

MINUTES**REGULAR MEETING**

Stephanie Rawlings-Blake, President
Sheila Dixon, Mayor - ABSENT
Edward J. Gallagher - Director of Finance
Joan M. Pratt, Comptroller and Secretary
George A. Nilson, City Solicitor
David E. Scott, Director of Public Works
Donald Huskey, Deputy City Solicitor
Shirley A. Williams, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Sheila Dixon, in her absence during the meeting, designated Mr. Edward J. Gallagher, Director of Finance, to represent the Mayor and exercise her power at this Board meeting.

MINUTES

Bureau of General Services (BGS) - Agreements

The Board is requested to approve and authorize execution of the 'Piggy-Back' Indefinite Quantity Contract (IQC) for Heating, Ventilation, Air Conditioning (HVAC) with various contractors. The period of the agreement is effective upon Board approval for one year.

<u>CONTRACTORS</u>	<u>AMOUNT</u>
1. DENVER-ELEK, INC.	\$750,000.00 Not to Exceed

MWBOO SET MBE GOALS AT 15% AND WBE AT 10%.

MWBOO SET MBE SUB-GOALS OF 7% FOR AFRICAN AMERICANS (AA); 0% FOR HISPANIC AMERICANS (HA); 0% FOR ASIAN AMERICANS (AsA); and 0% FOR NATIVE AMERICANS (NA).

MBE - AA:

Spears Mechanical	\$112,500.00	15.00%
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WBE:

Colt Insulation, Inc.	75,000.00	10.00%
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MWBOO FOUND VENDOR IN COMPLIANCE.

2. EMJAY ENGINEERING AND CONSTRUCTION COMPANY, INC.	\$750,000.00 Not to Exceed
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MWBOO SET MBE GOALS AT 15% AND WBE AT 10%.

MWBOO SET MBE SUB-GOALS OF 7% FOR AFRICAN AMERICANS (AA); 0% FOR HISPANIC AMERICANS (HA); 0% FOR ASIAN AMERICANS (AsA); and 0% FOR NATIVE AMERICANS (NA).

MBE:- AA:

Universal Electrical Services, Inc.	\$ 85,000.00	11.33%
Stokit Supply Co., Inc.	28,125.00	3.75%
Total	<u>\$113,125.00</u>	<u>15.08%</u>

MINUTES

BGS - cont'd

WBE:

Colt Insulation, Inc.	\$ 75,000.00	10.00%
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MWBOO FOUND VENDOR IN COMPLIANCE.

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| 3. POWER AND COMBUSTION, INC. | \$750,000.00 | |
| | Not to Exceed | |

MWBOO SET MBE GOALS AT 15% AND WBE AT 10%.

MWBOO SET MBE SUB-GOALS OF 7% FOR AFRICAN AMERICANS (AA); 0% FOR HISPANIC AMERICANS (HA); 0% FOR ASIAN AMERICANS (AsA); and 0% FOR NATIVE AMERICANS (NA).

MBE - AA:

Horton Mechanical Contr., Inc.	\$112,500.00	15.00%
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WBE:

Dexter Company	\$ 30,000.00	4.00%
Monumental Supply	17,500.00	2.33%
N.R. Eyler, Inc.	27,500.00	3.67%
Total	\$ 75,000.00	10.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

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| 4. TEMP AIR | \$750,000.00 | |
| | Not to Exceed | |

MWBOO SET MBE GOALS AT 15% AND WBE AT 10%.

MWBOO SET MBE SUB-GOALS OF 7% FOR AFRICAN AMERICANS (AA); 0% FOR HISPANIC AMERICANS (HA); 0% FOR ASIAN AMERICANS (AsA); and 0% FOR NATIVE AMERICANS (NA).

MBE - AA:

Roane's Rigging & Transfer Co., Inc.		7.00%
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MINUTES

BGS - cont'd

MBE:

Arriba Contracting	8.00%
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WBE:

Colt Insulation, Inc.	10.00%
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Not more than 25% of each MBE or WBE goal may be attained by expenditures to suppliers who are not manufacturers; therefore the maximum value allowed has been applied.

MWBOO FOUND VENDOR IN COMPLIANCE.

5. M & E SALES, INC.	\$750,000.00	
		Not to Exceed

MWBOO SET MBE GOALS AT 15% AND WBE AT 10%.

MWBOO SET MBE SUB-GOALS OF 7% FOR AFRICAN AMERICANS (AA); 0% FOR HISPANIC AMERICANS (HA); 0% FOR ASIAN AMERICANS (AsA); and 0% FOR NATIVE AMERICANS (NA).

MBE - AA:

JCM Control Systems, Inc.	\$112,000.00	15.00%
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WBE:

Monumental Supply	\$ 9,375.00	1.25%*
Acorn Supply Co., Inc	9,375.00	1.25%*
Dexter Company	56,250.00	7.50%
Total	\$75,000.00	10.00%

*Not more than 25% of each MBE or WBE goal may be attained by expenditures to suppliers who are not manufacturers; therefore the maximum value allowed has been applied.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

BGS - cont'd

BACKGROUND/EXPLANATION:

On September 10, 2008, the Board approved the request of the BGS to utilize the State of Maryland Contract DGS 07-301-IQC, HVAC and Related Work until the Bureau can develop its own City contracts for such work.

The State of Maryland awarded this contract to six contractors, in order to establish multiple on-call contractors from which to select to perform various urgent need projects, as required.

The above-listed contractors are pre-qualified with Baltimore City. The contractors have committed to meet the contract MBE goals using City certified minority firms. The contractors will adhere to City minimum hourly wage rates, adhere to the City of Baltimore Specifications, 2006, and provide the necessary insurance and bonds for all assigned work.

The City makes no express guarantee of any work to be issued under this piggy-back contract, which is being established to provide a method for the BGS to complete work deemed urgent in nature, until its own City Job Order contracts are established. Funds will be identified as urgent needs arise.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 'Piggy-Back' Indefinite Quantity Contracts for Heating, Ventilation, Air Conditioning and Related Work with the foregoing contractors. The Comptroller **ABSTAINED** on Item No. 3.

MINUTES

Bureau of General Services - Minor Privilege Permit Application

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.	55 Market Place	Market Place Commercial L.P.	(1) Canopy 688.6'
	\$1,928.08 Annual Charge		
2.	1834 S. Charles St.	MWST, LLC	(2) 4" PVC electrical conduit @ 130'
	\$910.00 Annual Charge		
3.	509 S. Exeter St.	Skylar Dev., LLC	(2) Single face electric signs 11.4 sq. ft. each
	\$140.60 Annual Charge		
4.	1016 S. Charles St.	City Limit Properties, LLC	(1) Bracket sign 22" x 29"
	\$52.70 Annual Charge		
5.	303 S. Poppleton St.	Matthew Evelnad	(1) Set of steps
	\$35.20 Annual Charge		

MINUTES

BGS - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6.	620 Baker	Castlewood Communi- ties, LLC	(1) Awning 48 sq. ft., (5) sets of steps, (6) window wells @ 5 sq. ft., (3) oriel windows @ 8 sq. ft., (18) balconies @ 31 sq. ft.
			\$3,235.70 Annual Charge
7.	3215 N. Charles St.	Charles & Blackstone Apartments, LLC	(2) 8 yd. dumpsters 6' x 4'
			\$672.00 Annual Charge
8.	3903 Eastern Ave.	Jose R. Barrera	Awning w/signage 30' x 3'
			\$910.00 Annual Charge
9.	655 President St.	Harbor East Parcel B Retail, LLC	(1) Bracket sign 4.82 sq. ft.
			\$52.70 Annual Charge
10.	743 S. Conkling St.	Thomas E. Petr	Metal canopy 145 sq. ft.
			\$304.50 Annual Charge

MINUTES

BGS - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
11. 2031 Eastern Ave.	John Thomakos	Retain (1) set of steps
\$35.20 Flat Charge		

There are no objections since no protests were received.

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Minor Privilege Permits. Acting on behalf of the Mayor, Mr. Gallagher **ABSTAINED** on Item No. 9.

MINUTES

Bureau of General Services (BGS) - Developers' Agreements

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

	<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
1.	BALTIMORE GAS AND ELECTRIC COMPANY (BGE)	1095	\$377,533.00

The BGE will build a new electric sub-station at Monument & Paca Streets. This agreement will allow BGE to perform road work, landscaping, hardscaping, signs, street lighting as well as water, storm water and sanitary sewer services so that the construction may proceed.

A performance bond in the amount of \$377,533.00 has been issued to the BGE which assumes 100% of the financial responsibility.

2.	LAND RESEARCH ASSOCIATES, L.L.C.	1121	\$ 13,460.00
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Land Research Associates, L.L.C., owner of 3602 Eastern Avenue, is in need of additional water services. This agreement will allow the developer to perform the needed improvements.

A performance bond in the amount of \$13,460.00 has been issued to Land Research Associates, L.L.C. which assumes 100% of the financial responsibility.

3.	LOYOLA COLLEGE IN MARYLAND, INC.	1123	\$226,069.00
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The Loyola College in Maryland, Inc. would like to install new water and conduit to its proposed construction located in the vicinity of 2221 West Cold Spring Lane. This agreement will allow the organization to perform its own installation in accordance with Baltimore City Standards.

MINUTES

BGS - cont'd

<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
A performance bond in the amount of \$226,069.00 has been issued to the Loyola College in Maryland, Inc. which assumes 100% of the financial responsibility.		
4. MOTHER SETON ACADEMY, INC.	1135	\$ 23,772.00

The Mother Seton Academy, Inc. would like to install new water service to its proposed construction located in the vicinity of 2209 Greenmount Avenue, formerly 2215 Greenmount Avenue. This agreement will allow the organization to perform its own installation in accordance with Baltimore City Standards.

A performance bond in the amount of \$23,772.00 has been issued to the Mother Seton Academy, Inc. which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

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

MINUTES

Bureau of General Services - Temporary Easement Agreements

The Board is requested to approve and authorize execution of the temporary easement agreements with the Park Crescent Apartments, LLC for Project No. SC-856, Herring Run Sanitary Sewer.

<u>Location</u>	<u>Amount</u>
1. 1441 LIMIT AVENUE	\$0.00
2. 1437-39 LIMIT AVENUE	\$0.00
3. NWS LOCH RAVEN BOULEVARD BLOCK 5210E, LOT 57	\$0.00

The temporary easement agreements will allow the Bureau of Water and Wastewater access to perform work to the Herring Run Sanitary Sewer.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the temporary easement agreements with the Park Crescent Apartments, LLC for Project No. SC-856, Herring Run Sanitary Sewer.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Rummel, Klepper & Kahl, LLP for Project No. 1084R, On-Call Environmental Restoration Design and Engineering Services. The period of the agreement is effective upon Board approval for three years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$500,000.00 - Not-to-exceed

BACKGROUND/EXPLANATION:

The BW&WW requires environmental engineering services to fulfill the Municipal Stormwater Permit and review contract drawings for proposed construction for impact on the environment. The requests for these services are made on an as needed basis. The costs of services rendered will be based on a not-to-exceed negotiated price for each task assigned. The Department of Audits and MWBOO will review the payroll rates and multiplier for each task for compliance with the original agreement. The consultant was approved by the Office of Boards and Commissions and AEAC

MBE/WBE PARTICIPATION:

MBE:	EBA Engineering, Inc.	\$ 65,000.00	13.00%
	Reviera Enterprises, Inc.	40,000.00	8.00%
		<u>\$105,000.00</u>	<u>21.00%</u>
WBE:	Floura-Teeter Landscape Architects, Inc.	\$ 25,000.00	5.00%
	EAC/Archaeology	10,000.00	2.00%
		<u>\$ 35,000.00</u>	<u>7.00%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

BW&WW - cont'd

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Rummel, Klepper & Kahl, LLP for Project No. 1084R, On-Call Environmental Restoration Design and Engineering Services.

MINUTES

Mayor's Office of Community and - Grant Agreement
Human Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with Greater Homewood Community Corporation (GHCC). The period of the agreement is September 1, 2008 through August 31, 2009.

AMOUNT OF MONEY AND SOURCE:

\$250,000.00 - 1001-122-082-00-701

BACKGROUND/EXPLANATION:

The GHCC operates the Baltimore City Experience Corps, which recruits and trains older adults to serve in the Baltimore City Public Schools (BCPS) through a structured program to improve academic outcomes and decrease behavioral issue referrals within schools.

Experience Corps is a national program in 23 cities. Baltimore City Experience Corps began in 1998 as a partnership of the Johns Hopkins University's Center on Aging and Health (COAH) and the GHCC. Program operations are now the responsibility of GHCC with the COAH providing evaluation and recruitment support. Older adult volunteers are placed in the BCPS K-3 classrooms and perform a range of roles, determined by the Principal and at the direction of a teacher. Common roles are tutoring in literacy and math, support of library functions, and behavioral support. Volunteers do not perform the range of roles of a classroom aide. Volunteers receive training and are coordinated by a team leader provided by the Experience Corps program.

In 2008-2009, the Experience Corps will place teams of 15-20 older adults in 19 Baltimore City elementary schools. The volunteers are required to serve a minimum of 15 hours each week. The operational administration for the Baltimore City Experience Corps will be provided through the GHCC.

MINUTES

Mayor's Office - cont'd

In 2005-2006, the organization began to expand the program, with the addition of six schools moving to serve City-wide. Four more schools were added in 2006-2007 and four more in 2007-2008. Due to budgetary constraints, the program will not expand during the 2008-2009 school year. The program is currently serving 19 schools due to a mutual decision that was reached with one school requesting the program not to return during the 2008-2009 academic school year.

The Commission on Aging and Retirement Education has continued to provide support each year through the Taxi Voucher Program with 150 vouchers available for Experience Corps Volunteers residing within the City limits.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION, SUBJECT TO REVIEW OF THE INVOICES, PRIOR TO PAYMENT.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Greater Homewood Community Corporation. Acting on behalf of the Mayor, Mr. Gallagher **ABSTAINED**.

MINUTES

Office of the Mayor - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve a grant award to the African American Heritage Festival (AAHF) Foundation for the 2009 AAHF to be held on July 3, 2009 through July 5, 2009.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 1001-122-021

BACKGROUND/EXPLANATION:

The 2009 AAHF will be held on July 3, 2009 through July 5, 2009 at the M & T Bank Stadium.

The AAHF is a family celebration of the history, culture, heritage, and arts of African Americans. The festival embraces rich traditions and is committed to providing cultural experiences from the African Diaspora. The three-day festival attracts a local and national audience of more than 460,000 visitors. Embracing a spirit of community, the festival includes a health and wellness village, empowerment financial village, arts, history and education village, and specific areas for children, vendors, entertainment, and community organizations.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the grant award to the African American Heritage Festival Foundation for the 2009 AAHF to be held on July 3, 2009 through July 5, 2009. Acting on behalf of the Mayor, Mr. Gallagher **ABSTAINED**.

MINUTES

Mayor's Office of Employment Development (MOED) - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Maryland Center for Arts and Technology (MCAT) and Mercy Medical Center, Inc. The period of the agreement is December 29, 2008 through June 30, 2009.

AMOUNT OF MONEY AND SOURCE:

\$83,298.00 - 8875-631-424-05-351
8967-631-424-05-351
6815-639-424-05-351
6954-639-424-05-351
8964-631-424-05-351

BACKGROUND/EXPLANATION:

MOED will arrange for training provided by MCAT for 25 participants eligible under the Workforce Investment Act to become Nursing Support Techs. These individuals will be employed by Mercy Medical Center, Inc. upon completion of the training.

The agreement is late because additional time was required to reach a comprehensive understanding that was agreeable to both parties.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Maryland Center for Arts and Technology and Mercy Medical Center, Inc.

MINUTES

Fire and Police Employees' - Wireless Internet Services Agreement Retirement System (F&P)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a wireless internet services agreement with Believe Wireless, LLC. The period of the agreement is effective on the date the system is connected to the provider's network for one year.

AMOUNT OF MONEY AND SOURCE:

\$13,500.00 - 6041-154-02-00-312

No general funds are involved in this transaction.

BACKGROUND/EXPLANATION:

Pursuant to the advice and with the assistance of its IT consultant, the F&P Board formally conducted a search of internet service providers (ISP) in Baltimore to replace the F&P's current ISP with a speedier and more technologically advanced and efficient ISP. Internet service with Believe Wireless, LLC, an ISP that uses fully-encrypted, point-to-point wireless internet technology, can be implemented quickly and at a low cost to the F&P.

It is the position of the F&P Board that (a) as a contract under \$25,000.00, this agreement with Believe Wireless, LLC is exempt from formal competitive bidding generally required under Article VI, Section 11 of the Baltimore City Charter (Art. VI, §11(e); and (b) contracting with Believe Wireless, LLC as a selected

MINUTES

F&P - cont'd

source is advisable and prudent insofar as Believe Wireless, LLC is the only ISP known to the F&P to have (1) upgradable, bi-synced, fully encrypted, dually redundant, point-to-point wireless internet service (2) implementable within two weeks of the approval of this agreement.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the wireless internet services agreement with Believe Wireless, LLC. The Comptroller **ABSTAINED.**

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 - Quick-takes</u>			
1. Milton Tillman III	2114 E. Federal St.	L/H	\$ 11,120.00
2. M Associates, Inc.	2116 E. Federal St.	L/H	\$ 22,480.00
3. New Trend Development Comp.	2130 E. Federal St.	L/H	\$ 13,360.00

Funds are available in City Bond Funds, account no. 9910-588-488-00-440, American Brewery Project.

(FILE NO. 57092)

4. Nancy and Ira Oring	330 E. 20 th St.	G/R	\$ 917.00 \$110.00
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Funds will be transferred prior to quick-take into Bond Funds, account no. 9910-588-713-00-440, Barclay Project.

(FILE NO. 57066)Dept. of Housing and Community Development - Option

5. Janet O. Osun	4809 Homer Ave.	L/H	\$ 66,000.00
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Funds are available in City Bond Funds, account no. 9910-588-187-00-440, Park Heights Site.

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 and quick-take proceedings for an amount equal to or lesser than the option amounts.

(FILE NO. 57083)

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Baltimore Development Corporation - Option</u>			
6. Maxine Boone	475-77 Oldtown Mall	L/H	\$110,800.00

The City will purchase the property for \$110,800.00 based on the December 10, 2007 appraised value by Lipman Frizzell & Mitchell, LLC. The site is approximately 1,448 square feet and will become part of the land assembly for the Oldtown Mall Redevelopment Project.

7. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$110,800.00	9910-600-575	910-601-879
20 th EDF	Constr. Res.	Coml. Revi-
	East Balto. Indus.	talization
	Coml. Dev.	

This transfer will provide funds for the acquisition of the leasehold interest of the property known as 475-477 Oldtown Mall as part of the land assembly needed for the redevelopment of Oldtown Mall.

(FILE NO. 57113)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the options, condemnations, and quick-takes. 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. The Comptroller **ABSTAINED** on Item No. 6.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the fee simple interest in 2632 Frederick Avenue as a gift from Kolman Kodeck, Daniel Sherman, and Eric Walsh, trading as Deker Realty Co., **SUBJECT** to all municipal liens, accrued interest, and penalties through the date of settlement.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

Kolman Kodeck, Daniel Sherman, and Eric Walsh, trading as Deker Realty Co., are donating the vacant lot to the City as a contribution to the Shipley Hill Planning Area Project. The property is in an area scheduled for redevelopment, and accepting the donation will save acquisition expense and time.

\$	465.84	- Metered Water
	1,372.80	- Alley/Footway
	125.87	- Miscellaneous
	510.00	- Miscellaneous
	<u>278,795.22</u>	- Tax Sale
	\$281,269.73	- Total Municipal Liens

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in 2632 Frederick Avenue as a gift from Kolman Kodeck, Daniel Sherman, and Eric Walsh, trading as Deker Realty Co., **SUBJECT** to all municipal liens, accrued interest, and penalties through the date of settlement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

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| 1. <u>WESCO DISTRIBUTION</u> | <u>\$23,558.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Circuit Breaker - Department of Public Works - Req. No. R514163 | | |
| 2. <u>GEIGER PUMP AND EQUIPMENT COMPANY</u> | <u>\$ 7,714.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Regulators - Department of Public Works - Req. No. R515582 | | |
| 3. <u>ALUMINUM LADDER CO.</u> | <u>\$14,890.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Ladders - Fire Department - Req. No. R508801 | | |

The vendor is the manufacturer and sole distributor of the ladders used by the Fire Department.

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| 4. <u>MT. OLIVE HOLY EVANGELICAL CHURCH</u> | <u>\$ 8,656.60</u> | <u>Ratification</u> |
| Solicitation No. 08000 - Building Lease - Department of Housing and Community Development (DHCD) - Req. No. R512516 | | |

The DHCD has been leasing a building from Mt. Olive Holy Evangelical Church since 2006 for low income people and families in emergencies. Of the amount requested, \$7,656.60 is for payment for the months of February 2007 through October 2008 and \$1,000.00 is for the use of a copier during that time.

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| 5. <u>WALLINGFORD SOFTWARE, INC.</u> | <u>\$13,786.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Software for Wallingford/Infoworks - Department of Public Works - Req. No. R515090 | | |

The vendor is the sole provider of the required software.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

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| 6. MANOR VIEW FARM | \$10,850.00 | Ratification |
| Solicitation No. 06000 - Assorted Trees - Department of Recreation and Parks - Req. No. R516640 | | |

The agency did not realize that the contract for trees had expired.

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| 7. RIS THE PAPER HOUSE | \$ 6,540.00 | Low Bid |
| Solicitation No. 07000 - Xerographic White Paper - Department of Finance - Req. No. R515160 | | |

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| 8. SHANNON-BAUM SIGNS, INC. | \$24,000.00 | Selected Source |
| Solicitation No. 06000 - Decals and Striping - Department of Public Works - Req. No. R512115 | | |

The vendor holds the masters for the various decals and striping used and will insure continued standardization of vehicle markings.

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| 9. NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING (NIGP) | \$5,250.00 | Sole Source |
| Solicitation No. 08000 - Procurement Certification Training - Department of Finance - Req. No. TBDL | | |

The vendor is the sole source provider of training leading to the NIGP professional certification. Professional certification is required by City procurement classifications.

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| 10. TOTAL FILTRATION SERVICES | \$24,000.00 | Selected Source |
| Solicitation No. 06000 - Air Filter Replacement Service - Various Agencies - Req. No. Various | | |

By separate letter the Board has been requested to reject all bids for this requirement. A term order is needed to ensure continuity of service while this requirement is re-bid. The period covered is January 21, 2009 through May 20, 2009.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

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| 11. SMG | \$100,000.00 | Extension |
| Solicitation No. BP 17298 - Manage and Operate First Mariner Arena - Department of Finance - Req. Nos. Various | | |

On June 3, 1998, the Board approved the initial award in the amount of \$435,000.00. On April 30, 2003, the Board approved a renewal in the amount of \$435,000.00. On June 4, 2008, the Board approved an extension in the amount of \$100,000.00. An extension is requested in the amount of \$100,000.00.

The City must provide for the continued management of the existing arena for continuity of service and predictable pricing until plans for a new arena become clear. The vendor has agreed to continue services on the existing term and conditions. The extension is for the period of July 1, 2009 through June 30, 2010, with two one-year renewal options.

MBE: South Mountain Mechanical	\$247,506.27	34.58%
Afro-American Newspaper	2,300.00	0.32%
WBE: Crown Foods	210,602.49	29.43%
Edie Brown & Assoc.	5,369.66	0.75%

MWBOO FOUND VENDOR IN COMPLIANCE

- | | | |
|--|--------------|-------------|
| 12. EARLY MORNING SOFTWARE
INC. | \$ 29,768.90 | Sole Source |
| Solicitation No. 08000 - Utility Storage and Upgrade - Mayor's Office of Information Technology - Req. No. R514848 | | |

The vendor is the only authorized reseller for the Maryland region

It is hereby certified, that the above requirement 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 & EXTENSIONS

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

- | | | | |
|-----|--|---------------------|--------------------|
| 13. | <u>SKALAR, INC.</u> | <u>\$ 35,315.00</u> | <u>Sole Source</u> |
| | Solicitation No. 08000 - Skalar Consumable Parts - Department of Public Works - Req. No. R513674 | | |

The requirements for these parts are specific and unique and the vendor is the sole provider of the parts needed to be compatible and interchangeable with the existing equipment.

It is hereby certified, that the above requirement 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.

- | | | | |
|-----|--|---------------------|------------------------|
| 14. | <u>RGIS, LLC</u> | <u>\$ 70,450.00</u> | <u>Selected Source</u> |
| | Solicitation No. 08000 - Evidence Control Audit - Baltimore City Police Dept. - Req. No. R517139 | | |

The Police Department is under a court mandate to conduct an audit of its evidence control section by March 2009. RGIS, LLC is familiar with Police Department operations and is able to ensure the audit will be completed in the required timeframe.

It is hereby certified, that the above requirement 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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|----------------|---------|
| 15. UNIVAR USA, INC. | | |
| DRD Pool Mgmt. INC. | \$5,000,000.00 | Renewal |
| Solicitation No. B50000381 - 15% Sodium Hypochlorite for City of Baltimore - Various Agencies - Req. Nos. Various | | |

On April 16, 2008, the Board approved the initial award in the amount of \$4,438,000.00. A renewal is requested in the amount of \$5,000,000.00. The period of the renewal is May 1, 2009 through April 30, 2010.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|--------------|
| 16. G + K SERVICES | \$ 41,369.87 | Ratification |
| Solicitation No. BP 05054 - Uniform Rental - Department of Public Works - Req. Nos. N/A | | |

On October 27, 2004, the Board approved the initial award in the amount of \$154,750.00 which expired on October 26, 2008. The vendor continued to provide uniforms to meet the City's needs. Ratification is requested to pay the outstanding invoices for services rendered. An award recommendation for a new solicitation to meet this requirement is being presented to the Board on January 21, 2009.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

17. NIGHTMARE GRAPHICS,
INC. \$100,000.00 Extension & Increase
Solicitation No. BP 07091 - T-Shirts and Other Active Wear -
Various Agencies - Req. Nos. Various

On February 28, 2007, the Board approved the initial award in the amount of \$124,103.24. On March 26, 2008, the Board approved an increase in the amount of \$124,103.24. An increase in the amount of \$100,000.00 and an extension for the period of March 1, 2009 through May 31, 2009 is requested. The time extension will allow time to re-bid this requirement. The requested increase will make the total contract amount \$348,206.48.

MWBOO GRANTED A WAIVER.

- | | | |
|-------------------------|--------------|--------------|
| 18. PROGRESSIVE MEDICAL | \$ 40,000.00 | Ratification |
| INTERNATIONAL | 112,000.00 | Renewal |
| SOUTHEASTERN EMERGENCY | \$ 20,000.00 | Ratification |
| EQUIPMENT | 50,000.00 | Renewal |
| BOUND TREE MEDICAL, | \$ 96,000.00 | Ratification |
| LLC | 124,000.00 | Renewal |
| EVER READY FIRST AID | \$ 500.00 | Ratification |
| | 730.00 | Renewal |
| HENRY SCHEIN/MATRIX | \$ 6,000.00 | Ratification |
| MEDICAL, INC. | 9,000.00 | Renewal |
| ALLIANCE MEDICAL | \$ 9,000.00 | Ratification |
| | 14,000.00 | Renewal |
| CARDIO QUICK SYS, LLC | \$ 29,750.00 | Ratification |
| | 17,500.00 | Renewal |

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

FIRST LINE, LLC	\$ 35,100.00	Renewal
	<u>\$563,580.00</u>	

Solicitation No. BP 07079 - Medical Supplies and Equipment - Baltimore City Fire Dept. - Req. Nos. Various

The increases indicated were made without the Board's approval. Therefore, a ratification of the increases is requested and authority to exercise the first one-year renewal option. The renewals are for the period of February 01, 2009 through January 31, 2010. A single one-year renewal option will remain after this requested action.

MWBOO GRANTED A WAIVER

Bureau of General Services

19. BRYANT CONCRETE CONSTRUCTION, INC.	\$ 24,500.00	Low Bid
IC 490, Replacement Concrete Lab - Project at Fire Engine Company 35		

20. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$205,000.00	9916-194-826	9916-197-826
1 st Public Bldg. Loan	Fire Station Roof & Window Replacements - Reserve	Fire Station Roof & Window Replacements - Active

This transfer will provide funds to cover the cost of on-call contractors and in-house costs to repair or replace fire station roofs, windows, and related structural repairs.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

Bureau of Purchases - cont'd

21. MONROE & MONROE d/b/a		
CONVENANT LOCK & KEY	\$ 12,417.00	Low Bid
IC 491, Door Replacement Project at Druid Hill Park, Conservatory Area		

UPON MOTION duly made and seconded, the Board approved the informal awards, extensions, and increases to contracts. 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. Acting on behalf of the Mayor, Mr. Gallagher **ABSTAINED** on Item No. 12.

MINUTES

Commission on Aging and Retirement Education (CARE) - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Statewide Special Transportation Assistance Program (SSTAP) Grant Award Agreement with the Maryland Department of Transportation, Maryland Transit Administration. The period of the agreement is July 1, 2008 through June 30, 2009.

AMOUNT OF MONEY AND SOURCE:

\$379,335.00 - E/5327-325-903

BACKGROUND/EXPLANATION:

The SSTAP grant funds will be used to provide transportation services to elderly persons and/or persons with disabilities in Baltimore City.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Statewide Special Transportation Assistance Program Grant Award Agreement with the Maryland Department of Transportation, Maryland Transit Administration.

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

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

Angelozzi Brothers, Inc.	\$ 8,000,000.00
Atlantic Refinishing & Restoration Inc.	\$ 8,000,000.00
Cam Construction Co., Inc.	\$73,251,000.00
Certified Construction Management, LLC	\$ 1,500,000.00
Civil Construction, LLC	\$56,907,000.00
Donald Excavating, Inc.	\$ 1,500,000.00
Gordon L. Jernigan Sr. Inc.	\$ 1,296,000.00
Kimball Construction Co. Inc.	\$ 8,000,000.00
King Construction Co., Inc.	\$ 1,500,000.00
Overhead Door Company of Baltimore, Inc.	\$ 7,092,000.00
Rolling Co., Inc.	\$ 1,500,000.00
Seaway Coatings, Inc.	\$ 5,301,000.00
Trinmar Mechanical Services	\$ 3,078,000.00

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:

Arc Environmental, Inc.	Engineer
David H. Gleason Associates, Inc.	Architect
KCI Technologies, Inc.	Landscape Engineer Land Survey Property Line Survey
Openaka, Inc.	Engineer
Pure Technologies Us, Inc.	Engineer
Michael J. Walkley, P.A.	Engineer

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

MINUTES

Baltimore Development - Relocation Expenses
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the payment of relocation expenses to Mr. Ronnie Rose, owner of R&R Towing Service, Inc. for the firm's move from 3301 Remley Street to 2253 Kirk Avenue.

AMOUNT OF MONEY AND SOURCE:

\$6,894.04 - 9910-601-483

BACKGROUND/EXPLANATION:

The Fairfield Urban Renewal area has been designated for redevelopment. Mr. Rose relocated to 2253 Kirk Avenue. Mr. Rose incurred expenses as a result of the relocation. Mr. Rose will be reimbursed for reprinting of business cards and forms made obsolete by the move, telephone system re-installation charges, replacement of signage, and repainting of the interior of the Kirk Avenue building.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 56687)

MINUTESBDC - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$6,894.04 19 th . EDF	9910-600-483 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-601-483 South Balto. S. Balto. Coml. Dev.

This transfer will provide funds for the second relocation, moving and reestablishment payment to R&R Towing Service, Inc. for their move from 3301 Remley Street to 2253 Kirk Avenue.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the payment of relocation expenses to Mr. Ronnie Rose, owner of R&R Towing Service, Inc. for the firm's move from 3301 Remley Street to 2253 Kirk Avenue. 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

Baltimore Development - Relocation Expenses
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the payment of relocation expenses to Mr. Bernie Delay of 407 Ensor Street (a/k/a 418 Oldtown Mall), third floor.

AMOUNT OF MONEY AND SOURCE:

\$11,138.00 - 9910-601-879

BACKGROUND/EXPLANATION:

The BDC acquired the subject property to be included in the Disposition Lot 25B land assembly, in accordance with the Oldtown Urban Renewal Plan. As a result, it is necessary to relocate the residents of this property.

The BDC has estimated \$36,608.00 as the total cost of the relocation of Mr. Delay; however, the immediate request is only for \$11,138.00, which represents one year of rental assistance plus moving expenses. This figure was provided by Diversified Property Services, the company that BDC has contracted to assist in this relocation process.

The relocation of the residents of 407 Ensor Street is essential to the land assembly needed for the Oldtown Mall Redevelopment Project. This project will include a full-service grocery store, additional retail, and some residential.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 56688)

MINUTESBDC - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$11,138.00	9910-600-982	9910-601-879
21 st EDF	Constr. Res.	Coml. Revit.
	Coml. Revit. Prog.	

This transfer will provide funds for partial relocation expenses of Mr. Bernie Delay from the property known as 407 Ensor Street (a/k/a 418 Oldtown Mall, third floor) which is part of the land assembly needed for the redevelopment of Oldtown Mall.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the payment of relocation expenses to Mr. Bernie Delay of 407 Ensor Street (a/k/a 418 Oldtown Mall), third floor. 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

Baltimore Development - Relocation Expenses
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the payment of relocation expenses to Mr. Kevin Robbins, resident of 447 Oldtown Mall.

AMOUNT OF MONEY AND SOURCE:

\$7,970.00 - 9910-601-879

BACKGROUND/EXPLANATION:

The BDC acquired the subject property to be included in the Disposition Lot 25B land assembly, in accordance with the Oldtown Urban Renewal Plan. As a result, it is necessary to relocate the residents of this property.

The BDC has estimated \$26,270.00 as the total cost of the relocation of Mr. Robbins; however, the immediate request is only for \$7,970.00, which represents one year of rental assistance plus moving expenses. This figure was provided by Diversified Property Services, the company that BDC has contracted to assist in this relocation process.

The relocation of the residents of 447 Oldtown Mall is essential to the land assembly needed for the Oldtown Mall Redevelopment Project. This project will include a full-service grocery store, additional retail, and some residential.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 56686)

MINUTESBDC - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$7,970.00	9910-600-982	9910-601-879
21 st EDF	Constr. Res.	Coml. Revit.
	Coml. Revit. Prog.	

This transfer will provide funds for partial relocation expenses of Kevin Robbins from the property known as 447 Oldtown Mall, which is part of the land assembly needed for the redevelopment of Oldtown Mall.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the payment of relocation expenses to Mr. Kevin Robbins, resident of 447 Oldtown Mall. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Finance - Capital Project Grant Agreements

The Board is requested to approve and authorize execution of the capital project grant agreements with the Board of Public Works. Chapter 336, Acts of the 2008 Laws of Maryland authorize the creation of a State debt for the projects listed below. The Enabling Act's authorization automatically terminates for any grant funds that are unexpended or unencumbered seven years after authorization.

<u>PROJECT</u>	<u>LOAN AMOUNT</u>
1. BALTIMORE CITY HOMELESS SHELTER & RESOURCE CENTER LOAN OF 2008	\$2,000,000.00

This loan authorization is for the design, construction, and capital equipping of a new homeless shelter and resource center.

2. PARK HEIGHTS REVITALIZATION PROJECT LOAN OF 2008	\$3,000,000.00
--	-----------------------

This loan authorization is for the acquisition of the Park Lane Shopping Center or other property in the Park Heights Revitalization area.

3. EAST BALTIMORE BIOTECHNOLOGY PARK LOAN OF 2008	\$5,000,000.00
--	-----------------------

This loan authorization is for the acquisition, demolition, and site improvements in the East Baltimore Biotechnology Park area.

MINUTES

Department of Finance - cont'd

4. **WESTSIDE REVITALIZATION PROJECT** **\$5,000,000.00**
LOAN OF 2008

This loan authorization is for the acquisition, demolition, and site improvements in the West Side Revitalization Project area.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above listed capital project grant agreements with the Board of Public Works.

MINUTESEnoch Pratt Free Library - Sick Leave Donation

The Board is requested to approve the transfer of Life-To-Date sick leave days from the listed City employees to the designated employees.

The transfer of sick leave days is necessary in order for the designated employees to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their Life-To-Date sick leave balances as follows:

1. Employee's Name - Doris Johnson

<u>NAME</u>	<u>DAYS</u>
Kwabena Sarfo	5
Vivian Fisher	5
Faith T. Blair Edmonds	5
Linnette Johnson	2
Sarah Ford	1
Jeff Korman	1
Eva Slezak	<u>2</u>
	21

MINUTES

Enoch Pratt Free Library - cont'd

2. Employee's Name - Bridget Jones

<u>NAME</u>	<u>DAYS</u>
Ruby Johnson	5
Nathaniel Smith	5
Evelyn Barnhart Wallace	3
Sonia Perry	2
Loren Biddle	<u>2</u>
	17

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved the transfer of Life-To-Date sick leave days from the listed City employees to the designated employees, Doris Johnson and Bridget Jones.

MINUTES

Department of Housing and - Grant Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with Patterson Park Public Charter School (Patterson Park). The period of the grant agreement is effective upon Board approval for 24 months.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 9910-588-616-00-647

BACKGROUND/EXPLANATION:

In September 2007, the Mayor announced a grant of \$1,000,000.00 to assist charter schools that are not located in an existing school building with improvements to their facilities. Nine schools were awarded grants, including the Patterson Park Public Charter School.

Schools were eligible to receive a maximum of \$200,000.00 and funds are required to be spent within two years of the approved grant award. Funds are restricted to capital improvements and cannot be used to support soft costs.

Patterson Park assumed management of the Charter School from Imagine Inc. in 2007. Imagine, Inc. stopped working on planned renovations, which included the construction of a cafeteria when Patterson Park took over the management. When the school year started, school administrators erected a large tent that served as a temporary cafeteria. A new cafeteria has been built at a total cost of \$271,273.00, the balance of the funds was provided through the school's budget.

APPROVED FOR FUNDS BY FINANCE

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

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

(FILE NO. 56617)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Patterson Park Public Charter School.

MINUTES

Department of Housing and Community - Amendment to Agreement
Development/Homeless Services

ACTION REQUESTED OF B/E:

The Board is requested to ratify an amendment to agreement with Baltimore City Department of Social Services (DSS).

AMOUNT OF MONEY AND SOURCE:

\$11,776.00 - 5231-357-901-10-351

BACKGROUND/EXPLANATION:

On November 14, 2007, the Board approved an agreement, in the amount of \$196,056.00, with the DSS to provide crisis intervention and direct grants to low-income families and individuals to prevent eviction. This amendment to the agreement, in the amount of \$11,776.00, will provide additional funds for services, making the total contract award \$207,832.00. All other terms and conditions of the agreement remain unchanged.

The amendment to agreement is late because of delays at the administrative level. The delays were caused by the amount of time the providers required to send information appropriate to the contracts and as a result of the significant backlog of undeveloped contracts that occurred while the BHS Contracts Manager position went unfilled for several months.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to agreement with Baltimore City Department of Social Services.

MINUTES

Department of Housing and - Agreements
Community Development

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

1. **COALITION TO END CHILDHOOD LEAD POISONING, INC.** **\$185,400.00**

Account: 2089-593-926-63-351

The Coalition to End Childhood Lead Poisoning, Inc. works to prevent childhood lead poisoning through advocacy, outreach, and education. Under the terms of this agreement, the organization, through its Safe at Home Baltimore Program, will implement a comprehensive approach to reduce childhood lead poisoning, asthma episodes, and other home-based environmental health and safety hazards in Baltimore's older, low and moderate-income communities. The period of the agreement is September 1, 2008 through August 31, 2009.

FOR THE FY 2009, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$236,500.00, AS FOLLOWS:

MBE: \$63,855.00

WBE: \$23,650.00

2. **BROOKLYN AND CURTIS BAY COALITION, INC.** **\$ 41,900.00**

Accounts: 2089-593-343-62-351	\$ 8,380.00
2089-593-343-72-351	\$ 8,330.00
2089-593-343-26-351	\$ 21,000.00
2089-593-343-83-351	\$ 4,190.00

Under the terms of this agreement, the funds will be used for staff and operating costs associated with the sale of 102 Pontiac Avenue, 3717 2nd Street, and 3718 2nd Street to low and moderate-income households for first-time owner

MINUTES

DHCD - cont'd

occupancy. In addition, the organization will provide homeownership assistance, participate in neighborhood clean-ups, publish/distribute a newsletter to the community, and provide economic development and technical assistance to businesses located in the Brooklyn and Curtis Bay designated Main Street area. The period of the agreement is July 1, 2008 through June 30, 2009.

FOR THE FY 2009, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$15,130.00, AS FOLLOWS:

MBE: \$4,085.00

WBE: \$1,513.00

3. **SOUTH BALTIMORE LEARNING CORPORATION, INC. \$ 55, 000.00**

Account: 2089-593-986-34-351

The organization will provide adult basic education tutoring, GED instruction, pre-GED instruction, and career counseling to low and moderate-income adults who reside in the City and have dropped out of high school. Under the terms of this agreement, the funds will be used to subsidize a portion of the organization's operating costs. The period of the agreement is July 12, 2008 through July 11, 2009.

FOR THE FY 2009, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$35,667.00, AS FOLLOWS:

MBE: \$9,630.00

WBE: \$3,567.00

MINUTES

DHCD - cont'd

4. **RESERVOIR HILL IMPROVEMENT COUNCIL, INC.** **\$ 75,400.00**

Accounts: 2089-593-142-81-351	\$ 14,000.00
2089-593-142-26-351	\$ 20,400.00
2089-593-142-83-351	\$ 18,000.00
2089-593-142-35-351	\$ 14,900.00
2089-593-142-76-351	\$ 8,100.00

Under the terms of this agreement, the funds will be used to subsidize the organization's staff and operating costs. Reservoir Hill Improvement Council, Inc. will carry out activities which will enable them to determine its needs, set long-term and short-term objectives, and devise programs and activities that will address such objectives. In addition, the organization will provide housing counseling services and information to Reservoir Hill community residents regarding its organizational capacity building, and other activities. The period of the agreement is November 1, 2008 through October 31, 2009.

FOR THE FY 2009, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$29,000.00, AS FOLLOWS:

MBE: \$7,830.00

WBE: \$2,900.00

On May 14, 2008, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2008 Annual Action Plan for the following formula programs:

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

MINUTES

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2008 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Bureau of the Budget and - Supplementary Special Fund
Management Research Operating Appropriation

ACTION REQUESTED OF B/E:

The Board is requested to approve a supplementary special fund operating appropriation to the Department of Transportation - Program 234 (Transit and Marine Services) to provide funds to pay for additional expenses.

AMOUNT OF MONEY AND SOURCE:

\$3,021,730.00 - Special Fund

BACKGROUND/EXPLANATION:

The primary source of revenue for the special funds is the recent City Council approved increase in the parking tax from 12% to 16% effective December 1, 2008.

This additional funding will be added to the Fiscal 2009 operating budget to provide additional funds to operate a downtown circulator system. In conjunction with existing water shuttle operations, the Department will operate the downtown circulator as well. It is hoped that this effort will result in the creation of an integrated transportation system that will address escalating congestion issues in the central business district. In addition, it is also hoped that the integrated system will tie together the City's growing waterfront communities for residents, visitors, and workers to make it easier for people to use downtown all of the time.

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

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

157 - 159

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfers of Funds were approved

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

MINUTES

EXTRA WORK ORDERS

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

1. EWO #001, \$278,599.69 - TR 07012, Resurfacing Belair Rd. from Moravia Rd. to Frankford Ave. & St. Paul St. from Charles St. to 39th St.

\$1,369,483.60	-	P. Flanigan & Sons, Inc.	-	-
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2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$278,599.69	9950-514-800	9950-514-828-2
State Constr. Loans	Bond Fund	Contingencies Resurf. Highways - JOC - T

This transfer will provide funds to cover the costs associated with Change Order No. 1 on project TR 07012, JOC - to P. Flanigan & Sons, Inc.

3. EWO #006, \$268,400.00 - TR 02055, Gwynns Falls Trail Extension from Children's Loop to I-70 Park & Ride

\$3,355,623.00	\$374,443.09	Allied Contractors, Inc.	460	-
			Days	

MINUTES

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time % Ext. Compl.
-----------------------	-----------------------------	------------	-----------------------

Department of Transportation - cont'd

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$310,257.79	9950-507-701	9950-508-334-2
MVR	Constr. Res. Minor Bridge Rehab.	Contingencies Gwynns Falls Trail Extension

This transfer will clear the existing deficit in the account and fund the cost associated with Extra Work Order No. 6 with Allied Contractors, Inc. for the immediate repair of the roadway and bridge surface on I-83 between Guilford Avenue and Fayette Street.

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time % Ext. Compl.
-----------------------	-----------------------------	------------	-----------------------

- | | | | | |
|----|--|---------------|--------------------------------|-----|
| 5. | EWO #013, \$169,714.80 - TR 03316, Rehabilitation and Streetscape of Eastern Ave. from Lehigh St. to City Line | | | |
| | \$6,225,359.25 | \$ 566,161.78 | M. Luis Construction Co., Inc. | - - |
| 6. | EWO # 005, \$88,924.45 - TR 07032, Resurfacing Highways at Various Locations - JOC "DD" | | | |
| | \$3,799,866.50 | \$ 11,306.32 | M. Luis Construction Co., Inc. | - - |

MINUTES

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time Ext.	% Compl.
-----------------------	-----------------------------	------------	--------------	-------------

Bureau of Water & Wastewater

- | | | | | |
|----|--|----------------|---------------------------------------|-------|
| 7. | EWO #055, \$0.00 - W.C. 1167R, Urgent Need Work Infra-structure Rehabilitation Various Locations | | | |
| | \$10,932,235.50 | \$1,136,500.00 | J. Fletcher
Creamer & Son,
Inc. | - 68% |

THE TRANSFER OF FUNDS WAS APPROVED BY THE BOARD ON NOVEMBER 5, 2008.

- | | | | | |
|----|---|--------|---------------------------------|-------|
| 8. | EWO #005, \$0.00 - W.C. 1148, On-Call Repairs/Installation of Water Appurtenances | | | |
| | \$2,586,476.00 | \$0.00 | Spiniello Con-
struction Co. | 0 99% |

Bureau of General Services

- | | | | | |
|----|--|---------------|---|-------|
| 9. | EWO #023, \$37,500.00 - PB 05802, Center Plaza Renovations | | | |
| | \$6,599,000.00 | \$ 800,687.99 | Facchina Con-
struction Co.,
Inc. | - 93% |

Department of Recreation & Parks

- | | | | | |
|-----|--|--------|--------------------|-----|
| 10. | EWO #001, \$89,951.03 - Project 1057, Environmental Graphic Design Services for Park Signage | | | |
| | \$ 30,759.00 | \$0.00 | Apple Design, Inc. | - - |

THE TRANSFER OF FUNDS WAS APPROVED BY THE BOARD ON OCTOBER 29, 2008.

MINUTES

Department of Transportation - Task Assignments

The Board is requested to approve the various task assignments with the following On-Call Consultants:

<u>Consultant</u>	<u>Amount</u>
1. McCORMICK, TAYLOR & ASSOCIATES	\$399,972.82

Account: 9950-512-064-20-332

Under Project 1074, Task No. 2, the Consultant will collect street sign inventory, establish data input stations using Hansen sign module, verify field data, and attend necessary meetings.

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$439,970.10	9950-509-215	9950-512-064-3
MVR	Constr. Res.	Design & Studies
	Pedestrian	Automation for
	Wayfinding	Traffic Sign Shop
	Signage Program	

This transfer will fund costs associated with Project No. 1074, Task No. 2 with McCormick, Taylor & Associates.

3. McCORMICK, TAYLOR & ASSOCIATES	\$129,119.84
--	---------------------

Account: 9950-527-701-20-332

Under Project No. 1074, Task No. 3, the Consultant will perform design services, prepare plans and specifications, and construction cost estimates for the Seton Business Park Improvements project to include (a) access-controlled egress lanes for the proposed New Psalmist Baptist Church parking lot to Patterson Avenue and (b) an 18 foot circular roundabout at Metro Drive and Mount Hope Drive.

MINUTES

Department of Transportation - cont'd

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$142,031.82	9950-528-701	9950-527-701-3
MVR	Constr. Res.	Design & Studies
	Seton Business	Seton Business
	Park Improv.	Park Improv.

This transfer will fund costs associated with Project No. 1074, Task No. 3 with McCormick, Taylor & Associates.

5. **McCORMICK, TAYLOR & ASSOCIATES** **\$185,375.40**

Account: 9950-506-412-3

Under Project 1074, Task No. 4, the Consultant will provide for in-house management support services that include highway, bridge structure design and other software in use by the City.

MINUTES

Department of Transportation - cont'd

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$28,000.00 Federal	9950-507-412 Constr. Res. Frederick Avenue Bridge	
7,000.00 MVR	" "	
<u>\$35,000.00</u>	-----	9950-506-412-3 Design & Studies Frederick Ave. Bridge over Gwynns Falls

This transfer will fund costs associated with Project No. 1074 to hire a consultant for in-house support for the Bridge projects.

7. \$52,300.32 Federal	9950-507-416 Constr. Res. Hawkins Point Road Bridge	
13,075.08 MVR	" "	
<u>\$65,375.40</u>	-----	9950-506-416-3 Design & Studies Hawkins Point Rd. Bridge

This transfer will fund costs associated with Project No. 1074 to hire a consultant for in-house support for the Bridge projects.

MINUTES

Department of Transportation - cont'd

8. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$65,717.03	9950-509-942	
Federal	Constr. Res.	
	Argonne Dr. Bridge	
24,109.80	" "	
MVR		
\$89,826.83	-----	9950-506-942-3
		Design & Studies
		Argonne Drive
		Bridge

This transfer will clear the deficit in the account and fund costs associated with Project No. 1074, Task No. 4 to hire a consultant for in-house support for the bridge projects.

9. **CENTURY ENGINEERING, INC.** **\$188,411.88**

Account: 9950-508-520-20-332

Under Project No. 1074, Task No. 3, the consultant will provide for in-house management/design services that include developing and maintaining design scheduling, reviewing engineering design, plans, specifications, and preparing estimates of highway projects that are prepared by others. The consultant will also assist construction project managers on design related issues during construction.

MINUTES

Department of Transportation - cont'd

10. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$188,411.88	9950-509-520	9950-508-520-3
MVR	Constr. Res.	Design & Studies
	On-Call Highway	On-Call Highway
	Services	Services

This transfer will fund costs associated with Project No. 1074, Task No. 3 with Century Engineering, Inc.

11. **JOHNSON, MIRMIRAN & THOMPSON, INC.** **\$136,647.90**

Account: 9950-508-875-20-332

Under Project No. 1060, Task No. 5, the consultant will provide for a study that will include a needs assessment, site analysis, and a conceptual building layout for a new Inner Harbor Maintenance facility located at Ponca and Boston Streets. The existing maintenance facility site is being evaluated for a water taxi stop and waterfront park. The plan will include two conceptual plans for the new Inner Harbor Maintenance facility and two conceptual plans for a new water taxi facility/waterfront park.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing task assignments. The Transfers of Funds were approved, SUBJECT to the receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

166 - 169

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

MINUTES**PERSONNEL**Health Department

	<u>Hourly Rate</u>	<u>Amount</u>
1. MARIAN ANTOINETTE WILSON	\$26.00	\$17,940.00

Account: 4232-308-903-00-109

Ms. Wilson will work as a Registered Dietitian/Nutritionist for the WIC Program. Her duties will include, but will not be limited to coordinating and evaluating the nutrition services components of the WIC Program; ensuring adherence to State and Federal mandated program regulations and guidelines; and coordinating and providing nutritional counseling and education to individuals with high risk medical conditions. In addition, Ms. Wilson will write and review care plans, consult with health care providers; assist the Director with supervision of the nutritional staff and nutrition technician supervisors to the WIC clinics; and make regular quality assurance visits. The period of the agreement is effective upon Board approval through June 30, 2009.

2. AISHA Z. UTSEY-FOREMAN	\$15.00	\$ 2,400.00
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Account: 6278-308-917-00-109

Ms. Utsey-Foreman will continue to work as a Youth Development Aide/Tutor for the Carrera-Young Executives Program. Her duties will include, but will not be limited to providing homework assistance, tutorial and college preparation assistance; and assisting in providing individual instruction to participants with specific deficits. In addition, Ms. Utsey-Foreman will assist in the instruction of a variety of classes, leisure games and educational activities; maintain folders/records on individual students to assist in skill building; and provide creative educational resources. The period of the agreement is March 1, 2009 through June 30, 2009.

MINUTES**PERSONNEL**Health Department3. a. Create the following two positions:

81212 - Nutrition Aide
 Grade 423 (\$26,140.00 - \$27,593.00)
 Job Nos. to be assigned by BBMR

b. Reclassify the following position:

From: 33257 - Word Processing Operator II
 Grade 075 (\$25,294.00 - \$28,751.00)
 Job No. 48145

To: 33111 - Data Entry Operator I
 Grade 075 (\$25,294.00 - \$28,751.00)

Costs: \$ 82,575.30 - 4232-308-003-00-101
30,084.43 - 4278-308-021-00-101
\$112,659.73

Department of Public Works, Bureau of General Services

	<u>Hourly Rate</u>	<u>Amount</u>
4. CHARLES H. RIEMER	\$10.00	\$12,000.00

Account: 1001-193-002-00-109

Mr. Riemer, retiree, will continue to work as a Building Repairer for City Hall and several other City buildings. The period of the agreement is February 13, 2009 through February 12, 2010.

The retiree will be permitted to work no more than 1,200 hours, however, no sick leave, compensatory time, personal leave, nor health insurance will be provided.

A WAIVER OF THE SALARY CAP AS STIPULATED IN AM POLICY 212-1 OF THE ADMINISTRATIVE MANUAL IS REQUESTED.

MINUTES**PERSONNEL**Department of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
5. TIMOTHY SHIVE	\$21.00	\$40,040.00

Account: 3001-505-001-00-109

Mr. Shive will continue to work as a Tree Service Technician in the Forestry Division. His duties will include, but will not be limited to inspecting trees to identify needs for care, removal, and treatment; coordinating tree planting schedules; and answering public inquiries concerning trees. The period of the agreement is effective upon Board approval for one year.

Fire Department

6. WAYNE D. BROWN	\$31.36	\$57,703.00
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This salary shows a 21% increase from the previous contract period. The rate of pay cannot be increased for a period of two years.

Account: 4397-201-889-02-109

Mr. Brown will work as an Office of Emergency Management (OEM) Exercises and Training Manager. He will continue to be responsible for developing, executing, and evaluating interagency disaster preparedness exercises, including simulations and full-scale drills. He will implement the National Incident Management System and City workforce preparedness training. In addition, he will support the development, execution, and evaluation of City agencies; coordinate interagency strategies and schedules for emergency preparedness exercises and training; and manage the use of grant funds to support these activities. He will fulfill OEM operational duties, including on-call shifts, field response; and manage the City's Emergency Operations Center during an emergency. The period of the agreement is effective upon Board approval for one year.

MINUTES**PERSONNEL**Department of Transportation7. Create the following position:

10172 - Division Chief II
Grade 952 (\$62,700.00 - \$90,900.00)
Job No. to be assigned by BBMR

Cost: \$84,822.00 - 3001-230-001-00-101

MINUTES

Department of Audits - Audit Report and Related
Audit Digest

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

Enoch Pratt Free Library - A Component of the City of Baltimore, MD, Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2008.

President: "Moving to the non-routine agenda item on Page 57, we have the Department of Audits, Audit Report and Related Audit Digest."

Mr. Robert McCarty, City Auditor: "Good morning Madam President, members of the Board. The Department of Audits has completed its Annual Audit of the Financial Statements of the Enoch Pratt Free Library for the Fiscal Year ended June 30, 2008. We have issued an unqualified opinion, which states that their financial statements present fairly, in all material respects, the financial position of the Library for the year ended June 30, 2008, in conformance with generally accepted accounting principles. In addition to our audit, we prepared a separate report required by both generally accepted auditing standards and government auditing standards, which addresses the Library's compliance with certain laws and regulations and the internal

MINUTES

Department of Audits - cont'd

control over financial reporting relating to financial statements. The Library has one significant deficiency in internal control over its financial reporting that occurred during Fiscal Year 2008. A significant deficiency is a control deficiency that adversely affects the Library's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted principles, such that there is a possibility that an immaterial misstatement of financial statements would not be prevented or detected by the Library's internal control. The significant deficiency is as follows: The Library's Department of Institutional Advancement, the DIA, did not have adequate supervisory control in place to review credit card transfers of funds. This finding first occurred during Fiscal Year 2007. And while the business office revised its supervisory procedures, and the DIA incorporated adequate internal - sorry -- adequate segregation of duties during Fiscal Year 2008, the supervisory review was not adequate to ensure that credit card logs were reconciled to credit card

MINUTES

Department of Audits - cont'd

batches, and credit card batches were reconciled to bank statements. In this response, the Library stated that the business office, effective December 1, 2008, now has procedures in place to ensure that the credit card logs, credit card batches, and bank statements are reconciled on a monthly basis. Also in Fiscal Year 2007, the Library had a finding that the DIA did not have adequate controls in place to handle tickets sales at a fundraising event. During Fiscal Year 2008, the Library resolved this finding by implementing written procedures to establish adequate controls for the handling of ticket sales. The significant deficiency that I previously discussed is not considered a material weakness. A material weakness is a significant deficiency that results in a possibility that a material misstatement of the financial statement would not be prevented or detected by the Library's internal control. As part of obtaining reasonable assurance that the Library's financial statements are free of material misstatements, we performed tests of its compliance with certain provisions of laws,

MINUTES

Department of Audits - cont'd

regulations, contracts, and grant agreements, non-compliance with which would have had a direct and material effect on the determination of financial statements and amounts. The results of our tests disclosed no instances of non-compliance or other matters that are required to be reported under government auditing standards."

President: "Are there any questions?"

Solicitor: "No."

Mr. Robert McCarty: "Thank you."

President: "The audit will be accepted."

MINUTES**TRAVEL REQUEST**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Department of Planning</u>		
1. Seema Iyer	Smart Growth: Building Safe Healthy, Livable Communities Albuquerque, NM January 22 - 24, 2009 (Reg. Fee \$125.00)	\$ 2,930.77

The allowed subsistence for this area is \$129.00 per day. A two-day travel at that rate would total \$258.00. The total cost of the hotel for two days is \$223.44. The Department is requesting an additional \$100.00 for the cost of food for a total of \$323.44 in subsistence. Included in the request is the cost of food for the return day because the attendee will not arrive in Baltimore until 11:55 p.m.

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

MINUTES

Health Department - Agreements**ACTION REQUESTED OF THE B/E:**

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

<u>Provider</u>	<u>Amount</u>
1. THE JOHNS HOPKINS UNIVERSITY BLOOMBERG SCHOOL OF PUBLIC HEALTH	\$ 62,648.00

Account: 1001-300-013-00-351

The organization will provide an Assistant Scientist for the Department's Office of Data Quality Improvement. The Assistant Scientist will analyze data derived from Baltimore City public health programs related to physical, environmental and mental health; assess public health problems, monitor trends and identify opportunities for new improved intervention strategies; and help develop a set of public health goals and a key set of quantifiable performance measurements for Baltimore's public health programs. The period of the agreement is December 1, 2008 through November 30, 2009. The agreement is late because there were unanticipated delays in finalizing the budget.

2. THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE	\$183,205.00
---	---------------------

Account: 4225-303-804-13-351

The organization will provide STD surveillance and data management. Its Chlamydia Lab will provide access to free Chlamydia testing; provide necessary materials to persons requesting Chlamydia testing by mail; receive samples by mail and process them in accordance with State of Maryland Laboratory Standards and in accord with the Gen-Prove Aptima NAATS testing specifications; and ensure treatment for residents who test positive through this testing program. The period of the agreement is January 1, 2008 through December 31, 2008. The agreement is submitted at this time because negotiations delayed its processing.

MINUTES

Health Department - cont'd

3. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS, INC.** **\$ 55,835.00**

Account: 4282-308-911-97-351

The organization will provide various therapy/evaluation services on an as-needed basis. Services will include occupational therapy screenings, evaluation and therapy; speech language pathology screenings, evaluation and therapy; and physical therapy screenings, evaluation and therapy for children. The period of the agreement is July 1, 2008 through June 30, 2009. The agreement is late because budget negotiations delayed its processing.

4. **LEARNING INDEPENDENCE THROUGH COMPUTERS, INC. (LINC)** **\$ 16,577.00**

Account: 4282-308-911-79-351

The LINC will provide home-based technology services to 20 families referred to them by the Baltimore Infants and Toddlers Program. The LINC will design informational materials for families who have a computer in their home. The LINC will make three home visits to each participating family to help children access software, adaptive equipment, toys, and augmentative communication devices. This will increase learning opportunities and general independence of motor skills, cognitive/perceptual skills, and communication. The LINC will also meet with families along with the Baltimore Infants & Toddlers Program staff to finalize and distribute recruitment materials. The period of the agreement is July 1, 2008 through June 30, 2009. The agreement is late because budget matters delayed processing.

MINUTES

Health Department - cont'd

5. **MICHELLE L. OWNES-GOODE** \$35.63/hour **\$14,250.00**

Account: 4245-304-901-00-318

Ms. Owens-Goode will serve as the Program Administrator of the Health Education and Resource Organization, Inc. (HERO) Program Transition Project. She will be responsible for assisting the Department in coordinating clients and transferring their non-medical case records to other providers of care and compliance with the maintenance of confidential records. She will provide oversight and management of the activities and performance of two case managers contracted by Associated Black Charities, Inc. and the Administrative Assistant contracted by the Health Department. She will serve as point of contact for referring prior clients of HERO to providers in order to ensure the smooth transition of services. The period of the agreement is December 15, 2008 through February 28, 2009.

MINUTES

Health Department - cont'd

6. **BLANCE I. WILSON** \$14.60/hour \$ **5,840.00**

Account: 4245-304-901-00-318

Ms. Wilson will assist the Program Administrator of the HERO Program Transition Project. She will provide office support related to transfer/referral of clients and their non-medical case records to other providers and assist with close-out tasks required by the Health Department. The period of the agreement is December 15, 2008 through February 28, 2009.

The agreements (items nos. 5 and 6) are late because of issues related to the cancellation of HERO provider agreements.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTESSpace Utilization Committee - Interdepartmental Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an interdepartmental lease agreement between the Department of Public Works (DPW) and the Mayor's Office of Homeless Services for the rental of a portion of the property known as 4 S. Frederick Street, consisting of approximately 3,909 square feet on the third floor. The period of the lease agreement is October 10, 2008 through April 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$1,954.00 - Monthly 11/1/08-10/31/09

\$2,013.14 - Monthly 11/1/09-4/30/10

Account No. 1001-177-001-99-316

The Mayor's Office of Homeless Services will lease the premises for use as administrative offices. The DPW will be responsible for utilities, janitorial services, trash removal, maintenance and repairs, structural maintenance, pest control, and snow removal. The tenant will be responsible for minor improvements prior to occupancy, telephone, and computer services to the leased premises. The Space Utilization Committee approved this interdepartmental lease agreement on January 13, 2009.

(FILE NO. 56685)

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental lease agreement between the Department of Public Works and the Mayor's Office of Homeless Services for the rental of a portion of the property known as 4 S. Frederick Street, consisting of approximately 3,909 square feet on the third floor.

MINUTES

Health Department - Expenditure of Funds

The Board is requested to approve the expenditures of funds for various programs.

1. **GOOD SAMARITAN HOSPITAL** **\$10,868.00**

Account: 4545-304-901-50-351

On September 30, 2008, Good Samaritan Hospital notified the Maryland AIDS Administration that they decided to withdraw from providing services under the Ryan White Grant effective October 31, 2008. However, during that time, an agreement was prepared but never finalized. Therefore, the department is requesting approval to reimburse Good Samaritan Hospital for services provided for the period of July 01, 2008 through October 31, 2008.

2. **ABOUT LANGUAGE, INC.** **\$17,321.25**

Account: 4271-308-911-00-318

The number of Spanish speaking families enrolled in the Baltimore Infants and Toddlers Program has increased. Immediate interpretation services were needed, but could not be provided by the 1.5 FTE Service Coordinator assigned to this population. The provision of this service is mandated by the Individuals with Disabilities Education Act Part C.

Prior invoices were paid by Direct Payment Order, and have exceeded the allowable amount. The Department is requesting to reimburse the vendor, About Language, Inc. for interpreting services provided.

MINUTES

Health Department - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditures of funds for the foregoing programs.

MINUTES

Bureau of General Services (BGS) - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Phase II of the Energy Performance Contract with Johnson Controls (JCI) for installing a second round of energy conservation measures (ECM) in the Abel Wolman, Benton, Courthouse East, and Mitchell Courthouse Buildings. The period of the agreement is effective upon Board approval until completion of work.

AMOUNT OF MONEY AND SOURCE:

The total project construction cost and the amount to be financed is \$3,955,761.00. This includes \$3,835,761.00 of capital costs for the work performed by JCI and \$120,000.00 for the BGS to manage performance and inspect quality of work during the period of construction. The performance contract also includes \$4,772,005.00 for the cost for 15 years of maintenance, and verification of energy savings. The project construction cost will be financed by the City through a master lease loan to be provided through the City's Office of Treasury Management. The amount of energy savings is guaranteed by this contract for the life of the loan period, which is 15 years starting with completion of construction.

BACKGROUND/EXPLANATION:

On January 9, 2008, the Board approved Phase I of the Energy Performance Contract with JCI. Under Phase I, JCI conducted an engineering audit and cost analysis and submitted a detailed proposal to implement a list of ECM's that will realize a minimum of 20% reduction in annual energy consumption for the four buildings. The contract includes maintenance services and performance verification for 15 years.

MINUTES

Bureau of General Services - cont'd

MWBOO SET GOALS OF 10% MBE AND 3% WBE.

MBE: Trinmar Mechanical Services, Inc. \$385,200.00 10.00%

WBE: Caigeann Mechanical Co., Inc. \$116,800.00 3.04%

AUDITS REVIEWED AND HAD NO OBJECTION, SUBJECT TO THE REQUIREMENT THAT AN AUDIT BE PERFORMED BY AN INDEPENDENT CPA OR ENERGY AUDITOR AT THE CONCLUSION OF THE FIRST YEAR.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Phase II of the Energy Performance Contract with Johnson Controls for installing a second round of energy conservation measures in the Abel Wolman, Benton, Courthouse East, and Mitchell Courthouse Buildings.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

185 - 190

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
1. \$600,000.00	9910-587-926	
6 th Housing Dev.	AHP Reserve	
Bonds		
300,000.00	9910-587-949	
<u>21st EDB</u>	AHP Reserve	
\$900,000.00	-----	9910-588-326
		Coldstream/Home-
		stead/Montebello

This transfer of funds will provide 6th Housing Development and 21st Economic Development Bond funds for the acquisition, relocation, and site clearance costs for the Coldstream/Homestead/Montebello Affordable Housing Project.

(FILE NO. 57188)

President: "I ask at this time for Councilwoman Mary Pat Clarke to approach regarding Page 68 Item No. 1."

Councilwoman Mary Pat Clarke: "Good Morning. Thank you Madam President, members of the Board. I am here happily in support of this morning -- with Mark Washington, Executive Director of the Coldstream/Homestead/Montebello Community Corporation -- the largest neighborhood in my district, and one which has received \$900,000.00 on today's agenda."

Mr. Mark Washington: "I just wanted to say on behalf of the entire Coldstream/Homestead/Montebello community, thank you

MINUTES

TRANSFERS OF FUNDS - Coldstream/Homestead/Montebello

Madam President, Madam Comptroller, particularly Madam Mayor and the entire Board of Estimates. Thank you."

Councilwoman Mary Pat Clarke: "This is a really good down payment on our Tivoly/Fenwick/Hugo triangle, as we call it. We are going to totally redo that part of this neighborhood near Harford Road. Thank you."

Mr. Mark Washington: "One thing I just have to say, I think it is an absolutely wonderful investment in a community that will pay huge dividends for the City of Baltimore. So, thank you once again."

President: "Thank you. You do a great job. You have a very active community that is very clear about the direction that the community wants to go in. On my end, that makes it very easy to be supportive when there is such a clear direction -- and the capacity to make it make happen as well as the buy-in from your other community members."

Councilwoman Mary Pat Clarke: "Thank you."

MINUTES**TRANSFERS OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Health Department</u>			
2.	\$100,000.00	9926-313-324	9926-312-202
	Gen. Fund	Eastern Health Center	Fayette Street

This transfer of funds will reallocate funding of the Department's various capital improvement projects according to realistic needs in Fiscal Year 2009.

3.	\$250,000.00	9926-313-325	9926-312-202
	Gen. Fund	Eastern Health Center	E. Fayette Street

This transfer of funds will reallocate funding of the Department's various capital improvement projects according to realistic needs in Fiscal Year 2009.

Enoch Pratt Free Library

4.	\$300,000.00	9936-457-029	9936-457-028
	Gen. Funds	Integrated Ser- vices Network	Edmondson Ave.

This transfer of funds will cover the costs associated with the renovation of the Enoch Pratt Free Library, Edmondson Avenue branch. The transfer of funds will also allow for the award of a change order to the original construction contract because of unforeseen site conditions.

MINUTES

TRANSFERS OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Bureau of General Services</u>			
5.	\$135,000.00	9916-194-134	9916-197-135
	Gen. Funds	Asbestos Mgt. Program - Res.	Asbestos Abatement AHERA - Active

This transfer of funds will cover the costs for various asbestos abatement projects for the Baltimore City Public School System.

6.	\$ 30,000.00	9916-194-513	9916-197-513
	1 st Public Bldg. Loan	City Hall Ex- terior Surface Repairs Reserve	City Hall Exterior Surface Repairs Active

This transfer of funds will cover the costs associated with Task No. 11 for Kann & Associates to re-package Contract No. BP 07832 as City Hall Exterior Masonry Restoration, Contract No. PB 07832R, for re-advertisement. This transfer of funds will also cover any in-house cost associated with the project and eliminate a deficit in the existing account.

7.	\$350,000.00	9916-194-161	9916-197-161
	Gen. Funds	3000-3002 Druid Park Drive Roof Replacement and Interior Repairs Reserve	3000-3002 Druid Park Drive Roof Replacement and Interior Repairs Active

This transfer of funds will cover the costs of work performed by Metropolitan Siding and Windows, Inc. under Contract No. PB 06821. The transfer of funds will also cover the costs of the re-roofing and related work at 3000-3002 Druid Park Drive, in-house costs, and eliminate a deficit in the existing account.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Bureau of General Services - cont'd</u>		
8. \$ 70,000.00 MVR	9916-194-840 Race St. Environ- mental Remediation Reserve	9916-197-840 Race St. Environ- mental Remediation Active

This transfer of funds will cover the engineering costs associated with the Race Street Environmental Remediation Project. The transfer of funds will also cover any in-house costs and eliminate a deficit in the existing account.

Department of Transportation

9. \$ 54,996.58 MVR	9950-509-506 Constr. Res. Constructability Reviews	9950-508-506-5 Inspection Constructability Reviews
------------------------	---	---

This transfer of funds will cover the costs associated with On-Call Design Project No. 1012, Task No. 14, with Johnson, Mirmiran & Thompson, Inc. to assist the Department with on-site management of various construction projects.

10. \$ 85,000.00 MVR	9950-528-175 Constr. Res. Bicycle Network Strategy	9950-527-175-2 Contingencies Bicycle Network Strategy
-------------------------	---	--

This transfer of funds will cover the costs associated with the project, "Bicycle Network Strategy" to provide the thermoplastic bike lane symbols through the change orders on the on-going resurfacing projects to promote cycling as a viable mode of transportation.

MINUTES

TRANSFERS OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
11.	\$ 97,979.52	9950-509-506	9950-508-519-5
	MVR	Constr. Res.	Inspection
		Constructability	Constructability
		Reviews	Reviews

This transfer of funds will cover the costs associated with the On-Call Construction Management Services agreement for Project No. 1012, Task No. 9, with Alpha Corporation to assist the Department with on-site management of various construction projects.

12.	\$102,982.27	9950-509-644	9950-508-644-3
	MVR	Constr. Res.	Design & Studies
		ADA Ramp Upgrade	ADA Ramp Upgrades - Citywide

This transfer of funds will cover the costs associated with Project No. 1074, Task No. 2, with Century Engineering, Inc. The transfer will clear the deficit in the existing account and fund costs associated with the preparation of construction documents, plans, and costs estimates for ADA ramp design services.

MINUTES

Department of Real Estate - Rescission of Agreement of Sale
and Approval of Agreement of Sale

ACTION REQUESTED OF B/E:

The Board is requested to rescind the agreement of sale with Triangle Realty and Construction Company approved on June 11, 2008 and to approve and authorize execution of a new agreement of sale with Triangle Realty and Construction Company, Purchaser.

AMOUNT OF MONEY AND SOURCE:

\$2,500.00 - Purchase Price

BACKGROUND/EXPLANATION:

The original agreement was incorrectly submitted under the sales authority Ordinance No. 477. The correct sales authority has been obtained under City Council Ordinance No. 08-90, approved December 2, 2008. All other terms and conditions remain the same.

The purchaser owns the adjacent apartment complex and has been maintaining the property so that it does not continue to negatively affect the residents and neighbors of the community. This lot was overgrown, strewn with trash and was the source of many community complaints. Due to the 20 foot Right of Way, restrictive language is included in the Agreement of Sale and the Deed, which reserves an easement to the City.

STATEMENT OF PURPOSE AND RATIONALE:

The fair market value for this vacant, unimproved lot, is \$7,500.00. In considering the purchaser's constant maintenance and upkeep of the lot, along with the 20 foot Right of Way on the property, the Department of Real Estate negotiated a purchase price of \$2,500.00. The agreement of sale requires the purchaser to maintain the property as a vacant lot. Should the purchaser fail to maintain the property as a vacant lot, sell or

MINUTES

Department of Real Estate - cont'd

transfer ownership without the City's written permission, the purchaser has agreed to pay the City an additional \$5,000.00. The intent of this transaction is to ensure that this vacant unimproved lot is removed from the City's inventory and returned to the tax rolls.

(FILE NO. 56597)

UPON MOTION duly made and seconded, the Board rescinded the agreement of sale with Triangle Realty and Construction Company approved on June 11, 2008 and approved and authorized execution of a new agreement of sale with Triangle Realty and Construction Company, Purchaser.

MINUTES

Department of Real Estate - Renewal Options of Lease Agreement

The Board is requested to approve the renewal option of the lease agreement with lessees for a portion of the rental space of the property known as the Baltimore Rowing and Resource Center, located at 3301 Waterview Avenue. The term of the renewal is January 1, 2009 through December 31, 2009.

<u>Lessee</u>	<u>Annual Rent</u>
1. BALTIMORE ROWING CLUB	\$3,463.00
2. JOHN HOPKINS UNIVERSITY	\$1,733.00
3. LOYOLA COLLEGE	\$1,385.00
4. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY (UMBC)	\$ 347.00

On December 15, 2004, the Board approved the amendment to lease agreements to increase the annual rental amount for the renewal terms of the lessees. The agreement was for ten years beginning January 1, 1995 through December 31, 2004, with the right to renew for five 1-year renewal terms.

The lessees have exercised their renewal option with the annual rental, as stated above. All other conditions and provisions of amendment to lease agreement dated December 14, 2004 and lease agreement dated September 27, 1995, will remain unchanged.

(FILE NO. FOR ITEM NOS. 1-4 IS 55186)

(SEE ALSO FILE NO. 54777 FOR ITEM NO. 3)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the renewal option of the lease agreement with the above lessees for a portion of the rental space of the property known as the Baltimore Rowing and Resource Center, located at 3301 Waterview Avenue.

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:

195 - 204

to the low bidders meeting the specifications,
deferred action, or rejected bids on those as indicated

for the reasons stated.

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.

Item No. 4 was deferred for one week.

Item No. 7 was deferred for one week.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- | | | | |
|----|---|---------------------------|--------------|
| 1. | B50000765, Uniform
and Locker
Laundry Service | G & K Uniform,
Service | \$500,000.00 |
|----|---|---------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|---|---|--------------|
| 2. | B50000896, Environ-
mental Lead Training
Outreach, and Policy
Initiative | Aerosol Monitor-
ing and Analy-
sis, Inc. | \$ 59,750.00 |
|----|---|---|--------------|

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

A PROTEST WAS RECEIVED FROM CONNOR.

President: "We have one protest on the agenda. I believe it is Page 75, Item No. 2. This is the Recommendations for Contract Awards and Rejections, Item No. 2, Environmental Lead Training Outreach, and Policy Initiative. A protest was received from Connor. Good Morning. I would ask that you would bring the microphone very close to your mouth. Before you address -- before you make your presentation, please identify yourself."

Mr. Jeff Newman, Connor: "Our protest is based on the belief that Lead Tech -- I am sorry -- Salut and Aerosol Monitoring, who was awarded the contract, did not meet the City's insurance

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases - B50000896 - cont'd

requirements. Both Lead Tech -- I am sorry -- Aerosol Monitoring was the firm that was awarded and in their submitted insurance information, specifically, the line itemizing that the Mayor and City Council of Baltimore would be listed as additional insured was crossed out on their errors and omission insurance. "

Solicitor: "Is that the only basis currently for your protest against Aerosol Monitoring?"

Mr. Newman: "Yes. That was the significant basis. The other outlined items were missed notarizations and signatures. So, it was insignificant."

Solicitor: "Has that been resolved to your satisfaction? You are not advancing those problems today?"

Mr. Newman: "The basis of the protest is the insurance."

Solicitor: "Okay. Thank you."

Mr. Cecil Moore, City Purchasing Agent: "Madam President, Will Glassmyer, representing the Bureau of Purchases will address the insurance issue."

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases - B50000896 - cont'd

Mr. Will Glassmyer, Procurement Specialist II: "I was the buyer on this solicitation. The insurance issue was the additional insured on the errors and omissions liability insurance. That was crossed off. On a separate sheet they made a copy of our document, put it on another one and crossed that out. The additional insured applies to the general liability and not to the errors and omissions liability. Otherwise, all of the other information on the insurance document was correct."

President: "By any chance did you have an opportunity to talk to -- I did not get your last name?"

Mr. Newman: "Newman."

President: "Did you talk to Mr. Glassmyer about this part of the protest prior to this?"

Mr. Newman: "No."

President: "Do you understand that part?"

Mr. Newman: "No, I don't. There is nowhere in the insurance requirements that it lists errors and omissions separately. The insurance requirements state that the Mayor and City Council of Baltimore have to be listed as additional insured and then there

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases - B50000896 - cont'd

are insurance requirements. There is no place in the bid documents that states that separately."

Mr. Glassmyer: "That is correct. There is nothing specific. It is just a general statement in the standard insurance form that we include in there, that additional insured needs to be applied. It does not state specifically on to what. But, this has been the general practice all along. The other thing I might mention is that we also include in that standard form that any deficiency -- there is a place -- a box to check that says that we will come into compliance on the insurance."

Mr. Newman: "Correct."

Mr. Glassmyer: "Therefore, it would allow any vendor to come into compliance upon award, prior to signing the contract on this."

Mr. Newman: "Correct."

Mr. Glassmyer: "And there was no issue there."

Mr. Newman: "That box is not checked on that form. The only box that is checked is that the above policy is now --"

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases - B50000896 - cont'd

Mr. Glassmyer: "But, all intents are here --"

President: "The question I have is, "even if the box that needed to be checked wasn't checked, is there an opportunity to become compliant with that particular section prior to the award -- before the work started?"

Mr. Glassmyer: "Yes."

President: "So, even if there was a mistake in this area, it is not deemed material?"

Mr. Glassmyer: "Right. The fact that you allow that opportunity -- there is a place in the box there -- then that opportunity exists."

President: "Any other questions, Mr. Newman?"

Mr. Newman: "Well, I guess in the event that we go forward, will the contract be voided if the insurance company is not compliant -- if the insurance company denies the request to add the Mayor and City Council? It was the insurance company that crossed out the line."

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases - B50000896 - cont'd

Mr. Moore: "If they did not meet the insurance requirements, the bid would be rejected."

Mr. Newman: "It would go back for rebid?"

Mr. Moore: "I am not suggesting it would go out for rebid. We would probably look at other vendors, the second lowest vendor. If the vendor did not comply, we would take the appropriate steps to still try to find a vendor to do this work by the most expeditious way we could. Whether that be awarding to the second vendor or whether that be going back out for competitive bid."

Solicitor: "But again, it is my understanding from Purchasing's point of view is that the bid is compliant on insurance because the City is known as the additional insured under general coverage."

Mr. Moore: "That is correct."

President: "Any other questions?" Is there a MOTION?"

Solicitor: "I MOVE to reject the protest and approve the recommendation made by Purchasing."

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases - B50000896 - cont'd

Director of Public Works: "Second."

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

Motion carries. The item is approved."

* * * * *

January 6, 2009

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

ENVIRONMENTAL SITE
ASSESSMENTS

**RE: Solicitation #B50000896
“Environmental Lead Training, Outreach and Policy Initiative”
Baltimore City Health Department, Healthy Homes Division
Bureau of Purchases’ Buyer: Will Glasmyer**

PROPERTY CONDITION
ASSESSMENTS

COST SEGREGATION
STUDIES

Ladies and Gentlemen:

LEAD PAINT SURVEYS

Pursuant to Section GC43 *Protests* in the above solicitation’s Request for Bids, MIRCON, Inc., doing business as CONNOR, wishes to formally protest consideration of an award to Aerosol Monitoring & Analysis, Inc. (Aerosol Monitoring), to Leadtec Services, Inc. (Leadtec) and/or to Soil and Land Use Technology, Inc. (SaLUT) for a contract for the “Environmental Lead Training, Outreach and Policy Initiative” on behalf of the Baltimore City Health Department, Healthy Homes Division.

ASBESTOS SURVEYS

EXPERT TESTIMONY

TRAINING

This protest is being filed on the grounds that Aerosol Monitoring, Leadtec and SaLUT all failed to submit responsive bids to the Board of Estimates. CONNOR has reviewed each bidder’s submission package and noted the following deficiencies:

MOLD AND MOISTURE
INFILTRATION ASSESSMENTS

Aerosol Monitoring

ENERGY AUDITS

- Page B-3: The bidder failed to include its corporate seal and the page is not notarized. (Please note that because CONNOR does not have a corporate seal, the undersigned inquired via e-mail on December 18, 2008 as to whether Pages B-3, B-6 and B-7 should instead be notarized. On December 18, 2008, the Bureau of Purchases’ Buyer, Mr. Will Glasmyer, responded via e-mail, stating, “That is correct. Please have those pages notarized and thank you for your interest in doing business with the City of Baltimore.”) Additionally, the bidder’s signatory did not date his signature.
- Page B-6: The bidder failed to include its corporate seal and the page is not notarized.

- Page B-7: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-9: The bidder has a separate Page B-9 for its Professional Errors & Omissions Liability insurance coverage and the line reading "1. The Mayor and City Council of Baltimore are hereby named as Additional Insured" has been crossed out.

Leadtec

- Page B-3: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-6: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-7: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-9: Although the bidder included an Accord Certificate of Insurance form, it did not include Page B-9 in its bid documents. Therefore, by default, the bidder failed to address the line reading "3. The insurance company is prohibited from pleading government function in the absence of any specific written authority by the City."
- Firm License to do business in Maryland: The bidder's Maryland Certificate of Good Standing is dated September 12, 2008, making it "stale" since it is more than 60 days old.
- References: The Bidder's list of seven training references does not indicate that at least one is a reference with experience at a contractor fixed-site training facility, at least one is a reference with experience with a contractor provided mobile-training facility, and at least one is a reference with experience with a diverse audience, including Spanish-speaking.

SaLUT

- Page B-3: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-6: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-7: The bidder failed to include its corporate seal and the page is not notarized.
- Page B-9: Although the bidder included an Accord Certificate of Insurance form, it did not include Page B-9 in its bid documents. Therefore, by default, the bidder failed to address the line reading "3. The insurance company is prohibited from pleading government function in the absence of any specific written authority by the City." Also, the Accord Certificate of Insurance form indicates that the bidder's Professional Errors & Omissions Liability insurance coverage expired on December 10, 2008.
- Maryland Department of the Environment (MDE) License to Conduct Lead Paint Abatement Training Courses: The bidder did not submit an MDE accreditation certificate to train the Lead Paint Abatement Worker initial and refresher training courses.
- Resumes of At Least Two Individuals Assigned to this Contract as Trainers: The bidder failed to include full resumes for its two proposed trainers. Also, the bidder failed to include MDE instructor accreditation certificates for its two proposed trainers.

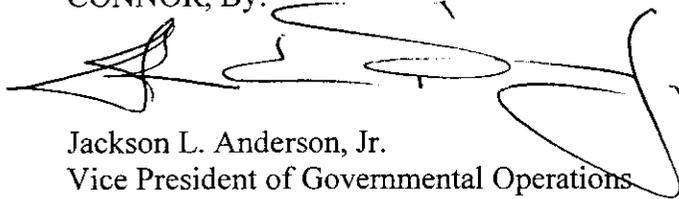
Based on the deficiencies cited above, CONNOR respectfully requests that Aerosol Monitoring, Leadtec and SaLUT all be excluded from consideration of this contract award.

CONNOR

Please contact the undersigned at (443) 322-1205 or janderson@connorsolutions.com if you have any questions or require further information.

Sincerely,

CONNOR, By:

A handwritten signature in black ink, appearing to read "Jackson L. Anderson, Jr.", written over a horizontal line.

Jackson L. Anderson, Jr.
Vice President of Governmental Operations

CC City Purchasing Agent – Cecil Moore

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- | | | | |
|----|--|---------------------------|--------------|
| 3. | B50000729, Police
Duty Belts
and Accessories | Atlantic Tactical
Inc. | \$117,951.00 |
|----|--|---------------------------|--------------|

RESCIND AWARD AND RE-AWARD:

On November 19, 2008 the Board made an award to the lowest bidder, Lawmen's & Shooters' Supply; however, before the creation of the purchase order it was discovered that the vendor was quoting a substitute product. The bid stated "only Safariland products, substitutions will not be accepted." Authority is requested to rescind that award and award the contract to Atlantic Tactical, Inc., the only bidder meeting this specification.

MWBOO GRANTED A WAIVER.

- | | | | |
|----|---|----------------------------------|--------------|
| 4. | B50000886, Roll-Off
Container Rehabilita-
tion & Repair | Chesapeake Con-
tainer Repair | \$ 69,770.00 |
|----|---|----------------------------------|--------------|

MWBOO SET GOALS OF 0% FOR MBE AND 0% FOR WBE.**A PROTEST WAS RECEIVED FROM MID-ATLANTIC WASTE SYSTEMS.**

- | | | |
|----|---|--|
| 5. | B50000805 Air
Filter Replace-
ment Services | <u>REJECTION:</u> Of the four bids received, two were found non-compliant by MWBOO and two were found non-responsive by the Law Department. This requirement will be rebid at a later date. |
|----|---|--|

WEB SITE:
www.mawaste.com
E-MAIL:
maws@mawaste.com

1175 119 D

Mid-Atlantic Waste Systems

A DIVISION OF THC ENTERPRISES, INC.
Quality Waste Handling Equipment

December 12, 2008

Notice of Bid Protest

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

Re: Bid # B50000886
Roll-Off Container Rehab & Repair

Dear Sir/Madam,

We are writing you this letter to protest the above referenced bid that was read on December 10, 2008. Our reason for protest is as follows:

According to Submission instructions SM2.B.4.a, there is a requirement to submit a product/service **One Year Guarantee/Warranty** upon submission the lowest bidder did not fulfill this requirement.

Page B-7, Insurance

The lowest price bidder did not fulfill either requirement completely. It specifically say the regardless of method used, the form must be complete, must show that all limits of insurance are or will be met, and **MUST be signed by the agent**. Failure to provide the required insurance coverage by either of the two methods described above when the bid is **submitted** may result in rejection of your bid as being non-responsive.

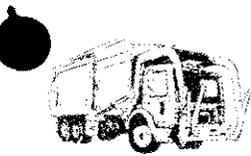
The low bid submitted in addition to not meeting the above stated has several mathematical errors in his calculations ultimately resulting in a lower final number than outlined in the itemized section.

In an effort to make the City of Baltimore aware and ensure this bid gets awarded to the correct vendor I would like to bring these issues to the City of Baltimore's attention prior to the award of the said bid.

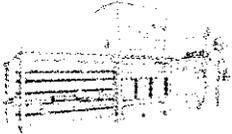
Respectfully,


Jim Lindstedt

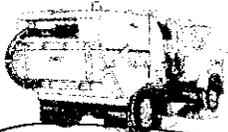
General Manager
Mid Atlantic Waste Systems
614 W. Patapsco Ave.
Baltimore, MD 21225



CORPORATE HEADQUARTERS
10641 CORDOVA ROAD
EASTON, MD 21601
PHONE 410-820-7188
FAX 410-820-9275



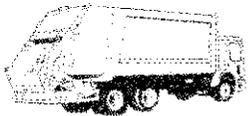
7700 OLD ALEXANDER FERRY ROAD
CLINTON, MD 20735
PHONE 301-856-6840
FAX 301-856-1292



614 WEST PATAPSCO AVENUE
BALTIMORE, MD 21225
PHONE 410-355-9420
410-355-9426



3600 KOPPENS WAY
CAVALIER INDUSTRIAL PARK
CHESAPEAKE, VA 23323
PHONE 757-485-4200
FAX 757-485-3900



2856 NICHOLAS AVENUE
STATESMAN INDUSTRIAL PARK
ROANOKE, VA 24012
PHONE 540-857-0561
FAX 540-857-0563



3011 WEST SECOND STREET
CHESTER, PA 19013
PHONE 610-497-2405
FAX 610-497-2407

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases - cont'd

6. B50000823 Automotive Hardware: Fasteners, Nuts and Bolts
- REJECTION:** An error in the solicitation caused uncertainty as to the proper method of award. It is therefore recommended that all bids be rejected. The solicitation will be revised and reissued at a later date.

7. B50000823, Automotive Batteries

DEFERRED

THE PROTEST OF D.D. & M, INC. WILL BE HEARD ON JANUARY 21, 2009.

Department of Transportation

8.	TR07023 Midtown Intersection Improvements	M. Luis Construction Co., Inc.	\$667,092.75	
MBE:	Bay City Construction Co., Inc.	\$ 65,000.00		9.74%
	Fallsway Construction Co., Inc.	<u>50,000.00</u>		7.50%
	Total MBE:	\$115,000.00		
WBE:	Rowen Concrete	\$ 12,000.00		1.80%
	Priceless Industries	4,795.00		0.72%
	Haines Industries, Inc.	15,000.00		2.25%
	McCall Trucking	<u>15,000.00</u>		2.25%
	Total WBE:	\$ 46,795.00		

MWBOO FOUND VENDOR IN COMPLIANCE.

P. 76 # 7 D
1/21/09

To the Honorable Board of Estimates

Attn: Clerk

Hello my name is Dustin Kenney and I represent D. D. & M. Inc.

Re: B50000822 Automotive Batteries

I am requesting a protest hearing regarding the above mentioned solicitation. We are able to irrefutably prove the lowest, responsive, responsible bid was submitted by D. D. & M Inc. and not The Best Battery Company.

We received notification of the award on 5 Jan 2009 at 2:39pm by Surya Sharma via email. This was the first and only notification received by our company. The notification did not name the lowest bidder specifically, but listed the three awarded vendors (see supporting evidence packet "email" item 1). We were advised on 5 Jan 2009 by the comptroller's office that further explanation of the award would be explained by the buyer. My company contacted Mr. Feldman (Buyer) in person 6 Jan 2009 at approx 2:00pm. Mr. Feldman told our representative that the award is first call, second call, and third call. I sent Mr. Feldman an email 6 Jan 2009 at 2:15pm asking where D. D. & M. Inc. ranked, and who determined the ranking. He responded 7 Jan 2009 at 1:11pm, and informed me that D. D. & M. Inc. would be "second call" and also stated, "lowest priced" was the primary factor. (see supporting evidence packet "email" item 2) Please note that our first notification was received on 5 January 2009, which was after the deadline to file a protest.

My company filed a previous protest for this solicitation on 1 Dec 2008. I attended the bid open and analyzed the bid results. I found that specification deviations had been made by The Best Battery Company. This bid clearly states on page B-5, "Attach a copy of literature and detailed specifications to demonstrate that the product being offered meets or exceeds the City's minimum requirements." I was informed by the comptroller's office that filing a protest was the procedure by which I make the city aware of vendor noncompliance regarding specifications. The comptroller's office also notified me that the buyer reviewed the bids, and concerns could be addressed directly to the buyer. The protest packet given to me in room 204 states, "All protests must be received no later than 12:00 noon on the Tuesday, preceding the Board of Estimates' meeting." D.D. & M. Inc. interpreted this to mean, the Tuesday after the bid open, and we submitted the protest immediately. I notified the buyer via email on 2 Dec 2008 at 10:38am, that we submitted a protest and asked if we could also forward our concerns directly to him. He responded via email 2 Dec 2008 at 11:37am and stated, "I'm not quite sure what you are protesting; being that no award has been made (or recommended)." I responded via email 2 Dec 2008 at 12:51 pm and apologized for any inconvenience I had caused (see supporting evidence packet "email" items 3, 4, for reference to the three prior statements). I received the 1st phone call from Mr. Feldman on 2 Dec 2008 at approx 1:00pm. Throughout our conversation, I felt that Mr. Feldman had indirectly implied that my protest would be an inconvenience. He spoke

about the protest and he assured me that the City will compare specifications fairly. Mr. Feldman also mentioned that D. D. & M. Inc's pricing should be in the award territory. I did not want to cause a problem for my potential new customer with my protest and felt they would uphold the specification compliance, so I told Mr. Feldman I would withdraw my protest. Throughout the bid packet, references are made that the City can reject any bid that is not from an approved vendor. I did not want to jeopardize my chance of award because I had made extra work with my protest. Please see Mr. Feldman's email dated 5 Dec 2008 2:53 pm stating, "... regarding the withdraw of your bid protest, please send a letter to the Comptroller's Office indicating your intention to do so." (reference supporting evidence "email" item 5). This was my first experience dealing with the City of Baltimore and I felt that the advice I was given was in the best interest of my company, so I withdrew my protest 8 Dec 2008.

D. D. & M. Inc. is the lowest, responsive, responsible bidder in this award. The Best Battery Company offered two products that do not "meet or exceed" the City's minimum requirements as stated on bid page B-5. The actual requirements are listed on bid page B-4 under the CCA column. The Best Battery Company stated their deviations in a letter submitted with their bid. The items that do not comply with the City's minimum requirements are part number 6560 & 31HC (see supporting evidence packet "Best Battery" item 1). It is not fair to other vendors, including D. D. & M Inc., for the City to allow The Best Battery Company to not comply with the City's minimum requirements. My company asked Mr. Feldman on 15 Nov 2008 at 9:28pm via email about submitting products that did not meet spec. Mr. Feldman replied in the email dated 19 Nov 2008 at 3:29pm and stated, "If a proposed alternative product does not meet the specifications sent in the solicitation, it will be rejected." (see supporting evidence "email" item 6) Mr. Feldman's statement clearly supports the statement on bid page B-5.

These mentioned under rated items cost much less than the items that meet or exceed the City's minimum requirements and as a result, under rated products effect the cumulative bid items total by thousands of dollars. D. D. & M Inc. sells the same under rated products that allowed The Best Battery Company to succeed with the lowest bid. In fact, These comparable under rated items are on the D. D. & M Inc.'s distributor price sheet submitted with this bid at a lower cost than The Best Battery Company offered, however D. D. & M Inc. complied with the City's and Buyer's minimum requirements and withheld items that did not comply with the bid worksheet's instructions! It is discriminatory to be penalized for not completing the bid sheets based on the specifications that would be "rejected" if they did not comply. Please see one item on bid page B-4 group 65 rated at 875 CCA, The current award allowed The Best Battery Company to substitute a 850CCA battery - This does not meet the City's Minimum Requirements. (see supporting evidence "Best Battery" page 2) If the City accepts this item with an 850 CCA rating as it did with The Best Battery bid, then the City must also accept D. D. & M Inc's 850 CCA group 65 located in our distributor price submitted with this bid on page "2" (see model 65 -850 cost at \$ 49.41 and reference supporting evidence "D. D. & M. Inc price sheet" item # 1). Again, this model was offered to the city in the price sheet submitted with this bid by D. D. & M Inc, but was withheld from the bid sheet due to specification incompliance.

Accepting this deviation lowers the D. D. & M. Inc's cumulative bid total by \$10,213.00, clearly making D. D. & M Inc. the lowest, responsive, and responsible bid.

The City Charter Article 6, section 11, sub section G (bid awards) states that awards will be made to the lowest, responsive, responsible bidder.

We ask the city to load our pricing into their system to reflect the same ratings as The Best Battery Co. This is the only way that D. D. & M Inc will have a fair chance to supply the City under this award. It is our understanding that purchase orders will be made based on lowest price and if specifications are unequal vendor pricing will be in favor of the lower rated products due to cheaper costs. If the City will not adjust 1st call to be based on the price of equally rated products then we ask that in **fairness of all, this contract be rebid.** Unless the City feels that the Bid clearly stated a specification requirement and rejects all items that did not meet the City's minimum requirements.

Please allow me the opportunity to express, explain and answer questions regarding my protest, and prove with out doubt – with irrefutable evidence my company's concerns!

I appreciate your consideration,

Dustin Kenney
Manager
D. D. & M. Inc
8538 Ocean Gateway
Easton MD 21601
410 820 7111 ph
410 820 7521 fax
dustin@pascoelectric.com

dustin

From: "Surya Sharma" <surya.sharma@baltimorecity.gov>
Sent: Monday, January 05, 2009 2:39 PM
Subject: Bid Awarded - Bid # B50000822, Automotive Batteries

Bid # B50000822 has been awarded.

The following vendor(s) have been awarded all or part of the bid:

BEST BATTERY CO INC

DD&M Inc

Harris Battery Company, Inc.

SUPPORTING EVIDENCE PACKET

E-MAIL

ITEM 1

Thank you for your participation.

1/8/2009

dustin

SUPPORTING EVIDENCE PACKET
E-MAIL
ITEM 2

From: "Feldman, Stuart" <Stuart.Feldman@baltimorecity.gov>
To: "dustin" <dustin@pascoelectric.com>
Sent: Wednesday, January 07, 2009 1:11 PM
Subject: RE: Bid # B50000822

Good Afternoon Dustin:

In response to your questions, please see below:

- 1) He understands that the bid will be awarded primary, secondary, tertiary; Is this correct? – Yes, this is correct. The battery contract was awarded on a first call, second call, and third call basis.
- 2) Where does d.d. & m inc place? – Second call.
- 3) Who determines where a company ranks? The bids are reviewed by both the Bureau of Purchases & the Fleet Management Division with awards being made to the lowest responsive and responsible bidder meeting specifications as set forth in the solicitation, with (lowest) price being a primary factor, unless there is an extenuating circumstance which would warrant an award to the next lowest bidder.

Please let me know if you have any questions.

Thank you for your interest in conducting business with the City of Baltimore.

Stuart A. Feldman, Procurement Specialist II
Fleet Buyer
City of Baltimore, Bureau of Purchases
(voice) 410-396-5642
(fax) 410-637-3833
Register and Bid at www.baltimorecitybuy.org

From: dustin [mailto:dustin@pascoelectric.com]
Sent: Tuesday, January 06, 2009 2:15 PM
To: Feldman, Stuart
Subject: Bid # B50000822

Hi Stuart,

I sent my sales man , "John" in today. Thank you for speaking to him!
He understands that the bid will be awarded primary, secondary, tertiary; Is this correct?
We have contacted the procurement dept, and they tell us to reference you.
Where does d.d. & m inc place?
Who determines where a company ranks?

Dustin Kenney
Pasco of Easton
8538 Ocean Gateway
Easton MD 21601
410 820 7111PH
410 820 7521FAX
dustin@pascoelectric.com

dustin

SUPPORTING EVIDENCE PACKET

E-MAIL

ITEM 3

From: "dustin" <dustin@pascoelectric.com>
To: "Feldman, Stuart" <Stuart.Feldman@baltimorecity.gov>
Sent: Tuesday, December 02, 2008 10:38 AM
Subject: Re: Bid # B50000822, Automotive Batteries

Hi Stuart,

I did submit a bid on the 26 nov 08 and attended the open. At that time I was unaware that the buyer looked over the bids. I asked the ladies at the comptrollers office who and how I made some one aware of other bidders specification in compliance. They gave me a protest sheet and a deadline of tuesday (today) at noon. I submitted a letter and supporting evidence (photo copies of the bids and price sheets submitted with the bids) that show where models were offered that did not meet the City's minimum requirements. Need some help, would it be easier on purchasing to email you the packet we prepared?

Dustin Kenney
8538 Ocean Gateway
Easton MD 21601
410 820 7111PH
410 820 7521FAX
dustin@pascoelectric.com

dustin

From: "dustin" <dustin@pascoelectric.com>
To: "Feldman, Stuart" <Stuart.Feldman@baltimorecity.gov>
Sent: Tuesday, December 02, 2008 12:51 PM
Attach: BOARD OF ESTIMATES.doc
Subject: Re: Bid # B50000822, Automotive Batteries

Stuart.

Thanks,

I know now that the protest is for the award, it was not explained that clearly to me by the comptroller's office last wendsday. sorry for any inconvenience, my misunderstanding has caused. The only reason I knew about "the other bids specifications" is because the comptroller's office made copies of the bids for anyone who was interested.

I will await the city's decision

Best Regards,
Dustin Kenney
Pasco of Easton
8538 Ocean Gateway
Easton MD 21601
410 820 7111PH
410 820 7521FAX
dustin@pascoelectric.com
by the way - if you were interested, i have attached a copy of my letter

SUPPORTING EVIDENCE PACKET
E-MAIL
ITEM 4

off — Original Message —

From: Feldman, Stuart
To: dustin
Cc: Hammerbacher, Kristie
Sent: Tuesday, December 02, 2008 11:37 AM
Subject: RE: Bid # B50000822, Automotive Batteries

Dustin:

The bids haven't been reviewed yet (I received them yesterday). Representatives from the City's Fleet Management Division and myself need to review all of the bids before we can make an award recommendation to the Board of Estimates. I'm not quite sure what you are protesting: being that no award has been made (or recommended). As far as determining whether a bidder's products meet the City's requirements (or not), this needs to be done by the City of Baltimore. As I'm sure you can understand, if the City allowed vendors to review bid submissions, impartiality and objectiveness could not be guaranteed.

You can forward your submission to the Comptroller's office to me via e-mail if you like.

Let me know if you have any questions.

Thank you for your interest in conducting business with the City of Baltimore.

Stuart A. Feldman, Procurement Specialist II
Fleet Buyer
City of Baltimore, Bureau of Purchases
(voice) 410-396-5642

1/7/2009

dustin

From: "Feldman, Stuart" <Stuart.Feldman@baltimorecity.gov>
To: "dustin" <dustin@pascoelectric.com>
Cc: "Moore, Cecil" <Cecil.Moore@baltimorecity.gov>
Sent: Friday, December 05, 2008 2:53 PM
Subject: B50000822-Automotive Batteries Withdraw of Protest

Dustin:

Per our conversation this afternoon regarding the withdraw of your bid protest, please send a letter to the Comptroller's Office indicating your intention to do so. Below, please find the address for the Comptroller's Office:

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

Please confirm receipt of this e-mail.

Thank you.

Stuart A. Feldman, Procurement Specialist II
Fleet Buyer
City of Baltimore, Bureau of Purchases
(voice) 410-396-5642
(fax) 410-637-3833
Register and Bid at www.baltimorecitibuy.org

SUPPORTING EVIDENCE PACKET
E-MAIL
ITEM 5

1/7/2009



November 25, 2008

City of Baltimore
100 N. Holiday Street
Baltimore, MD 21202

Bid Number: B50000822

SUPPORTING EVIDENCE PACKET
BEST BATTERY
ITEM 1

To Whom It May Concern:

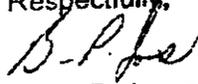
The Best Battery Co., Inc. has been in business in the City of Baltimore since 1953. We have won the City of Baltimore Battery bid on numerous occasions, including the last two contracts and have other County and State contracts. We have been distributing batteries for over 50 years. I feel this qualifies as demonstrating our experience in this field and any representative of the City is welcome to visit our facility at any time.

We operate a route truck delivery system and visit each shop on a daily basis. The 72 hour delivery requirement is no problem.

We accept returns of new batteries and we will warranty according to the bid requirements.

The model numbers listed meet or exceed the specifications stated. However, if the Exide brand 6560 is used, it has a rated CCA of 850. This is well in range of the normally accepted deviation of 5% by most municipalities. Also, if the Exide 31HC is used, it has a rated CCA of 950, which once again is within the normally accepted deviation. The Battery Council International Battery Replacement Data Book, the "bible" of the battery industry, lists the maximum CCA necessary for a Group 65 at 850 CCA and maximum CCA necessary for a Group 31 at 950 CCA.

Thank you for the opportunity to once again serve the City of Baltimore and I remain,

Respectfully,

Bryan P. Jones
Secretary/Controller

4015 Fleet Street • Baltimore, Maryland 21224
Local 410-342-8060 • Toll Free 1-800-638-2378 • Fax 410-327-1645

Quality Service

SUPPORTING EVIDENCE PACKET

E-MAIL ITEM 6

dustin@pascoelectric.com

----- Original Message -----

From: Feldman, Stuart
To: Dustin Kenney
Sent: Wednesday, November 19, 2008 3:29 PM
Subject: RE: Bid # B50000822, Automotive Batteries

Dustin:

If a proposed alternative product does not meet the specifications sent in the solicitation, it will be rejected. If a vendor falsely represents an inferior product as meeting or exceeding specifications & the product does not perform as advertised, the vendor will be required to correct the situation by providing replacement products which do in fact, meet the expectations set by the City of Baltimore and could be removed from the contract, as well as banned from bidding on future solicitations. Honesty is the best policy.

Let me know if you have any questions.

Thank you for your interest in conducting business with the City of Baltimore.

Stuart A. Feldman, Procurement Specialist II
Fleet Buyer
City of Baltimore, Bureau of Purchases
(voice) 410-396-5642
(fax) 410-637-3833
Register and Bid at www.baltimorecitibuy.org

From: Dustin Kenney [mailto:dustin@pascoelectric.com]
Sent: Saturday, November 15, 2008 9:28 PM
To: Feldman, Stuart
Subject: Bid # B50000822, Automotive Batteries

Stuart,

How are deviations handled?

Section B-5 states, "Attach a copy of literature and detailed specifications to demonstrate that the product being offered meets or exceeds the City's minimum requirements."

The key phrase is, "meets or exceeds" I take this to mean that if the offered batteries have ratings less than the ratings in section B-4 the bid will be rejected? If This is so, and now the solicitation has been changed to allow distributor prices sheets - which are open to manipulation - what keeps a bidder from over rating his or her batteries to comply with the city's, "minimum requirements." We see our competitors that private label their batteries over rate their product on a daily basis.

Please Advise
Dustin Kenney
Pasco of Easton
8538 Ocean Gateway
Easton MD 21801
410 820 7111 ph
410 820 7521 fax
dustin@pascoelectric.com

B50000822 - Automotive Batteries - Due: 1/17/2009

Bid Price Sheet

Bid submitted by (name of firm) BEST BATTERY Co., Inc.
 Address 4015 FLEET ST.
 City BALTIMORE State MD Zip Code 21224
 Contact Person BRYAN P. JONES Title CONTROLLER
 Fax 410-327-1645 Phone 410-342-9060

SUPPORTING EVIDENCE PACKET
 BEST BATTERY
 ITEM 2

To The Board of Estimates, City of Baltimore.

Gentlemen:

The undersigned agree(s) to provide all labor, materials, services, etc., necessary and incidental to the solicitation indicated at the top of this page, as described herein and at the pricing shown below.

Bidder/Proposer shall provide and deliver the following:

ITEM #1 Automotive Batteries, Maintenance Free-Type, in accordance with BCI Ratings & Specifications

BCI Group	CCA @ 0 Deg. F	Warranty	Model #	Qty.	Net Price-Ea.	Extended Price
24	440	30	2450	400	\$ 25.50	\$ 10,200.00
24F	440	30	24F50	250	\$ 23.34	\$ 5,935.00
26	475	30	2660	400	\$ 25.50	\$ 10,200.00
27	500	30	2760	175	\$ 30.79	\$ 5,388.25
58	500	30	3860	200	\$ 30.67	\$ 6,134.00
65	575	30	6560	700	\$ 49.97	\$ 34,979.00
70	540	30	7060	350	\$ 27.12	\$ 9,492.00
74	440	30	* OBSOLETE PART #	500	\$ N-A	\$ N-A *
75	630	30	7560	300	\$ 42.78	\$ 12,834.00
31	1000	30	31HC	1000	\$ 62.57	\$ 62,570.00
8D	1000	30	8D02	175	\$ 100.19	\$ 17,531.50
D734HC	850	30	D734HC	500	\$ 44.78	\$ 22,390.00

* THIS PART # IS NO LONGER PRODUCED BY THE MAJOR BATTERY MANUFACTURERS.

D.D.&M INC PRICE SHEET ITEM 1

Effective 4-Feb-08
REVISED
15-Jun-08

12-VOLT PASSENGER CAR / LIGHT

	25-525	525				37.50	50.00
26	526MF	540				44.70	59.61
	26-525	525				25.00	33.50
	426MF	450				38.48	51.30
	26-450	450				31.63	42.17
26R	526RMF	540	80		665	44.70	59.61
	26R-525	525	80		630	33.41	44.55
	426RMF	450	60		560	38.48	51.30
	26R-450	450	75		525	31.63	42.17
27	727MF	850	140		1020	76.80	102.40
	27-700	700	120		850	32.44	43.25
	627MF	675	120		820	65.55	87.39
27F	727FMF	850	140		1020	76.80	102.40
	27F-700	700	120		850	42.44	56.59
	627FMF	675	120		820	65.55	87.39
34/24	734MF	800	115		960	61.81	82.41
	34-770	770	120		950	44.27	59.02
	634MF	690	110		820	55.48	73.97
	34-630	630	100		750	40.08	53.44
	534MF	550	90		690	47.12	62.82
34R	734RMF	800	115		960	61.81	82.41
	34R-770	770	120		950	56.84	75.52
	634RMF	690	110		820	55.48	73.97
35	535MF	550	90		675	47.79	63.72
	35-525	525	85		630	39.65	52.86
36R	636RMF	650	130		800	69.72	92.96
45	545MF	485	67		600	48.34	61.79
50	650MF	600	108		750	91.86	122.49
51	551MF	475	70		590	47.09	62.79
	51-450	450	70		530	39.08	52.10
51R	551RMF	475	70		590	47.09	62.79
	51R-450	450	70		530	39.08	52.11
55	755MF	585	95		725	60.28	80.37
	555MF	500	75		600	52.93	70.58
58	658MF	580	85		725	49.32	65.76
	58-540	540	80		675	28.03	37.37
	458MF	460	70		550	42.29	56.39
	58-460	460	70		540	33.18	44.24
58R	658RMF	580	85		725	49.32	65.76
	58R-580	580	80		700	39.23	52.31
62	562MF	480	80		590	53.01	70.68
64	664MF	630	115		785	66.93	89.24
	64-575	575	110		725	48.92	65.22
65	665MF	850	150		1040	64.00	85.33
	65-850	850	160		1000	49.41	65.88
	565MF	650	130		865	57.32	76.42
	65-650	650	130		780	47.93	63.90



MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation

9. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$767,156.67	9950-528-630	
MVR	Const.Res. Midtown	
	Intersection Imp.	
\$667,092.76	-----	9950-527-630-6
		Struc. & Improv.
66,709.28	-----	9950-527-630-5
		Inspections
<u>33,354.63</u>	-----	9950-527-630-2
<u>\$767,156.67</u>		Contingencies
		Midtown Inter. Improv.

This transfer will cover the costs associated with the award of Contract No. TR 07023 to M. Luis Construction Co., Inc.

10. TR 09010, Resurfacing
Highways at Various
Locations Citywide Emergency
JOC

REJECTION: Four bids were received ranging from \$1,967,342.45 to \$3,315,763.49. The first apparent low bidder was found non-compliant by MWBOO. The second apparent low bidder's bid price well exceeded the Department's expected budget. The Department believes it to be in the best interest of the City to re-advertise this project.

MINUTES**PROPOSALS AND SPECIFICATIONS**

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

Department of Transportation - TR 09018, Citywide Curb Repairs
BIDS TO BE RECV'D: 2/25/2009
BIDS TO BE OPENED: 2/25/2009

Department of Transportation - TR 09019, Citywide Slab Repairs
BIDS TO BE RECV'D: 2/25/2009
BIDS TO BE OPENED: 2/25/2009

Bureau of General Services - PB 07832R, City Hall Masonry Restoration
BIDS TO BE RECV'D: 3/18/2009
BIDS TO BE OPENED: 3/18/2009

Bureau of Water and Waste Water - WC 1160, Montebello Plant to Finished Water Reservoir Cover
BIDS TO BE RECV'D: 4/08/2009
BIDS TO BE OPENED: 4/08/2009

President: "As there is no more business before the Board, the meeting will recess until the bid opening at twelve o'clock noon."

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 addenda extending the dates for receipt and opening of bids on the following contracts. There were no objections.

NO ADDENDA WERE RECEIVED.

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 General Services - PR 08826, Structural Garage Slab
Repairs to Police Department HQ.

Allied Contractors, Inc.
John W. Brawner Contracting
Co., Inc.
Simpson of Maryland, Inc.
Mirabile Construction Co., Inc.

Bureau of General Services - RP 08030, Arnold Sumpter Park
Improvements

Allied Contractors, Inc.
P. Flanigan & Sons, Inc.
Facchina Construction
LAI Construction Services, Inc.
Mirabile Construction Co., Inc.
The Whiting-Turner Contracting Co.

Bureau of Transportation - TR 07030, Terrace Road Widening
at Smith Avenue

Monumental Paving & Excavating, Inc.
R&F Construction, LTD
Allied Contractors, Inc.
Machado Construction
John W. Brawner Contracting
Co., Inc.
P. Flanigan & Sons, Inc.
MRC Construction Corp.

MINUTES

Bureau of Purchases - B50000887, Towing and Road Service for Heavy Equipment and Trucks

The Auto Barn, Inc.
Ted's Towing
Sullivan's Garage

Bureau of Purchases - B50000912, Street Light System Maintenance

LAI Construction
Severn Cable, LLC
Lighting Maintenance, Inc.

Bureau of Purchases - B50000930, Furnish and Deliver Black Fill Mix

P. Flanigan & Sons, Inc.

Bureau of Purchases - B50000931, ICS-2000 ION Chromatography System Installation and Supplies

Dionex Corporation
Amerisochi, Inc.

Bureau of Purchases - B50000938, Provide Inspection, Services and Repairs for Fire Extinguishers for COB

Fire Safety Co.
Fireline Corporation

MINUTES

* * * * *

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, January 28, 2009.



JOAN M. PRATT
Secretary