

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

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:

A&A Tree Experts, Inc.	\$ 1,500,000.00
Allied Contractors, Inc.	\$ 44,757,000.00
American Infrastructure, Inc.	\$373,230,000.00
Houck Services, Inc.	\$ 24,966,000.00
JCM Controls System, Inc.	\$ 1,638,000.00
L&L Enterprises, Inc.	\$ 1,500,000.00
Mid-Atlantic General Contractors, Inc.	\$ 3,753,000.00
Subsurface Technologies, Inc.	\$ 3,075,000.00
Videoteck Construction, LLC.	\$ 207,000.00
William T. King, Inc.	\$ 1,500,000.00

2. Prequalification of Architects and Engineers

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

Baltimore Land Design Group, Inc.	Engineer
Kann Partners	Architect
Traffic Signals Plus, PLLC.	Engineer
U.S. Cost	Engineer

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.

MINUTES

Law Department - Claim Settlement

The Board is requested to approve and authorize execution of a release and settlement agreement of the following claim. The settlement has been reviewed and approved by the Settlement Committee of the Law Department.

1. Norman Smith, et al v. \$75,000.00
Anthony Vega, et al

Account: 1001-000000-2041-195500-603070

UPON MOTION duly made and seconded, the Board approved settlements as requested by the Law Department.

MINUTES**COUNCIL BILL**

10-0594 - Harbor Point Development District for the purpose of designating a "development district" to be known as the "Harbor Point Development District"; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the development district; allocating certain property taxes to that fund; making certain findings and determinations; providing for a special effective date; and generally providing for matters relating to the designation and operation of the development district and the establishment and use of the special, tax increment fund to provide for the payment by or reimbursement to the City for debt service which the City is obligated to pay or has paid (whether such obligation is general or limited) on any special obligation bonds or notes issued by the City or any State obligations (as defined herein) issued in connection with the development district, the replenishment of any reserve fund, and the payment of certain expenses and administrative costs related to the operation of the development district.

ALL REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved bill 10-0594 and directed that the bill be returned to the City Council with the recommendation it also be approved and passed by that Honorable Body. The President **ABSTAINED**.

MINUTESDepartment of Real Estate - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement with the Department of Health, Infants and Toddlers Program, tenant, for the rental of 10,993 square feet of space at 3002 Druid Park Drive. The period of the agreement is January 1, 2011 through December 31, 2021, with an option to renew for another ten year term.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annually</u>	<u>Monthly</u>
1	\$171,820.59	\$14,318.38
2	\$171,820.59	\$14,318.38
3	\$171,820.59	\$14,318.38

The rent for years four through ten will increase by 2.5% of the previous year's rent.

BACKGROUND/EXPLANATION:

The Department of Health, Infants and Toddlers Program will use the leased premises for administrative offices and to provide health services primarily to infants and toddlers.

The landlord will be responsible for all expenses incurred with operating and maintaining the premises including janitorial services. The tenant will provide at its own expense telephone and computer services.

MINUTES

Department of Real Estate - cont'd

The Department of Health, Infants and Toddlers Program is relocating from 10 W. Eager Street, a privately-owned building and moving to 3002 Druid Park Drive, a City-owned building which is managed by Otis Warren Management, Inc. The lease at 10 W. Eager will expire on December 31, 2010.

UPON MOTION duly made and seconded, the Board approved and authorized the authorize execution of the lease agreement with the Department of Health, Infants and Toddlers Program, tenant, for the rental of 10,993 square feet of space at 3002 Druid Park Drive.

MINUTES

Department of Real Estate - Deed

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a deed with University of Maryland Medical System Corporation, for closing the air rights and conveyance of a portion of Penn Street between Lombard Street and Redwood Street.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 29, 2009, the City entered into a closing agreement with University of Maryland Medical System Corporation.

The University of Maryland Medical System Corporation is proposing to expand its Shock Trauma and Emergency Room at this site and needs to close a 24 foot portion of Penn Street, 18 feet above the existing grade of the Street. The University closed a 15 foot portion of Penn Street in this Block several years ago and it was set-up as Lot 36A. They will expand the rights in this area by nine feet.

The sale of the portion to the air rights was authorized by means of Sale Ordinance No. 09-229 approved on August 14, 2009. On September 29, 2010, the Board of Estimates approved a waiver of the payment for the fair market value of the air rights in the amount of \$211,500.00. The University of Maryland Medical System Corporation requested financial assistance from the City for façade improvements in the amount of \$711,500.00. This amount exceeds the individual commitment of the City's surrounding counties of \$250,000.00 each from Baltimore, Harford, Howard Counties, and \$200,000.00 from Carroll County. As a gesture of Baltimore City's commitment to the facility and to obtain further regional and State support, the Board approved the waiver.

MINUTES

Department of Real Estate - cont'd

The street closing process is intricate and involves public notice and other procedures before the deed can be prepared for submission to the Board for approval. This deed was recently submitted by the Department of Public Works.

(FILE NO. 56664)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a deed with University of Maryland Medical System Corporation, for closing the air rights and conveyance of a portion of Penn Street between Lombard Street and Redwood Street.

MINUTES

Mayor's Office - Agreement

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, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$871,000.00 - 1001-000000-1220-567600-607001

BACKGROUND/EXPLANATION:

According to the Annie E. Casey Foundation, "The Right Start for America's Newborns: City and State Trends 2005," of the nation's 50 largest cities, Baltimore City ranks 49th in low births weight and 46th in preterm births. For 2007, Baltimore City had an infant mortality rate of 11.3 per thousand births (Maryland 8.0), a preterm birth rate of 13.7% (Maryland 10.9%) and a low birth rate of 12.8% (Maryland 9.1%).

The FLBC will support home visiting programming in Baltimore City. The prenatal home visiting is a nationally recognized strategy for supporting pregnant women and their families in achieving healthy birth outcomes, the foundation for all further child development. Baltimore City does not have sufficient community-based home visiting programs to provide support to the estimated 3,000 - 4,500 women who are at-risk of a poor birth outcome each year.

This agreement will permit the FLBC, the City's Local Management Board to continue funding four competitively selected programs, that in FY 2011 will provide community-based home visiting services to 269 pregnant and postpartum women and their families living in previously underserved Baltimore City communities with higher incidents of infant mortality, low weight births, and pre-term births.

MINUTES

Mayor's Office - cont'd

This agreement is late because of insufficient information and the agency was awaiting a correct budget account number.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTIONS.

(FILE NO. 55358)

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

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3911 - 3913

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES**TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation (BDC)</u>			
1.	\$ 3,002.03	9911-903859-9600	9910-905852-9601
	M&CC	Constr. Res.	Economic Dev.
		BDC Economic Dev.	Incentives
	132.50	9910-903354-9600	9910-904354-9601
	M&CC	Constr. Res.	W. Balto. Ind. &
		W. Balto. Ind.	Coml. Dev.
		& Coml. Dev.	
	746.57	9910-904115-9600	9910-905825-9603
	M&CC	Constr. Res.	West Side Downtown
		West Side	
		Initiative	
	375.70	9910-904982-9600	9910-902879-9601
	M&CC	Constr. Res.	Coml. Rev.
		Coml. Rev.	
		Program	
	6,911.19	9910-904115-9600	9910-905825-9603
	22nd EDF	Constr. Res.	West Side Downtown
		West Side	
		Initiative	
	<u>\$ 11,167.99</u>		

This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending July 31, 2010.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BDC</u> - cont'd		
2. \$ 9,025.00 M&CC	9911-903859-9600 Constr. Res. BDC Economic Dev.	9910-905852-9601 Economic Dev. Incentives
636.94 M&CC	9910-903354-9600 Constr. Res. W. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
3,832.64 M&CC	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown
405.00 M&CC	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
5,828.36 M&CC	9910-905575-9600 Constr. Res. E. Balto. Ind. & Coml. Dev.	9910-906575-9601 E. Balto. Ind. & Coml. Dev.
6,763.91 22nd EDF	9910-903354-9600 Constr. Res. W. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
25,072.46 22nd EDF	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown
8,330.00 22nd EDF	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
<hr/> \$ 59,894.31		

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
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BDC - cont'd

This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending August 31, 2010.

Bureau of Water & Wastewater

3. \$ 80,653.60 County Appropriation	9960-909312-9558 Constr. Res. Montebello WTP Filter Reno.	
119,346.40 Water Revenue Bonds	" "	
<u>\$200,000.00</u>	-----	9960-906644-9557-3 Engineering

The funds are required to cover the costs of Project 1099E, Montebello Plant Filtration Repairs (WC 1216). (BD 08850)

4. \$200,0000.00 MVR	9958-904351-9526 Constr. Res. East Stony Run	9958-903351-9525-3 Engineering
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This transfer will cover the costs of Project 1077J - Task No. 5 and Project 1099S - Task No. 3 regarding ER4019, East Stony Run Stream Restoration. (B/D 08852 & 08577)

MINUTES

Fire and Police Employees' Retirement System (F&P) - Investment Management Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an investment management agreement with Harvest Fund Advisors, LLC.

AMOUNT OF MONEY AND SOURCE:

\$35,000,000.00 - F&P

No General Funds are involved in this transaction.

BACKGROUND/EXPLANATION:

The F&P Board conducted a search for an energy infrastructure investment manager and, as a result of that search, selected Harvest Fund Advisors, LLC as one of two energy infrastructure investment managers. The search and selection process was conducted with the assistance and advice of the F&P's investment advisor, Summit Strategies Group.

MWBOO GRANTED A WAIVER

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the investment management agreement with Harvest Fund Advisors, LLC.

MINUTES

Fire and Police Employees' Retirement System (F&P) - Investment Management Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an investment management agreement with Tortoise Capital Advisors, LLC.

AMOUNT OF MONEY AND SOURCE:

\$35,000,000.00 - F&P

No General Funds are involved in this transaction.

BACKGROUND/EXPLANATION:

The F&P Board conducted a search for an energy infrastructure investment manager and, as a result of that search, selected Tortoise Capital Advisors, LLC as one of two energy infrastructure investment managers. The search and selection process was conducted with the assistance and advice of the F&P's investment advisor, Summit Strategies Group.

MWBOO GRANTED A WAIVER

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an investment management agreement with Tortoise Capital Advisors, LLC.

MINUTESFire Department - Payment of Retroactive Pay

The Board is requested to approve and authorize payments for terminal leave or promotional back salary for the following Baltimore City Fire Department employees:

Terminal

- | | |
|----------------------------|--------------------|
| 1. THOMAS P. STILLS | \$18,918.97 |
| 2. STEPHEN P. HERSL | \$17,910.31 |

Account: 1001-000000-2121-226400-601061

The retroactive adjustment is as a result of Arbitration Case FMCS 080115-01440-1, which requires the City to pay these individuals an additional 90 days (terminal leave) full pay and benefits.

Promotional

- | | |
|--------------------------------|--------------------|
| 3. DOUGLAS E. CLOMAN II | \$ 7,625.62 |
| 4. MICHAEL R. SCELSI | \$ 8,089.12 |

These individuals are due retroactive pay for the period March 2, 2010 through August 17, 2010.

- | | |
|----------------------------|--------------------|
| 5. DAVID W. COSENZA | \$ 7,625.62 |
|----------------------------|--------------------|

Mr. Cosenza is due retroactive pay for the period March 16, 2010 through August 17, 2010.

- | | |
|------------------------------|--------------------|
| 6. MICHAEL L. BURKETT | \$17,418.93 |
|------------------------------|--------------------|

Mr. Burkett is due retroactive pay for the period May 29, 2009 through August 17, 2010.

- | | |
|------------------------------|--------------------|
| 7. HERBERT C. GILLIAM | \$ 6,915.81 |
|------------------------------|--------------------|

- | | |
|------------------------------|--------------------|
| 8. RICHARD A. RAHILLY | \$15,696.17 |
|------------------------------|--------------------|

These individuals are due retroactive pay for the period July 7, 2009 through August 17, 2010.

MINUTES

Fire Department - cont'd

Account: 1001-000000-2121-226400-601061

The retroactive promotional back pay is pursuant to Local 734's Memorandum of Understanding, Article 25 (D). The Department did not have an active promotional list for Fire Emergency Vehicle Driver and must promote retroactively.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the payments for terminal leave or promotional back salary for the foregoing Baltimore City Fire Department employees.

MINUTES

Fire Department - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the FY 2011 Emergency Medical Dispatch Training Grant Agreement with the Maryland Institute for Emergency Medical Services System. The period of the grant award is July 1, 2010 through June 15, 2011.

AMOUNT OF MONEY AND SOURCE:

\$2,200.00 - 5000-558411-2151-230500

BACKGROUND/EXPLANTION:

The purpose of this grant is to provide emergency medical dispatch recertification training for members of the Baltimore City Fire Department. There are no future obligations of the Fire Department or the City as a result of the receipt of this grant.

This grant is late because the award letter was issued on September 16, 2010 and there were changes to the agreement.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the FY 2011 Emergency Medical Dispatch Training Grant Agreement with the Maryland Institute for Emergency Medical Services System.

MINUTESPolice Department - Memorandum of Understanding

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Office of the State's Attorney (OSA). The period of the MOU is January 1, 2010 through December 31, 2010.

AMOUNT OF MONEY AND SOURCE:

\$7,865.00 - 5000-585310-5750-650406-607001

BACKGROUND/EXPLANATION:

The OSA will administer services related to the Fugitive "Safe Surrender" Program. This program is funded under a grant award from the Governor's Office of Crime Control and Prevention which was approved and accepted by the Board on January 27, 2010.

The Safe Surrender Program offers people with warrants for non-violent offenses the opportunity to surrender at a location other than the Police Headquarters or a courthouse. This multi-agency project reduces the backlog of warrants, decreases the risk inherent in contacts between police and fugitives, and fosters goodwill between the criminal justice system and the community at large.

The grant funds will cover verifiable personnel, equipment and/or operating expenses incurred by the OSA as a result of its participation in the Safe Surrender Program.

The MOU is late because the materials were recently received.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a memorandum of understanding (MOU) with the Office of the State's Attorney.

MINUTES

Police Department - Interagency Agreements

The Board is requested to approve and authorize execution of the listed interagency agreements. The period of the interagency agreement is January 1, 2010 through December 31, 2010.

- | | |
|--|--------------------|
| 1. DISTRICT COURT OF MARYLAND | \$ 9,615.00 |
| 2. CIRCUIT COURT FOR BALTIMORE CITY | \$ 5,841.00 |

Account: 5000-585310-5750-650406-607001

The District Court of Maryland and the Circuit Court for Baltimore City will administer services related to the Fugitive "Safe Surrender" Program. This program is funded under a grant award from the Governor's Office of Crime Control and Prevention, which was approved and accepted by the Board on January 27, 2010.

The "Safe Surrender" Program offers people with warrants for non-violent offenses the opportunity to surrender at a location other than the Police Headquarters or a courthouse. This multi-agency project reduces the backlog of warrants, decreases the risk inherent in contacts between police and fugitives, and fosters goodwill between the criminal justice system and the community at large.

The grant funds will cover verifiable personnel, equipment and/or operating expenses incurred by the District Court of Maryland and the Circuit Court for Baltimore City as a result of their participation in the Safe Surrender Program.

The interagency agreements are late because the materials were recently received.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>			
1. Anne Draddy Charles Murphy	2010 Partners in Community Forestry Conference Philadelphia, PA Nov. 9 - 11, 2010 (Reg. fee \$350.00)	Acces- sory Acct.	\$1,644.00
2. Ronald Anderson	Tree Risk Asses- ment Course & Exam Prince William, VA Nov. 3 - 5, 2010 (Reg. fee \$550.00)	Motor Vehicle Funds	\$856.60

The subsistence rate for this location is \$141.00 per day. The hotel cost is \$103.00 per night not including hotel taxes in the amount of \$20.60. The Department is requesting an additional \$2.00 per day in subsistence to cover the cost of food. All of the referenced expenses are included in the total.

Mayor's Office of Employment Development (MOED)

3. Sumayyah Hyman Chukeyse Mack Porscha Russell Jasmine Talbert Dawn Covington*	SkillsUSA Maryland Fall 2010 Leadership Conf. Ocean City, MD Nov. 4 - 5, 2010 (Reg. fee \$ 135.00 ea, *\$160.00)	Workforce Investment Act	\$867.00
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The Department is only requesting the registration fee for each of the attendees. In previous years the cost of the bus was included in the travel request. This year the Baltimore City Public School System is covering the cost of a bus from the Dillon Bus Company. The three

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>MOED</u> - cont'd			

schools attending will split the cost of the accommodations, for the bus driver. An additional \$67.00 is being requested to cover 1/3rd of the cost of the bus driver's accommodations. A late registration fee of \$100.00 is also requested because the attendees missed the registration deadline. All of the expenses are included in the total.

Department of Housing and Community Development

4.	Burnette Rahmaan	Managing Compre- hensive Health Services Nashville, TN Dec. 7 - 9, 2010 (Reg. fee \$450.00)	Federal Funds	\$1,407.00
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The subsistence rate for this location is \$185.00 per day. The Department has pre-paid the registration fee in the amount of \$450.00 by expenditure authorization - EA000046072, which is included in the total. The disbursement to the attendee will be \$957.00.

MINUTES

TRAVEL REQUESTS

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
	<u>Health Department</u>			
5.	Jennifer Hen	National Harm Reduction Conference 2010 Austin, TX Nov. 17 - 21, 2010 (Reg. fee \$450.00)	State Needle Exchange Program Grant	\$1,607.69
6.	Gloria R. Wicks	Zero to Three Conference Phoenix, AZ Dec. 8 - 12, 2010	Consol- idated Local Imple- mentation Grant	\$1,504.62

The Board, UPON MOTION duly made and seconded, approved the travel requests.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

3925

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 #001, \$ | 0.00 | - TR 05314, Resurfacing Wilkens Avenue from 450' +/- West of Brunswick St. to Fulton Ave. | | |
| \$ 2,437,856.11 | - | M. Luis Construction Co., Inc. | 120 | - |

This authorization provides for a 120-day non-compensatory time extension.

- | | | | | |
|---------------------------|---|--------------------------|---|---|
| 2. EWO #001, \$149,092.00 | - TR 10324, Baltimore City Downtown Infrastructure Improvements Project | | | |
| \$ 4,074,564.90 | - | P. Flanigan & Sons, Inc. | - | - |

Bureau of Water and Wastewater

- | | | | | |
|---------------------------|---|--------------------------------------|---|----|
| 3. EWO #006, \$212,450.34 | - WC 1198, Urgent Need Work Infrastructure Rehabilitation Various Locations | | | |
| \$10,473,325.00 | \$ 2,022,427.29 | Spiniello Companies | 0 | 31 |
| 4. EWO #104, \$ 64,152.06 | - SC 791, Eastern Avenue Pumping Station Improvements | | | |
| \$22,677,334.00 | \$ 1,398,787.14 | Whiting-Turner Contracting Co., Inc. | 0 | 99 |

Department of General Services

- | | | | | |
|---------------------------|--|------------------------------------|---|-----|
| 5. EWO #045, \$128,115.00 | - PB 05810, Renovations and Modifications to Enoch Pratt Free Library No. 28 | | | |
| \$ 2,419,000.00 | \$ 1,012,819.69 | E. Pikounis Construction Co., Inc. | 0 | 100 |

MINUTESDepartment of Transportation - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Vanasse Hangen Brustlin, Inc. for Project 1117, Bayview Multimodal Transportation Center Joint Development Planning. The period of the agreement is effective upon Board approval for two years from the issuance of the Notice to Proceed, with the option to extend for one year, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$749,999.00 - upset limit

BACKGROUND/EXPLANATION:

The Department has negotiated and procured the consulting agreement approved by the Boards and Commissions and Architectural and Engineering Awards Commissions and now desires to utilize the services of Vanasse Hangen Brustlin, Inc.

The cost of services rendered will be on actual payroll rates not including overhead and burdens times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

Vanasse Hangen Brustlin, Inc. will provide various activities in connection with transit stations, roadway systems, land planning, planning and preliminary design, market evaluation, public involvement, and environmental documentation.

MWBOO SET GOALS OF 21% FOR MBE AND 9% FOR WBE.

MBE: EBA Engineering, Inc.	\$ 67,500.02	9.00%
PELA Design, Inc.	37,500.01	5.00%
Cho, Benn Holback & Assoc., Inc.	<u>67,500.04</u>	<u>9.00%</u>
Total	\$172,500.07	23.00%
 WBE: Straughan Environmental Services, Inc.	 \$67,500.00	 9.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

Transportation - cont'd

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$750,000.00	9950-908703-9528	9950-909703-9527-3
Federal	Constr. Res.	Design & Studies
	Bayview Multi-	Bayview Multimodal
	modal	Transportation Center

This transfer will fund the costs associated with the award of Project No. 1117, Bayview Multimodal Transportation Center to Vanasse Hangen Brustlin.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an agreement with Vanasse Hangen Brustlin, Inc. for Project 1117, Bayview Multimodal Transportation Center Joint Development Planning. The Transfer of Funds was approved **SUBJECT** to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Department of Transportation - Right-of-Entry Permit Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry permit agreement with the Maryland Transportation Authority (MdTA). The period of the right-of-entry permit agreement is July 21, 2010 through July 21, 2011.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department is proposing a project to create the proposed Grand Prix Route, also known as TR10324, Downtown Infrastructure Project. In the design of this project, it has been determined that the City's contractor will need to widen West Lee Street to accommodate the approved width of the race cars. This work will be performed on property under the control of the MdTA.

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 57125)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of a right-of-entry permit agreement with the Maryland Transportation Authority.

MINUTES

Office of the President - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Community Law In Action, Inc. (CLIA). The period of the agreement is effective upon Board approval through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$12,000.00 - 1001-000000-1000-104800-601009

BACKGROUND/EXPLANATION:

The organization will use these funds to recruit, train, and provide stipends for the selected candidates and ongoing support for the City Council Page Program. High school students go through a screening process where they are interviewed and selected based on their interest in Baltimore City Government and the legislative process.

The Page Program will continue the partnership between the Baltimore City Council and the CLIA and maintain the program agenda from previous years. The CLIA will manage the recruiting and training of students, the training of participating City Council staff, and other necessary program elements. The Office of the City Council President Bernard C. "Jack" Young will promote and support the program while inviting four high school students to participate in the program. The overall structure of the program will remain the same from previous years. The students will be linked with a single advisor, who will act as the student's primary supervisor and mentor. Program participants will be given the opportunity to learn about City government and interact with significant public officials. Baltimore City youth will have a chance to strengthen their self confidence, develop leadership skills, and learn from positive role models. Programs like the City Council Page Program are essential in taking kids off the streets and getting them involved in productive activities which will enable them to flourish academically, socially, and emotionally.

MINUTES

Office of the President - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an agreement with the Community Law In Action, Inc.

MINUTESHealth Department - Agreements

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

1. **PROJECT GARRISON, INC.** **\$0.00**

The period of the agreement is July 1, 2010 through June 30, 2011.

The agreement is late because it was just completed.

2. **BALTIMORE RISING, INC.** **\$0.00**

The period of the agreement is August 1, 2010 through June 30, 2011.

The agreement is late because it was just returned.

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

SENIOR COMPANION PROGRAM

3. **LOCHEARN NURSING HOME, LLC** **\$0.00**

The organization will serve as volunteer station for the Senior Companion Program (SCP). A grant from the Corporation for National and Community Service funds the SCP. The grant pays 100% of the cost for the Senior Companions to volunteer to assist special needs clients who want to remain in their homes. While the Senior Companions are on duty, the grant provides for their life insurance, transportation, and other benefits. The period of the agreement is October 1, 2010 through June 30, 2011.

MINUTES

Health Department - cont'd

4. **JOHNS HOPKINS HOSPITAL** **\$43,835.00**
MARTIN LUTHER KING, JR.,
EARLY HEAD START PROGRAM

Account: 5000-587410-5750-672215-603051 \$17,917.00
5000-585811-5750-668815-603051 \$25,918.00

The organization's Early Head Start Program will provide a Service Coordinator to maintain early intervention coordination services for families enrolled in eight sites throughout Baltimore City. The period of the agreement is July 1, 2010 through June 30, 2011.

5. **PLANNED PARENTHOOD OF** **\$200,000.00**
MARYLAND, INC. (PPM)

Account: 5000-530011-3080-295000-60351

The PPM will provide preconception care as an integrated part of family planning visits, develop a preconception tool kit based on the tool kit model developed through Strategy to Improve Birth Outcomes/University of Maryland Partnership, and develop staffing models to rapidly respond to changes in the visit demand for family planning appointments. The PPM will also develop presentations/trainings for hospital discharge nurses and Obstetricians in Baltimore City, train PPM Call Center and Health Center staff to identify post-partum women, and provide additional counseling on birth spacing and the benefits. It will make a recommendation to the City Health Department for potential implementation in the Healthy Pregnancy phase using the preconception care campaign developed in FY 2009, run the developed print, radio and TV advertisements.

MINUTESHealth Department - cont'd

Throughout project activities, the PPM will embrace and adhere to the partnership principles set forth by the City Health Department for all B'More for Healthy Babies partners. The period of the agreement is July 1, 2010 through June 30, 2011.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED ITEMS NO. 4 AND 5 AND HAD NO OBJECTION.**

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

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	10 South Street	Baltimore Ten Land, LLC	One awning w/signage 10'10"x 1', outdoor seating 28'10"x 4'6"
	Annual Charge: \$1,455.79		
2.	1627 Aliceanna St.	Society for the Preservation of Federal Hill and Fells Point, Inc.	One 4" conduit @ 100'
	Annual Charge: \$350.00		
3.	1015 S. Charles Street	1019 South Charles Street	Outdoor seating 12' x 3'
	Annual Charge: \$337.50		
4.	840 Lemmon Street	Tadesse & Associates, Inc.	One set of steps
	842 Lemmon Street	Tadesse & Associates, Inc.	One set of steps
	Annual Charge: \$70.40		

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

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

MINUTES

Dept. of General Services (DGS) - Fee Revisions to Event Permits

ACTION REQUESTED OF B/E:

The Board is requested to approve revisions to the fees for event permits for Block Parties, Equipment Rental, and Special Events.

AMOUNT OF MONEY AND SOURCE:

The current application fee total is \$73.00, with no late penalties. The proposed fees are:

Block Parties & Equipment Rental

\$ 50.00	(8 or more weeks prior to event)
\$ 65.00	(6-8 weeks prior to event)
\$ 80.00	(4-6 weeks prior to event)

If applications are submitted less than eight weeks prior to an event, the City may not be able to accommodate the request.

Special Events

\$ 80.00	(8 or more weeks prior to event)
\$125.00	(6-8 weeks prior to event)
\$250.00	(4-6 weeks prior to event)

If applications are submitted less than eight weeks prior to an event, the City may not be able to accommodate the request.

BACKGROUND/EXPLANATION:

The DGS would like to improve its service delivery of event permits issued within the public right-of-way. The Block Party application has been streamlined to promote neighborhood events, and the application lead times have increased allowing for appropriate neighborhood notification and feedback.

MINUTES

DGS - cont'd

The current application fee is \$73.00, with no late penalties. The Department has been experiencing more and more frequent late applications for Special Event Permits. To deter late applications and encourage earlier submissions of applications, the DGS is proposing to increase fees for late submissions of applications. This will allow City agencies more time to review the applications, and also provide more timely notification to impacted neighborhoods. The DGS does not believe it can involve the community in a timely manner without late application penalties. Applicants currently have no incentive to submit applications on time. The DGS has also aggressively restructured event permit reviews to better accommodate applicants and affected communities alike. Fees for the use of City resources are calculated separately and are specific to the resources requested.

As part of this effort, the DGS will continue the policy of requiring 100% reimbursement for City services provided by the DGS for Special Events Permits, except in the case of non-profit groups. Non-profits that provide up-to-date 501 (c)(3) or (4) documentation will be granted a 50% waiver on all fees, except for fees from the Fire and Police Departments. Those fees will remain at 100% reimbursement. No additional waivers of fees will be granted. This new policy will take effect January 01, 2011.

The DGS will make every effort to notify those applicants who were given waivers in prior years to promote a smooth transition.

(FILE NO. 57205)

UPON MOTION duly made and seconded, the Board approved and authorized the revisions to the fees for event permits for Block Parties, Equipment Rental, and Special Events.

MINUTES

Dept. of General Services - Revisions to Street Cut Fees

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the revisions to street cut fees as proposed below.

AMOUNT OF MONEY AND SOURCE:**BACKGROUND/EXPLANATION:****PENALTY FEES**

Initiate new penalty fees for excessive time within the public Right-of Way beginning December 1, 2010:

- Contractors shall be fined for street cuts extending beyond 90 days within the public right-of-way. For each day beyond 90 days, the contractor will be fined \$50.00. Contractors shall be fined for steel plates extending beyond 30 days within the public right-of-way. For each day beyond 30 days, the contractor will be fined \$100.00.
- Raise existing penalty fees for poor restoration practices within the public right-of-way beginning December 1, 2010: Contractors shall be fined for any one of the existing finable offenses at the rate of \$500.00 per day, per practice for the first offense, and at the rate of \$1,000.00 per day, per practice for the second and ongoing offenses. Each day and each practice are considered separate and cumulative.
- Contractors shall be fined for permanent patches within the one-year warranty period should the permanent patch fail. For each day beyond a 30-day notice period, the contractor will be fined \$50.00 until such time that the patch is completed. Another one-year warranty will then take effect the day of final approval.

MINUTES

Dept. of General Services - cont'd

ACCESS FEES

Raise Access Fees for Street Cuts beginning July 1, 2011 and continuing incremental increases as noted:

On July 1, 2011, individual access fees shall be increased from \$100.00 to \$200.00 per each street rated in good condition (Pavement Condition Index > 70 as rated in the Department of Transportation's Tri-Annual Pavement Condition Survey), and from \$100.00 to \$150.00 per each street rated in less than good condition (Pavement Condition Index < 70).

On July 1, 2012, individual access fees shall be increased from \$200.00 to \$300.00 per each street rated in good condition (Pavement Condition Index > 70), and from \$150 to \$175 per each streets rated in less than good condition (Pavement Condition Index < 70).

On July 1, 2013, individual access fees shall be increased from \$300.00 to \$400.00 per each street rated in good condition (Pavement Condition Index > 70), and from \$175 to \$200.00 per each street rated in less than good condition (Pavement Condition Index < 70).

REVENUE DISTRIBUTION

Fees will first cover the cost of the "Protect Our Streets" program, to include coordination and inspection staff, operation costs and software fees, and then will be allocated as follows on an annual basis:

- Funds for the Department of General Services for the Oversight Program at \$1,000,000.00;
- Funds for the Department of Transportation's Pavement Condition Survey at \$60,000.00;
- Funds for the Department of Public Works' Stormwater Collection System at \$250,000.00; and
- Funds for the Department of Recreation and Parks' Tree Baltimore Program at \$250,000.00.
- Revenue in excess of this distribution shall go to the General Fund.

MINUTES

Dept. of General Services - cont'd

Street cut fees were originally adopted under City Council Bill 06-322, Ordinance 06-245 in June of 2006. Fees were limited to \$100.00 per permit application and \$100.00 per poor restoration practice. From an operational standpoint, enforcement has no leverage to encourage contractors to perform final resurfacing in a timely manner, nor is there any penalty should the restoration fail after the one-year warranty period. The fees, as proposed, will address these program oversights.

Water and gas account for ninety percent of the right-of-way street cuts. The Department of General Services discussed the proposed increased fees with both the Department of Public Works and the BGE. Both entities support this legislation, as it will enable them to control poor performance with their contractors.

AUDITS NOTED THE REVISIONS OF THE FEES.

UPON MOTION duly made and seconded, the Board approved and authorized the revisions to street cut fees as proposed below.

MINUTES

Baltimore Development - Amendment to Wharfage Agreement

Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to wharfage agreement with Baltimore Steamship LLC, d/b/a Watermark (the Licensee). This amendment extends the deadline to build and dock the new Chesapeake Bay-themed vessel in the Inner Harbor through July 15, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On July 15, 2009 the Board approved the original wharfage agreement for the City-owned docking space at the Inner Harbor Finger Pier Marina, located at 555 Light Street, which called for the Licensee to build and dock at its Inner Harbor location, a new Chesapeake Bay Themed-vessel by July 2011. Watermark is an Annapolis-based cruise company, which was awarded the rights to operate a site-seeing tour operation at the Inner Harbor Finger Pier Marina, after a Request for Proposals was conducted by the BDC in 2008.

The original wharfage agreement provided for the interim docking of an existing vessel owned by the Licensee during the design and construction of the new vessel. For the past two seasons (2009 and 2010), the Licensee has complied with the 2009 wharfage agreement by basing its Annapolitan II vessel at the Inner Harbor location.

MINUTES

BDC - cont'd

The Licensee has begun the design of the new vessel, a turn-of-the century Baltimore steamship (a period piece, not a replica), to be called The Lion of Baltimore. With the economic downturn impacting tourism and revenues, the Licensee has requested a twelve-month extension to July 2012 to launch the new vessel. All other terms and conditions of the original wharfage agreement remain in full force and effect.

(FILE NO. 57131)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an amendment to wharfage agreement with Baltimore Steamship LLC, d/b/a Watermark.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

3943 - 3944

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- | | | | |
|----|---|----------------------------------|----------------|
| 1. | B50001612, Hydrofluosilicic Acid for Water Filtration Plants
City of Baltimore | Lucier Chemical Industries, Ltd. | \$1,278,000.00 |
|----|---|----------------------------------|----------------|

MWBOO GRANTED A WAIVER

- | | | | |
|----|---|---|---------------|
| 2. | B50001546, Provide Janitorial Services for the Department of General Services, Area A | Associated Building Maintenance Co., Inc. | \$ 461,556.00 |
|----|---|---|---------------|

MBE: CJ Maintenance, Inc.	\$ 78,464.52	17.00%
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WBE: My Cleaning Service, Inc.	\$ 41,540.04	9.00%
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MWBOO FOUND VENDOR IN COMPLIANCE.

- | | | | |
|----|---|---|---------------|
| 3. | B50001547, Provide Janitorial Services for the Department of General Services, Area B | Associated Building Maintenance Co., Inc. | \$ 388,032.00 |
|----|---|---|---------------|

MBE: CJ Maintenance, Inc.	\$ 65,965.44	17.00%
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WBE: My Cleaning Service, Inc.	\$ 34,922.88	9.00%
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MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

4. B5000158, Provide Associated Build- \$ 408,924.00
 Janitorial Services ing Maintenance
 for the Department of Co., Inc.
 General Services,
 Area C

MBE: CJ Maintenance, Inc. \$ 69,517.08 17.00%

WBE: My Cleaning Service, \$ 36,803.16 9.00%
 Inc.

MWBOO FOUND VENDOR IN COMPLIANCE.

5. B50001575, Data Cable **REJECT ALL BIDS** - Vendors were
 Installation Services solicited by posting on CitiBuy
 and in local newspapers. The
 two bids received were found
 non-compliant by MWBOO. This
 requirement will be revised and
 rebid at a later date.

MINUTES

Mayor's Office of Employment - Agreement and an Amendment
Development (MOED) to Agreement

The Board is requested to approve and authorize execution of an agreement and an amendment to agreement.

AGREEMENT

1. **JOHNSON, MIRMIRAN AND THOMPSON, P.A.** **\$ 16,337.00**

Account: 4000-805310-6310-522005-603051

The organization will provide 488 hours of training for 15 incumbent employees through an initiative known as Maryland Business Works.

The incumbents will be trained in Revit Structure 2011 Level 1, Introduction to Geoprocessing Scripts using Python, Oracle Database 11g: Performance Tuning Release 2, Microsoft SQL Server 2008 Administration, ArcGIS Workflow & Analysis, Adobe InDesign 1, SharePoint Designer 2007 Level 1, MS10174 - Configuring & Managing MS SharePoint 2010, OnBase - Introduction to Workflow, Performing Analysis with ArcGIS Desktop, SQL Advance, 2957: Advance Foundations of Microsoft, NE.2.0 Development, and Building Web Applications using the ArcGIS API for Flex, ICND1 and ICND2. The period of the agreement is September 28, 2010 through December 31, 2010.

APPROVED FOR FUNDS BY FINANCEAMENDMENT TO AGREEMENT

2. **HUMANIM, INC.** **\$ 0.00**

On October 28, 2009, the Board approved the initial agreement through November 1, 2010, to provide occupational skills training for unemployed and underemployed or dislocated workers. The purpose of this amendment to

MINUTES

MOED - cont'd

agreement is to provide additional time to train participants and meet performance requirements at no additional cost.

NOTED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTIONS.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the agreement and amendment to agreement.

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

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. St. James Apostolic House of Prayer	2001 Barclay St.	L/H	\$ 87,600.00

Funds are available in Account No. 9912-910713-9591-900000-704040, Barclay Project.

(FILE NO. 57066)

DHCD - Rescission and Approval

2. Groundlease Management, LLC	1307 Wirton St.	G/R \$69.00	\$ 220.00
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On February 17, 2010, the Board approved the purchase by condemnation of the ground rent interest in the property located at 1307 Wirton Street in the amount of \$220.00. Since the original Board approval, the owner, Groundlease Management, LLC has agreed to the offer price of \$220.00 and would like to proceed with a voluntary settlement. The Board is requested to approve the option to purchase the ground-rent.

Funds are available in Account No. 9910-904714-9588-900000-704040, Hoffman Street Site Assembly Project.

(FILE NO. 57070)

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

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnation</u>			
3. Alice Hill Hines	2792½ Tivoly Ave.	G/R \$90.00	\$ 825.00

Funds are available in Account No. 9990-908326-9593-900001-704040, Coldstream Homestead Montebello Project.
(FILE NO. 57188)

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

MINUTESBureau of Water and Wastewater (BW&WW) - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Hatch Mott MacDonald, LLC for Water Contract No. 1120, Guilford Pumping Station Rehabilitation Design. The period of the agreement is effective upon Board approval for 18-months, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,004,816.59 - upset limit

BACKGROUND/EXPLANATION:

Hatch Mott MacDonald, LLC will provide engineering services to design the needed Guilford Pumping Station improvements. The engineering services will include replacement and rebuilding pumping units, modification to interior and exterior piping, improvements to electrical components, addition of an emergency generator, addition of sodium hypochlorite facilities, and other miscellaneous improvements. In addition, the consultant will manage and implement community outreach activities in concert with the City's Public Information Office.

The consultant was approved by the Office of Boards and Commissions and Awards and the Architectural and Engineering Awards Commission.

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

MBE: TLB Associates, Inc.	\$ 27,354.92	2.72%
Phoenix Engineering, Inc.	38,983.29	3.88%
C.C. Johnson & Malhorta, PC	196,992.64	19.60%
PELA Design, Inc.	8,819.40	0.88%
Total	\$272,150.25	27.08%

MINUTES

BW&WW - cont'd

WBE: Carroll Engineering, Inc.	\$ 72,757.38	7.24%
Studio 50 Design, LLC	<u>39,228.00</u>	<u>3.90%</u>
Total	\$111,985.38	11.14%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 737,037.60	9960-902917-9558	
County	Constr. Res.	
Appropriation	Water Pumping	
	Station Improv.	
462,962.40	" "	
Water Revenue		
Bonds		
<u>\$1,200,000.00</u>		
\$1,004,816.59	-----	9960-901917-9557-3
		Engineering
195,183.41	-----	9960-901917-9557-9
		Administration
<u>\$1,200,000.00</u>		

MINUTES

Bureau of Water and Wastewater - cont'd

The funds are required to cover the costs of WC 1120, Guilford Pumping Station Rehabilitation Design. (BD 10620)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an agreement with Hatch Mott MacDonald, LLC for Water Contract No. 1120, Guilford Pumping Station Rehabilitation Design. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTESBureau of Water and Wastewater - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 008 to EMA, Inc. under SC 887, EAPS SCADA Optimization and Upgrade Design, Project 1082.

AMOUNT OF MONEY AND SOURCE:

\$137,755.22 - 9956-913540-9551-900020-703032

BACKGROUND/EXPLANATION:

Under this task assignment, the consultant will design a secure cellular IP-based communications between Eastern Avenue Wastewater Pumping Station, SCADA and remote SCADA sites. The consultant will also design new SCADA systems for Powder Mill Road, Herring Run No. 1 and Herring Run No. 2. The consultant will carry out field investigations on the 29 existing SCADA sites and prepare a technical report describing the requirements for the SCADA upgrade to the sites, and respond to Requests for Information. The consultant will design and prepare contract documents including plans, specifications, and a cost estimate.

The consultant was approved by the Office of Board and Commissions and the Architectural & Engineering Awards Commission.

The consultant was requested to submit a cost proposal to perform this task, which has been reviewed and approved.

MWBOO FOUND VENDOR IN COMPLIANCE

MBE: Sidhu Associates, Inc. \$29,182.76 (21.18%)

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

MINUTES

Bureau of Water and Wastewater - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 55,760.00	9956-905533-9549	
Counties	Constr. Res.	
144,240.00	Annual Facilities	
Wastewater	Improvements	
Rev Bonds		
<u>\$200,000.00</u>	-----	9956-913540-9551-3

The funds are required for Project 1082, task No. 8, EAPS SCADA Optimization.

UPON MOTION duly made and seconded, the Board approved and authorized the the assignment of Task No. 008 to EMA, Inc. under SC 887, EAPS SCADA Optimization and Upgrade Design, Project 1082. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Bureau of Water and Wastewater - Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to agreement with Transviron, Inc. under Project No. 1095T, On-Call Civil/Structural Engineering Services. The amendment extends the period of the agreement for one additional year through February 10, 2012, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$750,000.00 - Various accounts (upset limit)

BACKGROUND/EXPLANATION:

On February 11, 2009, the Board approved the original agreement in the amount of \$750,000.00 with Transviron, Inc. to provide On-Call Civil/Structural Engineering Services for a period of two years.

Civil/structural engineering services are required on an urgent as needed basis for continuous functioning of the water and wastewater treatment plants and pumping stations.

This amendment will increase the upset limit by \$750,000.00, for a total of \$1,500,000.00, and extend the period of the agreement for one additional year to allow Transviron, Inc. to continue to provide civil/structural engineering services for various tasks assigned by the Water and Wastewater Division and Facilities, including treatment plants and pumping stations on an as-needed basis.

The consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission.

MINUTES

Bureau of Water & Wastewater - cont'd

MBE/WBE PARTICIPATION:

The consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and the Minority and Women's Business Enterprise goals established in the original agreement.

AUDITS NOTED THIS ON-CALL AGREEMENT AND THE INCREASE IN THE UPSET LIMIT AND WILL REVIEW THE TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the amendment to agreement with Transviron, Inc. under Project No. 1095T, On-Call Civil/Structural Engineering Services.

MINUTES

Department of Housing & - Partial Release
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve a partial release of 130 West Cross Street (the Property) from the legal operation and effect of a certain mortgage from Light Street Housing Corporation (Developer).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 10, 1999, the Board approved a loan in the amount of \$783,000.00 to the Developer to finance the construction of a project consisting of the construction of a project consisting of ten townhouses and the rehabilitation of two townhouses located in the 100 block of West Cross and West Hamburg Streets. The mortgage provided that the repayment would be made by each buyer of a townhouse agreeing to execute a \$40,000.00 mortgage in favor of the City to be secured by the townhouse property the buyer purchased. The buyer loan documents provided for forgiveness of the buyer loan, if the buyer resided in the property for a ten-year period. Upon the recording of the buyer loan documents, each transferred townhouse was to have been partially released from the lien of the Developer's mortgage. The Developer successfully completed the construction and sale of all townhouses in the project.

By Deed dated June 2, 2000, the Developer transferred the property to Ms. Linda Davis (Buyer). The settlement sheet for the transaction clearly indicates the Buyer's \$40,000.00 obligation to the City, but it appears that the buyer loan documents were inadvertently not recorded among the land records nor are they fully executed set of such documents available. As no buyer loan documents were recorded, the property was never released from the lien of the Developer's mortgage. The Buyer subsequently refinanced the property several times, which would have been prohibited if the buyer loan documents had been executed and recorded. The Buyer executed a mortgage in 2007 in favor of a lender who has recently foreclosed on the mortgage.

MINUTES

DHCD - cont'd

In preparation of a mortgage foreclosure sale scheduled to be held on July 7, 2010, the lender requested a partial release of the Property from the Developer's mortgage. The City refused the foreclosing lender's request for a partial release of the property when an investigation revealed that the Buyer loan documents were never recorded. The lender referred the matter to its mortgage title insurer; Old Republic National Title Insurance Company (Old Republic). After negotiations they have agreed to pay the City \$20,000.00 to obtain a release of the property.

After a full review of this matter and after consultation with the Law Department, there appears to be ambiguity as to the full amount that should be paid to the City at this time. The City never intended to receive repayment under the Developer's mortgage and the Buyer intended to execute the buyer loan in favor of the City. The issue is further complicated as the Buyer has resided in the Property for the ten year residency period and would have been entitled to forgiveness of the buyer loan, however the City would have been entitled to a share of the proceeds of the Buyer's multiple refinancing.

UPON MOTION duly made and seconded, the Board approved and authorized the partial release of 130 West Cross Street from the legal operation and effect of a certain mortgage from Light Street Housing Corporation.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the land disposition agreement with Mr. Kevin Ayers, developer, for the sale of the property located at 1008 N. Calhoun Street (Block 0063 Lot 058).

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - purchase price

BACKGROUND/EXPLANATION:

The DHCD allows property owners the opportunity to purchase City-owned vacant lots that adjoin their property. Mr. Ayers, a City resident, who owns and resides at 1010 N. Calhoun Street, qualifies to purchase the vacant lot at 1008 N. Calhoun Street.

MBE/WBE PARTICIPATION:

The property is not subject to Article 5, Subtitle 28 of the Baltimore City Code because it will be sold at market value.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the land disposition agreement with Mr. Kevin Ayers, developer, for the sale of the property located at 1008 N. Calhoun Street (Block 0063 Lot 058).

MINUTES

Department of Housing and Community - Agreements
Development/Homeless Services

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

1. **BON SECOURS OF MARYLAND FOUNDATION, INC.** **\$ 34,240.00**

Account: 4000-492911-3572-333609-603051

Under this agreement, the organization will operate the Women's Resource Center and hire the services of a Case Manager. Services will include but are not limited to providing emergency assistance, referrals and advocacy, domestic violence counseling and HIV/AIDS counseling. The period of the agreement is July 1, 2010 through June 30, 2011.

2. **DAYSPRING PROGRAMS, INC.** **\$301,159.00**

Account: 4000-496211-3573-591436-603051

The organization will provide housing and substance abuse treatment services. They will also ensure that all clients enrolled in the program are referred from Baltimore City's Client Data Management System, shelters, transitional facilities, substance abuse treatment programs and Mercy Supportive Housing Program. The period of the agreement is January 1, 2011 through December 31, 2011.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Dept. of Housing and Community - Liens on City-Owned Properties
Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve a policy that would eliminate the accrual of municipal liens on properties deeded to the Mayor & City Council and authorize administrative abatement of pre-existing and erroneously accrued liens by electronic communications between the DHCD and the Department of Finance.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

To properly prepare a property for the disposition and transfer of property, its title must be free and clear of all liens. It is the City's policy not to levy municipal liens except for water liens on properties deeded to, or acquired by inquisition for the Mayor & City Council of Baltimore. Even if a property has a clean lien sheet upon acquisition, between acquisition and selling of the property some municipal liens do get applied. Therefore, the lien abatement process must be repeated upon disposition.

To transfer title to a potential developer, the disposing agency must request lien abatement from the Department of Finance.

The current lien abatement process take approximately two weeks and involves a Real Estate Officer obtaining signatures from several different City departments, including the Law Department, the Bureau of Revenue Collections, the Bureau of Accounting and Payroll Services, and the Revenue Accounting Section. There is typically a two or three day turnaround with each signature.

MINUTES

DHCD - cont'd

The new policy would direct that upon email request to the Finance Department, the abatement of liens would be internally processed by the Finance Department, eliminating further interdepartmental communications.

The abatement of these liens is standard procedure. This administrative task would be eliminated if liens did not accrue on Mayor & City Council owned property.

This policy would not apply to properties owned by the Mayor & City Council, but leased to non-tax exempt entities.

UPON MOTION duly made and seconded, the Board approved the policy that would eliminate the accrual of municipal liens on properties deeded to the Mayor & City Council and authorize administrative abatement of pre-existing and erroneously accrued liens by electronic communications between the DHCD and the Department of Finance.

MINUTES

Department of Housing and - Sale of City-Owned
Community Development (DHCD) Property by Auction

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a policy that would allow for sale and disposition of City-owned real property by public auction.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

For several years, the DHCD has intermittently published on its website and in hard copy lists of properties available for sale. There was a set period of time during which a potential buyer could submit an offer. The bidding process was in effect a slow motion auction. Upon closing of the bid period, offers were reviewed and negotiations initiated. The policy required that the higher of the offer price or the appraised value be the sales price. That was considered to be the fair market value. Often this practice resulted in potential developers rescinding their good faith offer and walking away from the deal. The vacant properties would thus remain in the City's inventory and continue to languish.

This policy will allow the DHCD to hold live, on-site auctions of its vacant structures and land. To pre-qualify for participation in the auction, bidders will be subjected to a rigorous analysis of their financial capacity and relevant experience and ability to conclude the project as proposed. For instance, a bidder interested in creating garden space on a vacant lot would not be held to the same standard as a bidder planning to rehabilitate a vacant house. The public auction will determine fair market value. The winning bidder would commit to terms included in an executed land disposition agreement that would be consistent with established neighborhood plans.

President: "The first item on the non-routine agenda is located on page 55, Sale of City-Owned Property by Auction. Will the agency representative please come forward. Good morning."

MINUTES

Mr. Paul Graziano, DHCD Commissioner: "Good morning."

Ms. Julie Day: "Deputy Commissioner, Land Resources Baltimore Housing."

Mr. Graziano: "I am going to let or do you --."

Mr. Walter Horton, Real Estate Officer: "Before you is a request to approve the sale of properties by auction. We just recently approved the updated appraisal policy and what we would like to have is that the auction policy be subject to the current appraisal policy that was just approved by the Board of Estimates and that that be a part of the auction policy as you vote on it."

Mr. Graziano: "Well, let me just comment broadly and then I will allow Julie to elaborate if necessary. Basically we believe that the auction process will in fact establish the market value of property. It will be openly and competitively bid at auction, and so whatever the market would bear at that point would establish the fair market value. So, in that sense, it wouldn't be strictly under an appraisal process."

Comptroller: "Now you said basically, you believe?"

Mr. Graziano: "No, I fundamentally believe. I am sorry, what is the question?"

City Solicitor: "Strongly."

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Mr. Graziano: "Strongly, absolutely. It will be -- the properties will be auctioned in an open and competitive process. An auction process by definition establishes what a open and competitive process would pay for the property."

Comptroller: "In auctions that I have attended, there has been a minimum amount. Because the - - I am concerned about property being sold. I understand that there are exceptions where properties can be sold at less than fair market value. But, if we don't set a reserve or minimum bid, then how is the City protected? Because, often times people come to my office and they want properties for a \$1.00, and how do we not sell properties at a value that we know that can be met, and if you are saying that the buyer sets the price, buyers are definitely when they go to an auction buyers want discounts. If we don't set a minimum bid, how is the City protected?"

Mr. Graziano: "We are not saying that we wouldn't set a minimum bid, but, that that minimum bid should not be an appraised value or some number associated with that."

Comptroller: "Right, I understand that because there are exceptions but there should be a minimum bid. But based on the information that I received from you, you are saying that you would not sell it for less than the auctioneer's cost. The advertising cost. So where is the value for the property that

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is being sold, if we are just going to recover the cost of marketing, the advertising and the auctioneers?"

Mr. Graziano: "Well, remember we are not asking one buyer to offer us a price, it is open to the full market. The full range of buyers, so it is not the same as somebody coming into my office or Julie's office or your office and saying I want to pay you a dollar for this property. It is standing in the middle of the square and saying I've got a property, which would have been advertised and so forth and anybody can in and offer it."

Comptroller: "Right but often times at auction there is only one bidder."

Mr. Graziano: "If there is only one bidder, and it has been fully advertised, it is probably a good indication of the lack of interest on that property, which would therefore reflect the value of that property."

President: "But, then they would get -- I am sorry."

Comptroller: "No, go on."

President: "And then say for instance, I am the only bidder and there are two blocks of row houses and all I bid is a dollar and the means I get all of those houses for a dollar?"

Mr. Graziano: "It depends on what the -- a dollar would not be likely because we would include at least some minimum bid, and it would be more than a dollar."

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Comptroller: "What is the minimum bid? How is it established?"

Mr. Horton: "What is the basis for establishing the minimum offer?"

Mr. Graziano: "It would certainly be to include our costs, and then I think there would probably be some range depending on the nature of the property."

Mr. Horton: "The range based on what?"

Mr. Graziano: "Based on the nature of the property. I mean some properties that are perhaps of significant size either as land or structures could I think would have perhaps a higher percentage, but in each case, I think it would be a percentage of what we think it might be worth. But again, we don't really know what they are worth until we see all those bids coming in. If we think something is worth \$50,000.00 and nobody is prepared to offer more than say \$5,000.00 then who is to say it is worth \$50,000.00?"

Comptroller: "Will the Real Estate Department collaborate with your Department in establishing what this price would be; this minimum bid would be?"

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Mr. Graziano: "We had not specifically written that into the process, it is not a -- it is a reserved number. It is not a -- sales price,"

Comptroller: "But, you said you will establish a number. The problem that I have is that there has been not sufficient collaboration between the Comptroller's Office and the Real Estate Department and Housing. And, you are saying that your Department is going to set the price, the minimum with no input. We are one City. We should work together."

Mr. Graziano: "Yes, and I think we have been doing that in the past couple of years."

Comptroller: "We have not."

Mr. Graziano: "In the past couple of years actually, my memory if it serves me properly says we have been in many meetings and I don't think we need a conference on every time that we establish a minimum bid price."

Comptroller: "Why can't the Real Estate Department work in collaboration with your Department? We are one City."

Mr. Graziano: "What we are trying to do is streamline the process here."

Comptroller: "But the Real Estate Department has not held up any action for the disposal of real estate."

Mr. Graziano: "We have never done auctions before."

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President: "The Mayor, and then we will come back to you."

Mayor: "So, my understanding of fair market value is that is not a term of art in as much as we are trying to establish a fair market value of something, and it is also my understanding and I am not a real estate professional but just from my understanding of the definition of the word, when we do appraisals, we are trying to mimic or be a substitute for that fair market value by doing research. So, by putting properties on the market, we have taken the emotional value out of it. We have taken the theoretical value out of it and actually putting that property on the market to establish a price and while we can argue about a theory of a minimal price, that precise argument has kept properties off the tax rolls and have prevented people from being able to rehabilitate neighborhoods that have been devastated by blight. We are putting these properties on the market, so people, people who are interested in being Baltimore City residents, people who are interested in becoming property tax payers can own those homes, move into those homes and contribute to our City. I think the market is what we are trying to establish not by an artificial policy, an artificial process with the appraisal, but with the actual market. Based on advertisement, based on advertisement that we all agreed on. A process for how we are going to make sure that

MINUTES

people know that these properties are available and then we are going to put them out to market and see what happens."

President: "Well, I don't think anyone feels as strongly of vacant houses as I have been. Since I have been on the Council, vacant houses have been something that has really been a heel in my side especially in my District. But, I also understand that there is an appraisal process and that we just can't give properties away."

Mayor: "No one is talking about giving properties away. We are talking about market."

President: "Well, I am just Madam Mayor, I listened to you. I mean the well-connected can be the ones - - that is the problem that I had with the Land Bank, you know. Why can't we have a minimum bid. I mean if we are all working together, we are one City, we want to move the City forward, why can't we have a minimum bid so that it can be a fair process for everyone and not those who might get a tip from someone you know about properties that they are going to bid out."

Mayor: "A minimum bid does not make it fair."

President: "Well it establishes - that we are not just going to be giving properties away."

Mr. Graziano: "The minimum bid by the way does not assure what the ultimate sales price would be and second there is no

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opportunity for insider information. This is an open competitive process."

President: "I understand that Paul. But I have been in office 14 years. I have known where people are politically connected are getting properties and then friends of friends and I don't want to start naming stuff, Okay. So, I want to be fair and I want to make sure that the Real Estate Office and your office are working together so that we can make sure that this process is fair and as transparent as possible."

Mr. Graziano: "An open and competitive auction is the most open and fair process."

President: "Well why can't there be a minimum bid?"

Comptroller: "Mr. Graziano."

Mr. Graziano: "Yes."

Comptroller: "The appraisal process is not artificial. It is based on looking at market comparable properties as well as restrictions to determine the fair market value."

Mr. Graziano: "No, I do understand the appraisal process, but especially in these times, appraisals are certainly not an exact science and there is nothing the appraisal process, as the Mayor indicated is really a substitute for the market place, and an auction brings the property directly to the market place and if we broadly advertise and people come in willingly with the

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willing seller there with the willing buyer, there is no strings. There is no back room deals, this will be an opportunity to determine what is a price that would be appropriate in the market."

City Solicitor: "Could you give us some idea as to how long properties would be advertised for auction? Let's say you plan an auction on the first of December. Are you going to auction certain properties off on that date. So how far ahead of time would the properties to be auctioned off be posted and known and to what extent would potential buyers have access to either information about those properties or maybe even to the properties themselves and how available is that auction information? So, that we can understand the process and a little bit more about its particulars."

Ms. Julie Day: "Yes Sir. We would advertise the auction on the website and also in print media. I would imagine it would be about 30 days prior to the auction, we would have an opportunity for potential bidders to pre-qualify. We would vet they're applications for financial ability to rehab and also they're capability in terms of rehabilitating a property. We would have advertised on the website, as well as part of the application packet in draft from standardized Land Disposition Agreement that would have the terms of rehab and the dates by which work

MINUTES

must be completed so that a bidder would go into the process fully aware of what their responsibilities and what the potential consequences for the non-compliance would be. So, to have it on the website advertised openly. Prequalify the bidders and then have the open bid. Have the Land Disposition Agreement submitted and approved by the Board of Estimates should satisfy the concerns."

City Solicitor: "So, just to clarify with one final question. The LDA would come back to the Board for its approval. So, if the Board or any of its members thought that a particular LDA was reflecting a price that was out of whack significantly, with the apparent appraised values or other indications or values, the Board would have ability to reject it."

Ms. Day: "The Board would have the ability to reject it. But I would hope that the Board would acknowledge the fair market value determined at the auction."

City Solicitor: "Understood. And what about the availability of other information about the property other than it's a 27 -- I mean that may not be terribly relevant if it is a vacant piece of land, but if it's a vacant home --."

Ms. Day: "Right."

City Solicitor: "Which I assume some of these would be --."

Ms. Day: "Right."

MINUTES

City Solicitor: "How about other information that would be available to potential bidders."

Ms. Day: "In that the property is being auctioned or owned by the Mayor and City Council. We have the opportunity to have access to the property and let potential bidders go into it prior to the auction so that they would be able to make a better informed choice whether to participate or not."

City Solicitor: "Okay. Thanks."

President: "Madam Mayor."

Mayor: "I think we are winding down, hopefully winding down to making a decision on this, and I just want to say I want to thank everyone that has been involved from the Housing Department. Certainly everyone who has been involved on the Comptroller's side. I have to disagree that there has not been collaboration. I am sure that you have lost track of how many hours we have met about this over the past year. I think that there is a significant difference between the lack of agreement and lack of collaboration. We have met, we have discussed. We might not agree on everything, but it certainly is not for lack of trying. And I want to thank you and all of the members of your team including the Comptroller and Deputy Comptroller for the time and effort that has gone into making sure that we are able to cut through the red tape and make sure that we are

MINUTES

dealing effectively and innovatively with vacant housing in our City. A lot of people have concerns about vacant property. Concerns don't create solutions. We need solutions that are workable and I want to thank the people who have worked through this process to create solutions that will bring relief to communities, to neighborhoods to citizens all throughout the City."

President: "Well, I don't think that anyone disagrees with that Madam Mayor. But the issue is, that we want to make sure that the City gets the best bang for its buck. We are a City that is struggling financially as your administration so eloquently says all the time. But, we have to make sure that there is a minimum bid amount so that we just won't be giving properties away to the politically connected. And I know exactly what I am talking about."

Mayor: "I am sure."

President: "You know, because I have been there and I know those few developers that continue to get everything for almost nothing."

Comptroller: "I have a question. In your email one of the questions that we were concerned about was that the bidder be prequalified every six months and you state that a bidder maybe prequalified for a six-month period with the possibility for

MINUTES

additional enhanced criteria possible for unique properties.

Explain that?"

Ms. Day: "Well in that language I meant that once someone prequalifies, they are qualified for six months from that date, but should a particularly unique property come on the market that we choose to auction, that there might be additional information that we would require for them to participate in that auction. So, to bid on a vacant lot or an abandoned or derelict blighting vacant building they have already qualified. So for any of the auctions during those six months, they can bid. But if something larger with more potential comes along --
-."

Mr. Graziano: "Or maybe a property that had some severe environmental problems that we uncovered so we need a developer who has some ability to address some of the environmental issues. I would expect those would be few situations but there would be some perhaps."

Comptroller: "So you are saying that the standards would be set higher?"

Mr. Graziano: "Well, yes of course if we had something like a severe environmental problem then we would want to make sure ---"

Comptroller: "Okay."

MINUTES

Mr. Graziano: "First of all we want to protect the citizens, but secondly we want to protect the developer. Because if a developer who has never had any experience dealing with that goes into a situation like that, they could bankrupt themselves trying to address environmental problems."

Mr. Horton: "Paul you made mention of the initial bid that reserves and the taking a percentage of it, how will that be determined?"

Mr. Graziano: "We haven't fully defined that process, but I would expect that it would be some varying scale because a percentage of a \$1,000.00 is a certain amount, you know 10% of a thousand is a certain amount, 10% of \$200,000.00 is a lot more. So the scale might be a sliding scale for instance."

Comptroller: "So since you haven't set that process yet, will the Real Estate Department work in collaboration with your Department?"

Mr. Graziano: "We can certainly confer on the concept of how do we establish a scale. But that's not something that we think we need to bring back in terms of a forum. It is just part of the day-to-day operations."

Comptroller: "So you are saying that the Department of Real Estate will not --- you will not collaborate with the ---."

MINUTES

Mr. Graziano: "I am saying that we will confer with the Department of Real Estate. We are not looking to set up a process that on every individual auction we have to and every property we have to go back and get a sign-off. But certainly to confer about what would be the best ideas about establishing a range."

Comptroller: "Right. That is what I am talking about."

Mr. Graziano: "I would be happy for us to do that."

City Solicitor: "And I would imagine if you confer and consult and if the Real Estate Department has a somewhat different view and you start bringing LDA's back to the Board, we would hear about the Real Estate Department's different view."

Mr. Graziano: "Of course. Yes."

City Solicitor: "When those LDA's come back to us."

Mr. Graziano: "Yes."

City Solicitor: "But not before then."

Mr. Graziano: "Right."

City Solicitor: "Understood."

Mr. Graziano: "Yes."

President: "Is that it? I entertain a Motion."

City Solicitor: "I MOVE approval of the item on Page 55 of the agenda."

Director of Public Works: "Second."

MINUTES

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

Comptroller: "NAY."

President: "I Vote NO. Motion carries."

President: "As there is no further business before the Board, the meeting will recess until the bid opening at 12:00 noon.

Thank you."

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MINUTES

Department of Housing and - Responsible Agency Codes for
Community Development City-Owned Properties Policy

ACTION REQUESTED OF B/E:

The Board is requested to approve a policy that would assign a responsible code to agencies completing an acquisition of real property.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

Article 5, Section 16-2 of the City Code requires that the Comptroller and the Director of Finance maintain "jointly a comprehensive inventory of City-owned real property, which must be updated quarterly to reflect acquisitions and dispositions". The inventory must include a street address or description, the date of acquisition or possession, purchase price, name of grantor, and an estimated market value which must be updated every three years.

The Department of Public Works' Property Location Division maintains the database of all real property in the City. City-owned properties are a subset of that database.

Over the years, the City has developed a system by which a "code" is assigned to each property owned by the Mayor and City Council to indicate which agency is responsible for the property. Only the responsible agency may dispose of the property. There are approximately 20 codes currently in use. Typically, the method of acquisition determines the code assigned. For instance, if property is acquired by condemnation it is assigned to DHCD. However, regardless of the agency completing an acquisition by tax sale foreclosure the property is assigned to the Comptroller's Office of Real Estate.

MINUTES

DHCD - cont'd

Changing a code requires the Board of Estimates approval. If there is a transfer between agencies, the Space Committee, a multi-agency group headed by the Comptroller, must approve the transfer and then submit it to the Board of Estimates for final approval.

The implication of this policy is that when the DHCD acquires a property through tax sale foreclosure the responsible agency code assigned is that of the Comptroller's Office of Real Estate. In order for the DHCD to complete the project for which it acquired the property, and to have the authority to dispose of the property, it must obtain both Space Committee and Board of Estimates approval. Those approvals are standard practice but time consuming for staff in several agencies.

By assigning responsibility to the acquiring agency at the time of acquisition, the disposition process can be shortened. In this unnecessarily prolonged process puts deals at risk.

Additionally, with verification provided by the DHCD to the Comptroller's Office of Real Estate, all real property previously acquired by the DHCD through tax sale foreclosure should be coded to the DHCD as the responsible agency.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized the policy that would assign a responsible code to agencies completing an acquisition of real property.

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 13** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on October 13 and 20, 2010.

The Board **NOTED** the **13** reports.

MINUTES

Department of Planning - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the State of Maryland Critical Area Commission for the Chesapeake and Atlantic Coastal Bays. The period of the agreement is July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$14,000.00 - 5000-507411-1875-517600-600000

BACKGROUND/EXPLANATION:

This grant agreement from the Maryland Department of Natural Resources will extend the State support for the City's Critical Area Management Program. The State has provided support for the Critical Area project since 1988. There is no local match required. The Department of Planning will provide staff services, which are under the Department of Planning's current operating budget.

These funds will also help offset the operating costs incurred by the Department of Planning in ensuring compliance with the State Chesapeake Bay Critical Area Protection Law.

This grant agreement was recently received from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the grant agreement with the State of Maryland Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

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

1. PC MALL GOV.	\$15,138.00	Low Bid
Solicitation No. 07000 - Blackberry Server Support - Department of Transportation - Req. No. R559135		

2. XEROX CORPORATION	\$23,975.70	Low Bid
Solicitation No. B50001687 - Performance Bond Paper - Department of General Services - Req. No. R559219		

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

3. ROTORK CONTROLS, INC.	\$20,000.00	Sole Source
Solicitation No. 08000 - Rotork Valve Actuator Parts - Department of Public Works - Req. No. R559300		

The vendor is the sole manufacturer of the valve actuators and associated control systems, valve gearboxes, and valve accessories ready in use at the Department of Public Works. The period of the award is November 8, 2010 through November 7, 2011, with two 1-year renewal options.

4. SHAFER, TROXELL, & HOWE, INC.	\$21,000.00	Sole Source
Solicitation No. 08000 - Yeoman's Pump Part - Department of Public Works - Req. No. R559314		

The vendor is the sole distributor for the pump parts already in use at the Department of Public Works.

5. WESTCO SCIENTIFIC INSTRUMENTS, INC.	\$10,170.00	Low Bid
Solicitation No. 07000 - Block Digestor - Department of Public Works - Req. No. R559240		

6. PREDISIO NETWORKED SOLUTIONS	\$ 5,120.00	Low Bid
Solicitation No. 07000 - Symantec Protection - Mayor's Office of Employment Development - Req. No. R559545		

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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| 7. R & S NORTHEAST
Solicitation No. 06000 - Nuvaring TRDX3 - Health Department -
Req. No. R554635 | \$ 6,520.00 | Selected Source |
|---|-------------|-----------------|

The Health Department is a covered entity under the U.S. Department of Health and Human Services, Health Resources, and Services Administration (HRSA) that receives the lowest prices available under the 304B drug pricing program for the purchase of contraceptives. The period of the award is November 3, 2010 through November 2, 2011, with two 1-year renewal options.

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| 8. CUMMINGS-WAGNER CO. INC.
Solicitation No. B50001689 - Replacement Pump for LOX Plant -
Department of Public Works - Req. No. R559846 | \$ 5,098.00 | Low Bid |
|---|-------------|---------|

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|--|-------------|-----------|
| 9. ENVIRONMENTAL SYSTEMS
PRODUCTS HOLDING, INC.
Solicitation No. 06000 - Fleet Inspection Testing Unit for
VEIP - Department of General Services - Req. No. R558023 | \$18,032.00 | Agreement |
|--|-------------|-----------|

The Board is requested to approve and authorize execution of an agreement with Environmental Systems Products Holdings, Inc. The period of the agreement is effective upon Board approval for three years, with two 1-year renewal options.

On October 13, 2010 the Board approved an award with Environmental Systems Products Holdings, Inc. However, the agreement for this contract was not submitted with the previous Board letter. The period covered is three years with two one-year renewal options.

(FILE NO. 57210)

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. KIDSMART SOFTWARE
COMPANY | \$42,300.00 | Agreement/
Sole Source |
|----------------------------------|-------------|---------------------------|
- Solicitation No. 08000 - Software License Renewal, Training, and Support - Mayor's Office of Employment Development - Req. No. R559576

The Board is requested to approve and authorize execution of an agreement with Kidsmart Software Company. The period of the agreement is October 1, 2010 through September 30, 2011.

The vendor is the sole provider of this proprietary software in use by case managers for various youth programs of the Mayor's Office of Employment Development.

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

- | | | |
|---------|--------------|-------------|
| 11. IBM | \$460,000.00 | Sole Source |
|---------|--------------|-------------|
- Solicitation No. 08000 - IBM Hardware & Software Maintenance - Mayor's Office of Information Technology - Req. No. R552246

The vendor is the sole provider of the required annual hardware/software maintenance. The vendor has agreed to bill the City based on the GSA schedule contract for IT commodities and services. The period of the agreement is November 03, 2010 through June 15, 2015.

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

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

12. CITIZENS PHARMACY

SERVICES	\$ 50,000.00	Sole Source
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Solicitation No. 08000 - Labeled Medications - Health
Department - Req. No. R559101

This requirement has been bid on several occasions and Citizens Pharmacy is the only pharmacy that has agreed to re-package and label prescription drugs from large dose bottles into multiple smaller, labeled and sealed, child-proof vials.

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

13. LIVING CLASSROOM

FOUNDATION, INC.	\$ 90,000.00	Selected Source
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Solicitation No. 06000 - Landscaping Services - Department of
Transportation - Req. No. R559918

The vendor's workforce program uniquely meets the City's goal of helping young and disadvantaged adults to earn, learn and keep away from drugs and crime.

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

MWBOO GRANTED A WAIVER.

(FILE NO. 55550)

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

14. BELTWAY

INTERNATIONAL LLC.	\$212,177.00	Increase
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Solicitation No. B50001465 - Department of General Services,
Fleet Management Division - Req. No. R554887

On June 9, 2010, the Board approved the initial award in the amount of \$212,177.00. The Department of General Services Fleet Management Division has requested to purchase one additional truck to replace vehicle #94-3843, which has exceeded its target replacement date. This increase will make the total award amount \$424,354.00.

MWBOO GRANTED A WAIVER.

15. CHESAPEAKE FORD

TRUCK SALES, INC.	\$537,410.00	Increase
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Solicitation No. B50001366 - Five-Ton Crew Cab Dump Truck -
Department of General Services, Fleet Management Division -
Req. No. R554907

On March 24, 2010, the Board approved the initial award in the amount of \$107,482.00. The Department of General Services, Fleet Management Division has requested to purchase five additional trucks to replace vehicles #94-3895, #88-4115, #94-6112, #94-4233 and #99-3613, which have all exceeded their target replacement dates. This increase will make the total award amount \$859,856.00.

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

16. HARBOR TRUCK SALES

AND SERVICE, INC. d/b/a

BALTIMORE FREIGHTLINER	\$243,840.00	Increase
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Solicitation No. B50001305 - Tandem Wheel Dump Trucks -
Departments of General Services, Fleet Management Division -
Req. No. R554913

On February 17, 2010, the Board approved the initial award in the amount of \$243,840.00. The Department of General Services, Fleet Management Division is requesting to purchase two trucks to replace vehicles #90-8120 and #90-8121, which have exceeded their target replacement dates. This increase will make the total award amount \$487,680.00.

MWBOO GRANTED A WAIVER.

17. GEIGER PUMP AND

EQUIPMENT COMPANY	\$250,000.00	Increase
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Solicitation No. 08000 - Moyno Pump Parts and Complete Units -
Department of Public Works, Bureau of Water and Wastewater -
P.O. No. P507678

On April 15, 2009, the Board approved the initial award in the amount of \$700,000.00. Due to a higher than anticipated usage an increase in the amount of \$250,000.00 is needed, making the total award amount \$950,000.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|--|--------------|---------|
| 18. EXPRESS AUCTION
SERVICES, INC. | \$ 97,000.00 | Renewal |
| Solicitation No. BP-07087 - Auctioneering Services -
Department of Finance - Req. No. N/A | | |

On December 20, 2006, the Board approved the initial award in the amount of \$291,000.00. The award contained renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$97,000.00 is for the period January 1, 2011 through December 31, 2011, with no renewal options remaining.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 19. LIFESTAR RESPONSE OF
MARYLAND, INC. | \$199,000.00 | Renewal |
| Solicitation No. 06000 - Emergency Medical Technicians -
Health Department - Req. No. To be determined | | |

On November 5, 2008, the Board approved the initial award in the amount of \$95,000.00. The award contained a renewal option at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$199,000.00 is for the period November 10, 2010 through November 9, 2011, with two 1-year renewal options remaining.

MWBOO GRANTED A WAIVER.

- | | | |
|---|----------------|---------|
| 20. STANDARD INSURANCE
COMPANY | \$4,100,000.00 | Renewal |
| Solicitation No. BP-07202 - Life Insurance Plan Services -
Department of Human Services - Req. No. N/A | | |

On September 12, 2007, the Board approved the initial award in the amount of \$8,532,138.00. The award contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This is the final renewal in the amount of \$4,100,000.00 for the period January 1, 2011 through December 31, 2011.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases**MWBOO SET GOALS OF 17% MBE AND 9% WBE.**

MBE: NJ&C Insurance Services	6.2%
Time Printers	<u>12.6%</u>
	18.8%

WBE: Dana Insurance Services	9.9%
Curry Printing and Copy Center	0.0%

MWBOO FOUND VENDOR IN COMPLIANCE.

21. JET BLAST

INCORPORATED	\$200,000.00	Renewal
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Solicitation No. B50000705 - Industrial Cleaning and Related Work - Agencies - Various - Req. Nos. Various

On December 24, 2008, the Board approved the initial award in the amount of \$200,000.00. The award contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$200,000.00 is for the period December 9, 2010 through December 8, 2011, with one 1-year renewal option remaining.

MWBOO SET GOALS OF 27% MBE AND 0% WBE.

MBE: Brady's Recycling & Roll-off Service	7.38%
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WBE: A2Z Environmental Group, LLC	26.24%
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MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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|---|----------------|---------|
| 22. DELTA CHEMICAL CORPORATION | \$3,000,000.00 | Renewal |
| Solicitation No. B50000204 - Aluminum Sulfate - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P501116 | | |

On November 21, 2007, the Board approved the initial award in the amount of \$1,404,850.00. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$3,000,000.00 is for the period January 1, 2011 through December 31, 2011, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|-----------|
| 23. SOLOMON'S TERMITE & PEST CONTROL | \$ 40,000.00 | Extension |
| Solicitation No. B50000741 - Provide Pest Control Services to Various City of Baltimore Buildings - Agencies - Various - Req. Nos. Various | | |

On November 5, 2008, the Board approved the initial award in the amount of \$14,652.00. Subsequent actions have been approved. The contract expires on November 8, 2010 and an extension is required to allow time to advertise and evaluate the bids and also provide for a sufficient transition period. The new solicitation B50001701 will be advertised on October 29, 2010.

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

24. THE DENTAL

NETWORK, INC.	\$4,000,000.00	Renewal
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Solicitation No. BP-07138 - Dental Maintenance Organization (DHMO) and Dental Preferred Provider Organization (DPPO) Plan Services - Department of Human Resources - Req. No. N/A

On May 23, 2007, the Board approved the initial award in the amount of \$11,029,911.00. The award contained three 1-year renewal options at the sole discretion of the City.

Subsequent actions have been approved. This renewal in the amount of \$4,000,000.00 is for the period January 1, 2011 through December 31, 2011, with one 1-year renewal option remaining.

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

MBE: Attronica Computers, Inc.	8.5%
Black Classic Press	1.7%
RGH Enterprises	3.4%
CJ Maintenance, Inc.	3.4%

WBE: Rudolph's Office and Computer Supplies, Inc.	9.0%
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MWBOO FOUND VENDOR IN COMPLIANCE.

(FILE NO. 57084)

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|----------------|----------|
| 25. W.W. GRAINGER,
INC. | \$1,100,000.00 | Increase |
| Solicitation No. BPO-001B8900505 - Maryland State Contract -
Supplies for Maintenance, Repair and Operations - Agencies -
Various - Req. Nos. Various | | |

On March 25, 2009, the Board approved the initial award in the amount of \$500,000.00. Subsequent actions have been approved. This increase in the amount of \$1,100,000.00 is necessary due to the increased demand for this contract, making the total award amount \$3,350,000.00.

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

MBE: Configuration, Inc. 5%

MWBOO FOUND VENDOR IN COMPLIANCE.

- | | | |
|--|----------------|---------|
| 26. CAREFIRST OF MARYLAND,
INC. | \$7,849,738.00 | Renewal |
| Solicitation No. BP-07194 - PPO Medical Insurance for City
Employees - Department of Human Resources - Req. No. N/A | | |

On September 12, 2007, the Board approved the initial award in the amount of \$7,053,710.67. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$7,849,738.00 is for the period January 1, 2011 through December 31, 2011, with one 1-year renewal option remaining.

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

MBE: Attronica Computers, Inc. 8.5%
Black Classic Press 1.7%
RGH Enterprises 3.4%
CJ Maintenance, Inc. 3.4%

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

WBE: Rudolph's Office and
Computer Supplies, Inc. 9.0%

MWBOO FOUND VENDOR IN COMPLIANCE.**(FILE NO. 57084)**

27. VALUE OPTIONS, INC.	\$3,990,000.00 <u>2,300,000.00</u>	Ratification Renewal
	\$6,299,000.00	

Solicitation No. BP-07196 - Behavioral Health Plan Services -
Department of Human Resources - Req. No. N/A

On September 12, 2007, the Board approved the initial award in the amount of \$1,591,541.00. Due to an administrative error, funding for the second and third years of the contract was not requested. Authority is requested to ratify funding for the last two-years of the initial three-year term of the contract, and approve the first of two 1-year renewal options. This renewal in the amount of \$2,300,000.00 is for the period January 1, 2010 through December 31, 2011, with one 1-year renewal option remaining.

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

MBE: Camera Ready, Inc.	5.0%
Synergy Printing	7.0%
Silverback, LLC	<u>7.0%</u>
	19.0%

WBE: Performance, Inc.	6.75%
Sue Ann's Office Supply	<u>2.25%</u>
	9.00%

MWBOO FOUND VENDOR IN COMPLIANCE.**(FILE NO. 57084)**

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

28. CHESAPEAKE UNIFORM, d/b/a LORD BALTIMORE	\$ 55,000.00	Amendment and Increase
Solicitation No. B50000860 - Industrial Work Uniforms - Agencies - Various - Req. Nos. Various		

The Board is requested to approve and authorize execution of an amendment with Chesapeake Uniform, d/b/a Lord Baltimore. The period of the amendment is effective upon Board approval through April 14, 2011 with one 2-year renewal options.

On December 23, 2009, the Board approved the initial award in the amount of \$300,000.00. This amendment will add several items needed by the using agencies.

Additionally, the Board is requested to increase the contract in the amount of \$10,000.00 due to the addition of these items and \$45,000.00 for increased usage.

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

MWBOO GRANTED A WAIVER.

(FILE NO. 57210)

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

29. Health Maintenance Organization (HMO):

UNITED HEALTHCARE		
INSURANCE COMPANY	\$15,400,000.00	Renewal
AETNA HEALTH AND LIFE	1,000,000.00	Renewal
INSURANCE COMPANY		
KAISER PERMANENTE		
INSURANCE COMPANY	9,400,000.00	Renewal
	<u>\$25,800,000.00</u>	

Point of Service (POS):

UNITED HEALTHCARE		
INSURANCE COMPANY	\$41,100,000.00	Renewal
AETNA HEALTH AND LIFE	500,000.00	Renewal
INSURANCE COMPANY	<u>\$41,600,000.00</u>	

Solicitation No. B5000452 - Health Maintenance Organization (HMO) and Point of Service (POS) Services for Baltimore City Employees/Retirees and Dependents - Department of Human Resources - Req. Nos. N/A

On August 6, 2008, the Board approved the initial award to the United Health Care Insurance Company and Kaiser Permanente Insurance Company in the amount of \$43,557,760.00 for HMOs. On December 10, 2008, Aetna Health and Life Insurance Company was added on the POS in the amount of \$41,614,043.00. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. The period of the renewal is January 1, 2011 through December 31, 2011, with two 1-year renewal options remaining.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of PurchasesHMOsUnited Health Care Insurance Company:

MBE: Time Printers	14.00%
WBE: Camera Ready, Inc.	3.00%
CC Press.Net, Inc.	1.00%
Mary Kraft & Associates	1.00%
	<u>5.00%</u>

Aetna Health and Life Insurance Company:

MBE: CASI, Inc.	2.10%
Time Printers, Inc.	9.40%
JUL Enterprise	2.50%
	<u>14.00%</u>
WBE: Distinctive Promotions, LLC	0.90%
Advance Benefits Solutions	4.10%
	<u>5.00%</u>

HMOsKaiser Permanente Insurance Company:

MBE: Sahara Communications, Inc.	14.00%
WBE: Dana Insurance Services	2.50%
College Cost Consulting	2.50%
	<u>5.00%</u>

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 PurchasesPOSUnited Health Care Insurance Company:

MBE: Time Printers	14.00%
WBE: Camera Ready, Inc.	3.00%
CC Press.Net, Inc.	1.00%
Mary Kraft & Associates	<u>1.00%</u>

Aetna Health and Life Insurance Company:

MBE: CASI, Inc.	2.50%
Time Printers, Inc.	9.40%
JUL Enterprise	<u>2.10%</u>
	14.10%
WBE: Distinctive Promotions, LLC	0.90%
Advance Benefits Solutions	<u>4.10%</u>
	5.00%

MWBOO FOUND VENDORS IN COMPLIANCE.**(FILE NO. 57084)**Department of General Services

- | | | |
|---|-------------|---------|
| 30. COLEMAN CONTRACTORS, INC. | \$10,500.00 | Low Bid |
| IC 538 - Exterior Painting at Mt. Clare Mansion | | |
| 31. CB FLOORING LLC | \$ 9,090.00 | Low Bid |
| IC 539 - Installation of Vinyl Composition Tiles - Project -
Oliver Multi-Purpose Center | | |

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

MINUTES

Department of Real Estate - Appraisal Policy Update

ACTION REQUESTED OF B/E:

The Board is requested to approve an update to the Appraisal Policy, to allow waiver valuation in lieu of an appraisal for acquisition or disposition of a property estimated to be valued up to \$20,000.00. The Board is also requested to approve the revised Waiver Valuation Form for Acquisition and Disposition (Waiver Valuation Form).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Appraisal Policy was last updated and approved by the Board on May 27, 2009. The proposed update increases the waiver valuation in lieu of appraisal from \$10,000.00 to up to \$20,000.00 for acquisition of a property. In an acquisition of a property by the City for a HUD-funded project, if it is anticipated that the amount of the waiver valuation is expected to exceed \$10,000.00, but will not to exceed the City's limit of up to \$20,000.00, the agency must request HUD's prior approval to exceed the \$10,000.00 regulatory limit, in accordance with 49 CFR 24.102(c)(2)(ii)(C). If an agency intends to use a waiver valuation in lieu of an appraisal for acquisitions, the agency is required to offer the property owner the option of having the agency appraise the property.

The proposed update to the appraisal policy will extend the waiver provision for valuation in lieu of an appraisal to the disposition of City-owned property, with an estimated value of up to \$20,000.00. This extension of waiver for dispositions, will not apply to City-owned property acquired from the Housing Authority of Baltimore City or property that was acquired with Federal Highway funds or with other non-City funds that have regulations that do not permit disposition without an appraisal.

MINUTES

Department of Real Estate - cont'd

The proposed updated appraisal policy is submitted with this request, and primarily includes format changes and additional exceptions under the section titled, **"Exceptions to Requiring an Appraisal."** Paragraph d under this section (currently untitled), will be titled **Disposition** and will contain two subtitles (i) and (ii) for the use of a representative appraisal and waiver valuation for property estimated to be valued up to \$20,000.00, respectively. This will assist in easily identifying the exceptions to an appraisal in the disposition of City-owned property. Similarly, the exceptions for acquisition of property, the waiver of appraisals provisions for acquisitions less than \$10,000.00 (currently, letter paragraph e. but untitled) will be titled as **e. Waiver of Appraisal for Acquisitions less than \$10,000.00.** The expansion of the exception to appraisals for acquisitions up to \$20,000.00 is added and titled as paragraph letter, **f. Waiver of Appraisal for Acquisition Exceeding \$10,000.00.**

As a result of the review of the City's experience, various federal regulations, and the goals of improving the cost efficiency, effectiveness, and collaboration of City agencies in managing the City's land resources, the Comptroller recommends that the policy be updated to include the described changes. The Comptroller will continue to review the City's experience and report back to the Board no less than every three years and recommend whether the appraisal policy should be updated based upon current market conditions and goals of the City.

MINUTES

CITY OF BALTIMORE
APPRAISAL POLICY

This policy requires that for the sale or purchase of real property by the City of Baltimore, whether by Request for Proposal, Auction, Negotiated Sale or any other means that there is at least one appraisal report and that:

1. negotiations or the written offer to sell or purchase real property must begin within six months of the date of the appraisal report,
2. any agreement must be presented to the Board of Estimates for approval within twelve months of the date of the appraisal report, unless the property falls within one of the enumerated exceptions,
3. a Statement of Purpose and Rationale, when City-owned property is proposed to be sold for less than the appraised value. The Statement of Purpose and Rationale must include any of the factors listed below which are applicable. The factor/s should be fully described and substantiated in the Statement of Purpose and Rationale. The factor/s that will be considered for sales less than the appraised value are:
 - a. specific benefit to the immediate community,
 - b. elimination of blight,
 - c. economic development; creation of jobs, real estate and other taxes,
 - d. established decline in the market as determined by reported trends, which necessitate a sale below the appraised value, or
 - e. condition/s of the property which require remediation or impact the sale such as: environmental; lack of infrastructure and utilities, deed restrictions/easements which affect constructability; and structural deterioration which occurred subsequent to the appraisal.

MINUTES**EXCEPTIONS TO REQUIRING AN APPRAISAL:**

- a. Unimproved real property with an assessed value of \$2,500.00 or less will not require an appraisal.
- b. The policy of presenting a sales agreement to the Board of Estimates for approval within twelve months of the date of the appraisal shall not apply to the closing of streets/roads, alleys or other right-of-ways. Because the requestor is not only required to pay the fair market value for the land, but also all other costs related to the closing, the value of the property is a factor that the requestor frequently relies upon in determining the feasibility of moving forward with the closing.

Due to the extended period of time (up to two years) for processing, which includes the actual street closing agreement, the introduction of the sales ordinance, and public notice it often takes more than twelve months for the agreement of sale to be presented to the Board of Estimates.

- c. The sale of properties under an approved Board of Estimates Policy which allows for an alternative method in determining value such as a Broker Price Opinion will not require an appraisal.
- d. **DISPOSITION**

(i) REPRESENTATIVE APPRAISAL

Affordable housing - When disposing of City-owned property for rehabilitation by a specific developer, an appraisal of each property may not be necessary. A representative appraisal may be used for valuation of the other properties that are similar in type and condition.

In using the exception in (d)(i), one appraisal may be obtained to be used as a representative sample in determining the value for each property such as:

- 1. vacant and boarded two or three story dwelling,
- 2. occupied property two or three story dwelling based on its condition
(good, fair, poor), or

MINUTES

3. vacant unimproved parcel of land.

This process may be used in valuing the property type based upon similar size, location, zoning, and condition within the project.

This exception (d) (i) does not apply when disposing of city-owned property (ies) for development as a single development parcel. Specific instructions shall be given to the appraiser as to the purpose and intended use of the appraisal, development restrictions, and or special conditions as they may relate to the disposition of the development parcel.

(ii) WAIVER OF APPRAISAL FOR DISPOSITION UP TO \$20,000.00

An appraisal may be waived for disposition of property when an agency determines that an appraisal is unnecessary based upon review of available data which supports that the proposed disposition is estimated at \$20,000.00 or less.

The agency shall prepare the waiver valuation form for submission to the Board of Estimates to substantiate the exception to the appraisal policy.

This waiver is not applicable if the property was acquired by the City from the Housing Authority of Baltimore City, with Federal Highway funds or other non-City funds that have regulations that do not permit disposition without an appraisal.

e. WAIVER OF APPRAISAL FOR ACQUISITION LESS THAN \$10,000.00

The Uniform Relocation Assistance Regulations, 49 CFR Part 24.102 (c)(2)(ii) provides that an appraisal may be waived for the acquisition of properties, when an agency determines that an appraisal is not necessary because the valuation is not complicated and based upon review of available data that supports the proposed acquisition is estimated at \$10,000.00 or less. The agency shall prepare the Waiver Valuation Form for submission to the Board of Estimates to substantiate the exception to the Appraisal Policy.

MINUTES

f. WAIVER OF APPRAISAL FOR ACQUISITION EXCEEDING \$10,000.00

Pursuant to the Uniform Relocation Assistance Regulations, 49 CFR Part 24 102 (c)(2)(ii) (c), an appraisal may be waived for acquisition of property(ies) for a particular project if the anticipated amount of the waiver valuation is expected to exceed \$10,000.00. The City is adopting a limit of \$20,000.00 for this waiver. The agency must request HUD prior approval to exceed the \$10,000.00 regulatory limit. However, in cases where the waiver is granted, the agency must still offer the property owner the option of having the agency appraise the property (ies). This exception (f.) may only be used, if the owner waives the option to have an appraisal.

All requests for approval of a value above \$10,000.00 (not to exceed the city's appraisal policy limit of \$20,000.00) for a HUD-funded project must be submitted to the appropriate HUD regional relocation specialist in accordance with the procedures set out in the HUD Tenant Assistance, Relocation and Real Property Acquisition Handbook 1378, chapter 5 paragraph 5-4 g Waiver Valuation Exceeding \$10,000.00 Limit.

The agency shall prepare the Waiver Valuation Form for submission to the Board of Estimates to substantiate the exception to the Appraisal Policy.

When non-federal funds were used in the acquisition, the agency shall follow the procedures outlined in paragraphs, "e" and "f" above, with the exception of obtaining HUD prior approval.

MINUTES

Waiver Valuation Form for Acquisitions and Dispositions

PROPERTY ADDRESS	
Block / Lot	
Property Owner	
Reason for Acquisition/Disposition	
Waiver of Appraisal Request Type	<u>ACQUISITION</u> <input type="checkbox"/> \$10,000 or less <input type="checkbox"/> \$20,000 or less HUD Approval Required? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach approval
	Acquisition Funding Source (Complete for acquisitions or dispositions) <input type="checkbox"/> Federal <input type="checkbox"/> Other _____ Account #
	<u>DISPOSITION</u> <input type="checkbox"/> \$20,000 or less
	Proposed Acquisition or Disposition Price \$

Available Data Source(s)	Land Records of Baltimore City		Other:
	CoBLAM		
	MRIS		
	SDAT		

Please list comparable sales used in the valuation (provide attachments if necessary):

If comparable sales not used, please provide alternative justification (provide attachments if necessary):

Has the property owner agreed to waive the appraisal? YES NO

If yes, provide date of signature on Memorandum of Understanding _____

By executing this document where indicated, I am affirming that I have sufficient understanding of the local real estate market and am qualified to make the above waiver valuation,

 Real Estate Agent Date Approved By: Date

 APPROVED BY THE BOARD OF ESTIMATES: Date

MINUTES

UPON MOTION duly made and seconded, the Board approved and authorized the an update to the Appraisal Policy, to allow waiver valuation in lieu of an appraisal for acquisition or disposition of a property estimated to be valued up to \$20,000.00. The Board is also requested to approve the revised Waiver Valuation Form for Acquisition and Disposition (Waiver Valuation Form).

MINUTES

Baltimore City Public Schools - FY 2012-2017 Capital Improvement Program

ACTION REQUESTED OF B/E:

The Board is requested to approve the Baltimore City Public School System (BCPSS) FY 2012-2017 Capital Improvement Program in the amount of \$769,600,000.00, conditioned upon prior approval by the Board of Finance.

AMOUNT OF MONEY AND SOURCE:

The total amount in the FY 2012 request is \$140,000,000.00. The sources of funds include:

\$ 62,300,000.00 - State funds
\$ 16,600,000.00 - local funds
\$ 61,000,000.00 - Federal funds

BACKGROUND/EXPLANATION:

The Capital Improvement Program will be used to support educational programs. Projects will include new construction, major renovations, building additions, and a number of systemic improvements impacting City Schools' facilities.

The BCPSS submitted a summary of the City Schools' FY 2012-2017 Capital Improvement Program (CIP) request for funding. It is an aggressive program request that is derived from the priorities established in the BCPSS 2010 Comprehensive Educational Facilities Master Plan and 2009-2010 Expanding Great Options Plan, both of which have been approved by the Board of School Commissioners. The Board of Estimates' support of this plan will assist the BCPSS' efforts to continue to provide enhanced learning environments as it continues to enhance educational opportunities for the children of Baltimore City.

UPON MOTION duly made and seconded, the Board approved and authorized the Baltimore City Public School System FY 2012-2017 Capital Improvement Program in the amount of \$769,600,000.00, conditioned upon prior approval by the Board of Finance.

MINUTES

Department of Planning - Baltimore City Public Schools Capital
Improvement Program for FY 2012-2017

ACTION REQUESTED OF B/E:

The Board is requested to approve the Baltimore City Public School System's (BCPSS) Capital Improvement Program (CIP) for FY 2012-2017 in the amount of \$769,000,000.00.

AMOUNT OF MONEY AND SOURCE:

The total request for FY 2012 is \$140,000,000.00, of which \$16,634,000.00 is City General Obligation (G.O.) bond funds, \$62,300,000.00 in State funds, and \$61,000,000.00 in Federal funds.

BACKGROUND/EXPLANATION:

Annually the BCPSS must submit an updated and detailed CIP for the upcoming fiscal year and the forthcoming five fiscal years to the State of Maryland. This CIP submission receives approval from the Board of School Commissioners, the City of Baltimore Planning Commission, Board of Finance and the Board of Estimates.

The requested funding will provide resources to create an educational environment that encourages the highest caliber of teaching, learning, and facility utilization. The Board of Estimates' support of this plan will assist the BCPSS' efforts to provide enhanced learning environments as it continues to improve educational opportunities for the children of Baltimore City.

UPON MOTION duly made and seconded, the Board approved and authorized the Baltimore City Public School System's Capital Improvement Program for FY 2012-2017 in the amount of \$769,000,000.00.

MINUTES

Board of Finance - Baltimore City Public School System
 Capital Improvement Program,
 FY 2012 - 2017

ACTION REQUESTED OF B/E:

The Board is requested to endorse the Baltimore City Public School System (BCPSS) fiscal year 2012-2017 Capital Improvement Program (CIP).

BACKGROUND/EXPLANATION:

Procedures for administration of the school capital program require that the BCPSS submit annually an updated detailed capital program for the upcoming year and ensuing five fiscal years to the State Interagency Committee on School Construction. As a condition of receiving State school construction aid, the BCPSS is required to submit the CIP on or before December 7th of each year.

This action requires approval of this program by the appropriate local governing body. As a condition of gaining approval of this local government, a review process has been established that includes the School Board, Planning Commission, Board of Finance, and the Board of Estimates, to serve as the means by which the Mayor will support and endorse the program.

The Board of Finance, at a scheduled meeting on October 25, 2010 considered and endorsed the FY2012-17 CIP totaling \$769,604,000.00. The CIP includes \$101,378,000.00 in City bond funds and \$607,400,000.00 in State funds. Annual program distributions are as follows:

BCPSS Fiscal Year 2012 - 2017
Capital Improvement Plan (\$000)

Source/FY	2012	2013	2014	2015	2016	2017	Total
State	62,285	92,758	101,708	118,649	118,000	114,000	607,400
City	16,634	16,744	17,000	17,000	17,000	17,000	101,378
Federal	60,826	-	-	-	-	-	60,826
Total	139,745	109,502	118,708	135,649	135,000	131,000	769,604

MINUTES

DGS - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the Baltimore City Public School System fiscal year 2012-2017 Capital Improvement Program.

MINUTES

Department of General - Agreement for Energy Performance

Services (DGS)

Contracting PBE No. 10824 -
Department of Transportation Street
Lighting - Phase I

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution an agreement for energy performance contracting PBE No. 10824 - Department of Transportation Street Lighting - Phase I with Energy Systems Group (ESG). The period of the agreement is effective upon Board approval and will continue until acceptance or rejection of the Phase II Plan, but no later than 24-months.

AMOUNT OF MONEY AND SOURCE:

None at this time. If the contractor's report and proposal for Phase II, which will include the installation of Energy Conservation Measures (ECMs), is acceptable to the City, the cost of this study, \$197,800.00, will be rolled into the Phase II cost and a Phase II agreement will be presented to the Board for approval.

The project costs will be financed by the City and paid for by energy savings guaranteed by the contractor, ESG. If the Phase I report and Phase II proposal do not meet the expected guaranteed energy savings and the report is not accepted by the Department of General Services, the City will not be obligated to pay the cost of this study.

BACKGROUND/EXPLANATION:

Under this Phase I program, the ESG, an Energy Services Company (ESCO) will provide an engineering audit, survey, cost analysis, and proposal of financing needed to develop a comprehensive energy efficiency and guaranteed savings program to meet the objectives of the City. These objectives are based on designing and installing new technology street lighting funded with energy and operational savings. The maximum project payback is 12 - 15 years. Additionally, the City will be utilizing American Recovery and Reinvestment Act (ARRA) stimulus funding to support this project.

MINUTES

DGS - cont'd

The ARRA stimulus funding has strict time-sensitive guidelines which must be met by the City in order to have access to this funding. After completion of the Phase I work and acceptance of a complete Phase II proposal to implement selected ECMS, a Phase II contract agreement will be presented for the Board's approval.

MBE/WBE PARTICIPATION:

The ESG is required to meet the program goals as established by the Minority and Woman's Business Opportunity Office. Due to the risk associated with the energy savings guarantee and due to the specialized nature of the work, **MWBOO GRANTED A WAIVER** of the MBE/WBE requirements for this Phase I agreement. The ESG will comply with the MBE/WBE requirements for the Phase II work, which will be established upon conclusion of the Phase I study.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 56030)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement for energy performance contracting PBE No. 10824 - Department of Transportation Street Lighting - Phase I with Energy Systems Group.

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.

Bureau of Purchases

- B50001658, Performing Snow
Removal Services
BIDS TO BE RECV'D: 11/10/2010
BIDS TO BE OPENED: 11/10/2010

MINUTES

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

Bureau of Purchases

- B50001682, Traffic Signal
Cables

American Wire Group
Power & Telephone Supply

MINUTES

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

A handwritten signature in black ink that reads "Joan M. Pratt, CPA". The signature is written in a cursive style with a large initial "J".

JOAN M. PRATT
Secretary