The Housing Authority of Baltimore City and the U.S. Department of Justice v. the Housing Authority of Baltimore City. The Innovative Housing Institute is responsible for obtaining funds to cover a portion of the expenses and has requested that the Department provide CDBG funds to provide one-time subsistence assistance grants to ELAP participants. The

MINUTES

Department of Housing and - cont'd
Community Development

expenses include leasing application fees, security deposits and utility (electricity and telephone) installation fees. The period of the agreement is effective upon Board approval for one year beginning July 1, 2015.

MWBOO GRANTED A WAIVER.

On June 17, 2015, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2015 Annual Action Plan for the following formula programs:

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

Upon approval of the resolution, the DHCD's Contracts Section began negotiating and processing the CDBG Agreements as outlined in the Plan effective July 1, 2015 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Community Development Block Grant Agreements.

MINUTES

Department of Housing and Community Development - Department of Audits FY 2013 Single Audit Findings on Low Income Home Energy Assistance Program - Corrective Actions

The Board is requested to **NOTE** the Department of Housing and Community Development's (DHCD) corrective action plan and progress achieved for each of the Audit findings.

When the FY 2013 Single Audit was presented to the Board, there were concerns regarding the Low Income Home Energy Assistance Program (LIHEAP) that may have financial impact on the City. The Board requested that the DHCD provide a report as an update to the progress being made by the DHCD in resolving these findings.

Finding # 2013-005

There were Missing Folders, Various Errors, and Omissions Noted During Review of Audit Documentation

The Department of Audits' Recommendation:

It was recommended that the DHCD resolve the foregoing total questioned costs of \$44,609.00 to the satisfaction of the grantor, the U.S. Department of Health and Human Services (HHS). It was also recommended that the projected questioned costs of \$6,201,821.00 be resolved in accordance with the determination of HHS. It was further recommended that the DHCD institute internal control procedures such that future energy assistance applications are properly processed and completed, benefits awarded are accurately calculated, and awards are made to only qualified individuals.

Actions Taken by the DHCD:

The LIHEAP has been under the management of the Mayor's Office of Human Services (MOHS) since 2014. The DHCD no longer has ready access to the client files and other records. The DHCD has engaged CliftonLarsonAllen LLP (CLA), to assist in addressing this finding.

MINUTES

DHCD - cont'd

The goal is to locate missing documentation within the files that were reviewed by the Department of Audits and to reconstruct the files that were determined to be missing. It is the DHCD's belief that all recipients of program benefits were eligible to receive those benefits. To date, the following steps have been taken to resolve this finding.

- Within the questioned costs of \$44,609.00 there were 27 folders found to be non-compliant, totaling \$16,227.00 and 24 folders that were missing, totaling \$28,382.00. CLA reviewed the Office of Home Energy Programs' database for all 51 applicant names (non-compliance errors and missing folders), obtained information that will be used to reconstruct the application, and contacted the applicants for information such as; most recent address, phone number, family members, income amounts and sources reported for the application dates in question, energy providers/account numbers, and whether the applicant received benefits in 2014 or 2015.
- CLA reviewed the Maryland Department of Assessments and Taxation website at <http://sdat.resiusa.org/RealProperty/Pages/default.aspx> to identify applicants listed as the owners of the properties used on the application as this was identified in the energy assistance program manual as an acceptable method to verify residency.
- CLA mailed certified letters to the 24 missing folder applicants on October 1st requesting any information not previously obtained through other sources. CLA began calling the applicants on October 7th 2015 to ensure the applicants received the letters and inquire whether they have any questions about the information requested.
- CLA has collected 39 items or 27% of the missing documents related to the 24 missing folders. Continued efforts will begin on the 27 folders that were cited with non-compliant documentation.

MINUTES

DHCD - cont'd

CLA and the DHCD are and will continue to be fully engaged in locating missing documentation reconstructing missing folders in an effort to resolve and this finding.

Finding # 2013-011

Costs were Questioned Due to Duplicate Payments and Benefits Paid for Client Addresses Outside Baltimore City

The Department of Audits' Recommendation:

It was recommended that the DHCD resolve the foregoing questioned costs of \$33,953.00 to the satisfaction of the grantor, the U.S. Department of Health and Human Services (HHS). It was also recommended that the program institute internal control procedures such that energy assistance payments are not duplicated or made for non-City addresses.

Action Taken by the DHCD:

Within the questioned costs of \$33,953.00 there were 33 client records cited for duplicate payments totaling \$13,651.00 and 36 client payments for addresses outside of Baltimore City totaling \$20,302.00. On August 20, 2015, the DHCD wrote to the Director of the Office of Home Energy Programs (OHEP) for the State of Maryland, requesting confirmation that the above cited questioned costs had been cleared.

On September 3, 2015, the Director of OHEP wrote to the Commissioner of Baltimore Housing and Community Development stating that because of layers of check-and-balance, the State believes that duplicate payments were unlikely and if provided the list of suspected duplicate payments prepared by the City's Department of Audits, the State would verify that all payments have been properly reconciled.

MINUTES

DHCD - cont'd

The DHCD provided the State with the suspected duplicate payments to clients and on October 7, 2015, the State OHEP Director responded stating that their review showed that with the exception of two payments requiring further review, no duplicate payments were made for the 31 client folders. One of the remaining questioned costs was for a bulk fuel vendor payment, whose refund record is typically handled by the local administering agency rather than the State. The second remaining questioned cost was for two separate applicants at the same address with different social security numbers and date of births. This is not a duplicate payment but rather DHCD will follow up to determine whether it warrants referral to the State for potential fraud.

Also included in the September 3, 2015, response from the State Director of OHEP, was confirmation that the State has no concerns regarding the 36 eligible clients with addresses outside of the City. The State OHEP stated that they will be revising language in Section 4.6.1.2 of its Operational Manual cited in the Baltimore City audit to avoid any confusion on this matter.

With the State's responses as discussed above, the DHCD believes that this finding should be closed.

Finding #2013-017

There were Weaknesses in Several Internal Control Areas

The Department of Audits' Recommendation:

It was recommended that the DHCD improve the internal controls over the LIHEAP program. Specifically,

- Organization and storage procedures should be improved to protect the client files and the personal information contained in them.

MINUTES

DHCD - cont'd

- A check log should be maintained that accounts for every check number and payee. Bank reconciliations should be prepared monthly. A running book balance should be maintained for the bank account. The check signers should review the checks and supporting documentation prior to the printing of their electronic signatures.
- Client applications should be completed in accordance with the program's regulations, including reviews and signatures by separate intake and certifier personnel.

Action Taken by the DHCD

LIHEAP is now under the management of the MOHS. The DHCD will work with the MOHS to eliminate the weaknesses in internal controls cited by the Department of Audits. Continued progress would be followed up by MOHS.

Finding #2013-018**Widespread Discrepancies in the Client Application Process****The Department of Audits' Recommendation:**

It was recommended that the program institute internal control procedures such that future energy assistance applications are properly processed, completed and maintained, benefits are awarded only to qualified individuals, and benefits awarded are accurately calculated.

Action Taken by the DHCD

LIHEAP is now under the management of MOHS. DHCD will assist MOHS to address the discrepancies in the application process cited by the Department of Audits. Continued progress would be followed up by MOHS.

UPON MOTION duly made and seconded, the Board **DEFERRED** this item for one week.

MINUTES

Department of Audits - Response to the Report of the Department of Housing and Community Development

The Board is requested to **NOTE** receipt of the Department of Audit's response to the report of the Department of Housing and Community Development (DHCD).

On April 29, 2015, the Department of Audits presented the Fiscal Year 2013 Single Audit of the City of Baltimore for the Low Income Home Energy Assistance Program (CFDA Number 93.568). As requested by the Board of Estimates, the Department of Housing and Community Development has provided an update on the corrective actions taken on the audit findings.

The Department of Audits has reviewed the corrective actions taken by the DHCD and the results of the Department of Audits review are as follows:

Finding Number 2013-005: Missing Folders, Various Errors and Omissions Were Noted During Our Review of Program Documentation

The Department of Audits recommended that the DHCD resolve the known questioned costs of \$44,609.00 to the satisfaction of the grantor, the U.S. Department of Health and Human Services (HHS). Audits also recommended that the likely questioned costs of \$6,201,821.00 be resolved in accordance with the determination of HHS. The DHCD stated that they have engaged an accounting firm to assist in resolving this portion of the finding. Once this process is completed, the Department of Audits will review the DHCD's efforts to resolve this finding and report its results to the Board of Estimates.

Finding Number 2013-011: Costs Were Questioned Due to Duplicate Payments and Benefits Paid for Client Addresses Outside Baltimore City

The Department of Audits recommended that the DHCD resolve the questioned costs of \$33,953.00 to the satisfaction of the grantor, the U.S. Department of Health and Human Services (HHS). The Department of Audits also recommended that the program institute internal control procedures such that energy assistance payments are not duplicated or made to non-City addresses.

MINUTES

Dept. of Audits - cont'd

The DHCD stated that it has contacted the Maryland Director of the Office of Home Energy Programs (OHEP) and confirmed that these questioned costs have been cleared. When the DHCD presents the Department Audits with written documentation that the State Director of OHEP has cleared this finding, the Department of Audits will report back to the Board of Estimates on the resolution.

Finding Number 2013-017: Weaknesses Were Noted in Several Internal Control Areas

The Department of Audits recommended that the DHCD improve the internal controls over the LIHEAP program. Specifically,

- Organization and storage procedures should be improved to protect the client files and the personal information contained in them.
- A check log should be maintained that accounts for every check number and payee. Bank reconciliations should be prepared monthly. A running book balance should be maintained for the bank account. The check signers should review the checks and supporting documentation prior to the printing of their electronic signatures.
- Client applications should be completed in accordance with the program's regulations, including reviews and signatures by separate intake and certifier personnel.

The DHCD stated that the LIHEAP is now under the management of the Mayor's Office of Human Services (MOHS) and that the DHCD would work with the MOHS to correct the weaknesses. Once additional internal controls have been identified and implemented for this program, the Department of Audits will review and report its results to the Board of Estimates.

MINUTES

Dept. of Audits - cont'd

Finding Number 2013-018: Widespread Discrepancies Were Noted in the Client Application Process

The Department of Audits recommended that the program institute internal control procedures such that future energy assistance applications are properly processed, completed and maintained, benefits are awarded only to qualified individuals, and benefits awarded are accurately calculated.

The DHCD stated that the LIHEAP is now under the management of the Mayor's Office of Human Services (MOHS) and that the DHCD would work with the MOHS to correct the weaknesses. Once additional internal controls have been identified and implemented for this program, the Department of Audits will review and report its results to the Board of Estimates.

UPON MOTION duly made and seconded, the Board **DEFERRED** this item for one week.

MINUTES

CITY COUNCIL BILL:

15-0551 - An Ordinance concerning Franchise - Crown Castle NG Atlantic LLC, for the purpose of granting a franchise to Crown Castle NG Atlantic LLC, a Virginia limited liability company, to construct, install, maintain, repair, operate, relocate, replace, and remove certain facilities relating to the provision of a Distributed Antenna Systems services in and across certain streets and public ways, subject to certain terms and conditions; and providing for a special effective date.

The Law Department reports as follows:

The exercise of this franchise Ordinance is conditioned on Crown Castle executing a separate Attachment Agreement with the City. The submitted agreement governs the actual attachments that will be used on City poles. In contrast, and pursuant to Article VIII of the City Charter, Council Bill 15-0551 concerns matters pertaining to Crown Castle's use of the City's right-of-way.

Article VIII of the Baltimore City Charter requires that a bill granting a franchise be referred to the Board of Estimates after the first reading, City Charter, Article VIII, § 2. The Board of Estimates is empowered to change both the proposed compensation to be paid to the City and the conditions under which the franchise is granted *Id.* Furthermore, the Board of Estimates must approve by vote or resolution the compensation and terms of the franchise and these are to be attached to the bill before the bill can be acted. *Id.*

If the above procedural requirements are met, the bill will be in accordance with Article VIII of the Baltimore City Charter and the Law Department will approve the bill for form and legal sufficiency.

MINUTES

CITY COUNCIL BILL 15-0551: - cont'd

Nonetheless, the Law Department seeks two amendments. First, the Department recommends to limit the franchise to facilities used only to transmit and receive smartphones communications - nothing broader. Furthermore, the Law Department points out that the bill, as drafted, requires Crown Castle to use City owned conduit for its cellular services. Crown Castle, however, reports that City conduit may not be used in some instances. The second amendment states that Crown Castle agrees to pay a fee, as may be provided in a separate attachment agreement, when the company fails to use City conduit. The proposed amendments are as follows:

Amendment 1

Page 5, line 19. Delete the comma after the word "transmission" and add the word "AND." After the word "transport" delete the phrase "and other communication-related services" and substitute "OF COMMERCIAL MOBILE RADIO SERVICES AND PRIVATE MOBILE SERVICES, AS THOSE TERMS ARE DEFINED IN 47 U.S. CODE §332,"

Amendment 2

Page 8, line 12. After the period, delete the phrase " All such construction" and insert:

"IF THE FRANCHISEE ELECTS NOT TO USE OR CAUSE THE CONSTRUCTION OF CITY-OWNED CONDUIT, THE FRANCHISEE AGREES TO PAY AN ADDITIONAL FEE, AS MAY BE REQUIRED FOR LICENSES, LEASES OR OTHER AGREEMENTS PERMITTING THE ATTACHMENT OF FACILITIES TO CITY-OWNED STREET LIGHTS AND OTHER STRUCTURES. ANY CONSTRUCTION PERFORMED PURSUANT TO THIS SECTION"

ALL OTHER REPORTS RECEIVED WERE FAVORABLE.

FRANCHISE FEE - For the right to construct, install, maintain, repair, operate, replace, and remove network facilities in the Public Way, Franchisee shall pay to the city a Franchise Fee in the amount of \$100.00 per year.

MINUTES**CITY COUNCIL BILL 15-0551:** - cont'd

UPON MOTION duly made and seconded, the Board approved City Council Bill No. 15-0551 and directed that the bill be returned to the City Council with the recommendation that they also be approved and passed by that Honorable Body. The Franchise Fee was set at \$100.00. The Franchisee will pay the City \$100.00 per year. The President **ABSTAINED.**

MINUTES

Department of Transportation - Developer's Agreement No. 1205

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Developer's Agreement No. 1205 with Huber Memorial Church, Inc.

AMOUNT OF MONEY AND SOURCE:

\$112,637.45

BACKGROUND/EXPLANATION:

The Developer would like to install various new utilities to their proposed renovations. This Developer's Agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$112,637.45 has been issued to Huber Memorial Church, Inc., which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Developer's Agreement No. 1205 with Huber Memorial Church, Inc.

MINUTES**TRAVEL REQUEST**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
1. Patricia L. Bell-McDuffie, DDS	2015 National Primary Oral Health Conference Indianapolis, IN Nov. 16 - 18, 2015 (Reg. Fee \$599.00)	Dental Care Collections	\$1,348.86

The transportation and registration fee was prepaid using a City-issued credit card assigned to Ms. Whitney Tantleff. The Department is requesting additional subsistence in the amount of \$15.00 per day to cover the cost of meals and incidentals. The disbursement to Ms. Bell-McDuffie is \$458.66.

Department of Transportation

2. Valorie LaCour	2015 Designing Cities Conference Oct. 28 - 31, 2015 (Reg. Fee \$545.00)	General Funds	\$2,438.96
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The subsistence rate for this location is \$197.00 per day. The hotel cost is \$332.10 for the first night, plus hotel tax of \$52.51, for the second and fourth night the hotel cost is \$278.10 per night, plus hotel tax of \$43.96 per night, and for the third night the hotel cost is \$260.00, plus hotel tax of \$41.12 per night. The Department is requesting additional subsistence of \$360.40 for the hotel balance and \$160.00 for meals and incidentals. The registration fee of \$545.00 was prepaid on a City-issued procurement card assigned to Mr. Dhirenda Sinha. The amount to be disbursed to Ms. LaCour is \$1,893.96.

MINUTES**TRAVEL REQUEST**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department Transportation - cont'd</u>			
3. William M. Johnson	2015 Designing Cities Conference Austin, TX Oct. 28 - 30, 2015 (Reg. Fee \$545.00)	General Fund	\$1,667.80

The subsistence rate for this location is \$197.00 per day. The hotel rate for October 28, 2015 is \$299.00, plus an occupancy tax of \$47.27. The hotel rate for October 29, 2015 is \$269.00, plus an occupancy tax of \$42.53. The Department is requesting additional subsistence in the amount of \$102.00 for October 28, 2015 and \$72.00 for October 29, 2015 to cover the hotel costs and \$40.00 per day for meals and incidentals. The registration fee was pre-paid on a City-issued credit card assigned to Mr. Dhirenda Sinha. Therefore, Mr. Johnson will be disbursed \$1,122.80.

RETROACTIVE TRAVEL APPROVALFire Department

4. Niles Ford	New York State Associ- ation of Fire Chiefs Conference Verona, NY June 17 - 20, 2015 (Reg. Fee \$115.00)	General Fund	\$ 360.08
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Mr. Ford traveled to New York State on June 18, 2015 to attend the New York State Association of Fire Chiefs Conference.

MINUTES**RETROACTIVE TRAVEL APPROVAL**

Fire Dept. - cont'd

The subsistence rate for this location was \$152.00 per day. The hotel rate was \$169.00 per night. The occupancy tax was \$21.97 per night. The Department is requesting additional subsistence in the amount of \$17.00 for the hotel and \$40.00 for meals and incidentals. The registration was pre-paid on a City-issued credit card assigned to Mr. Ford. Therefore, the requested reimbursement to Mr. Ford is \$245.08.

REIMBURSEMENT

\$ 169.00	- Hotel
21.97	- Occupancy Tax
54.11	- Meals (\$23.32, \$4.23, and \$26.56)
(115.00)	- Registration
\$ 245.08	- Amount to be reimbursed to Mr. Ford

The travel approval request is late because of an administrative oversight. Therefore, the information was not provided so that the travel request could be requested in advance.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the foregoing travel requests and the retroactive travel and reimbursement.

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

October 20, 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 - 69, City Council President and members of the Board of Estimates, BOE Agenda dated October 21, 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 October 21, 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

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

* * * * *

MINUTES

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

BIDS, PROPOSALS, AND CONTRACT AWARDS

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

Department Public Works - WC 1301R, On-Call Large
Water Main Repairs
BIDS TO BE RECV'D: 10/28/2015
BIDS TO BE OPENED: 10/28/2015

MINUTES

Dept. of Transportation -TR 10318, Rehabilitation
of Roadways Around East
Baltimore Life Science Park,
Phase 2A
BIDS TO BE RECV'D: 11/04/2015
BIDS TO BE OPENED: 11/04/2015

Bureau of Purchases B50004275, Video Cameras for
Police Transport Vans
BIDS TO BE RECV'D: 11/25/2015
BIDS TO BE OPENED: 11/25/2015

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 Transportation TR 15003, Reconstruction
of Footways Citywide

Santos Construction Company, Inc.
Manuel Luis Constr. Co., Inc.
Civil Construction, LLC
Machado Construction Co., Inc.
E&R Services, Inc.

MINUTES

Bureau of Purchases - B50004211, Design, Installation,
Operation and Maintenance
of a Bike Share System

- *Zagster, Inc.
- *Bewegen Technologies, Inc.
- *Motivate International
- **Bicycle Transit Systems
- **B-Cycle LLC
- ***Shift Transit, LLC

*UPON MOTION duly made and seconded, the Board found the bid of Zagster, Inc., Bewegen Technologies, Inc., and Motivate International, LLC **NON-RESPONSIVE** since the bid was not accompanied by a bid deposit check or an annual bid bond, as required by the provisions of the City Charter and as set forth in the specifications.

UPON the recommendation of the Department of Finance, on November 18, 2015, the Board **WAIVED** the bid guarantee requirement for B50004211, Design, Installation, Operation and Maintenance of a Bid Share System because the Department of Finance determined that the failure to submit any bid guarantee in B50004211 was a reasonable interpretation of a solicitation requirement and that this interpretation was made in good faith by the vendors. (Clerk's Note: Please refer to November 18, 2015 Agenda and Minutes for Department of Finance's recommendation on the waiver of the bid guarantee requirement for B50004211.)

UPON FURTHER MOTION, the Board referred for legal review the bid of Bicycle Transit, B-cycle LLC, and Shift Transit.

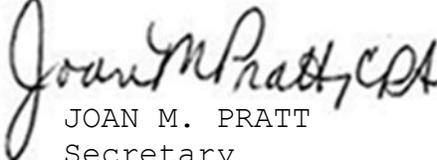
**After legal review, the submissions of Bicycle Transit and B-cycle LLC were forwarded to the Bureau of Purchases and the using agency for further investigation and evaluation to determine if the parties are in fact a joint venture or collaboration, or contractor and subcontractor, and whether their proposed relationship is permitted under the Solicitation.

***After legal review, the submission of Shift Transit was found to be **NON-RESPONSIVE** because in Shift's proposal the Item B pricing cannot be determined and the Revenue Sharing payment model was disregarded in its proposal.

MINUTES

Bureau of PurchasesB50004301, Repair &
Maintenance Services for
Electronic Fire Alarm SystemsFireline Corp.
Johnson Controls, Inc.
ASG Security
Total Building Solutions, Inc.Bureau of PurchasesB50004332, Ferric Chloride
for Wastewater Treatment
PlantsKemira Water Solutions, Inc.
PVS Technologies, Inc.
Pencco, Inc. - NO BIDDepartment of FinanceTax Sale Auction of Tax Liens**THERE WERE NO BIDS RECEIVED.**

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, October 28, 2015.



JOAN M. PRATT
Secretary