

MINUTES

REGULAR MEETING

Stephanie Rawlings-Blake, President
 Sheila Dixon, Mayor
 Joan M. Pratt, Comptroller and Secretary
 George A. Nilson, City Solicitor
 David E. Scott, Director of Public Works
 Donald Huskey, Deputy City Solicitor
 Ben Meli, Deputy Director of Public Works
 Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

Department of Real Estate - Contracts of Sale, SCOPE Project

The Board is requested to approve and authorize execution of the contracts of sale for various properties.

<u>Purchaser/s</u>	<u>Properties</u>	<u>Sale Price</u>
1. Edward Bartlett	1406 Madison Ave.	\$30,000.00
2. Edward Bartlett	1408 Madison Ave.	\$15,000.00
3. Edward Bartlett	1027 N. Caroline St.	\$ 5,000.00

Rescission and Approval

4. Martin Lucero and Paula Butron	1322 McCulloh St.	\$ 5,000.00
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On November 26, 2008, the Board approved a contract of sale with Mr. Martin Lucero for the purchase of 1322 McCulloh St. in the amount of \$5,000.00, under the SCOPE Project. Mr. Lucero would like to add Ms. Paula Butron as an additional purchaser on the contract of sale for this property. Therefore, the Board is requested to rescind its prior approval and approve the contract of sale with Mr. Lucero and Ms. Butron.

The purchaser(s) agree to complete the renovation of the properties and obtain a Certificate of Occupancy no later than 18 months from the date of settlement.

MINUTES

Department of Real Estate - cont'd

On May 28, 2003, the Board approved an agreement with the Baltimore Economy and Efficiency Foundation, Inc. and the Greater Baltimore Board of Realtors, Inc. to allow the sale of City-owned properties under the SCOPE Project, which is an acronym for Selling City Owned Properties Efficiently. Under this project,

real estate brokers are responsible for marketing the properties and providing the City with sale contracts. Upon closing, they will be paid 8% of the sale proceeds, with a \$2,500.00 minimum fee.

(FILE NO. 56663)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the contracts of sale for the aforementioned properties.

MINUTES

BOARDS AND COMMISSIONS1. 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:

Bob Andrews Construction, Inc.	\$	675,000.00
Bosley Construction, Inc.	\$	1,500,000.00
Covington Machine & Welding, Inc.	\$	8,000,000.00
Dutchland, Inc.	\$	8,000,000.00
F&F Landscaping	\$	8,000,000.00
Galway Bay Corporation	\$	46,557,000.00
Kiewit Southern Company	\$	917,760,000.00
The Michael Group, Inc.	\$	1,500,000.00
Napoli-Cover, Inc.	\$	1,500,000.00
TFC Construction, LLC	\$	3,663,000.00
Utilities Unlimited, Inc.	\$	5,130,000.00
Wohlsen Construction Company	\$	137,000,000.00
WTM Ent, LLC	\$	8,000,000.00

MINUTES

BOARDS AND COMMISSIONS2. 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:

Dewberry	Architect Landscape Architect Engineer Land Survey Property Line Survey Survey
KTA-Tator, Inc.	Engineer
Mimar Architects, Inc.	Architect
PB Americas, Inc.	Architect Landscape Architect Property Line Survey Engineer Land Survey
Stephens, George William, Jr. & Associates, Inc.	Engineer Land Survey Property Line Survey

UPON MOTION duly made and seconded, the Board approved the prequalification of contractors, architects, and engineers, as listed.

MINUTES

Department of Planning - Report on Previously
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 79** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on December 24, 2008, January 14, 21, 28, 2009 and February 04, 2009.

The Board **NOTED** receipt of the 79 favorable reports.

MINUTES**TRANSFERS OF FUNDS**

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UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

538 - 539

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>			
1.	\$ 743.48	9911-600-859	9910-601-573
	M&CC	Constr. Res.	Fayette/Lombard
		BDC Econ. Dev.	Street Corridor

This transfer will provide funds for the quarterly water meter charge for 1107-1131 East Fayette Street for December 2008 by the Department of Public Works.

2.	\$ 325.00	9910-600-982	9910-601-879
	M&CC	Constr. Res.	Comml. Revit.

This transfer will provide funds for the abandonment of the water meter at the property known as 425-427 Oldtown Mall.

3.	\$ 30,000.00	9911-600-859	9910-601-852
	M&CC	Constr. Res.	Econ. Dev.
		BDC Econ. Dev.	Incent.

This transfer will provide funds to reimburse Baltimore Development Corporation for marketing materials to promote the growth and economic development of the Baltimore Region.

4.	\$ 45,150.00	9911-600-859	9910-601-852
	M&CC	Constr. Res.	Econ. Dev.
		BDC Econ. Dev.	Incent.

This transfer will provide funds to reimburse Baltimore Development Corporation for partnerships and sponsorships of various events for Baltimore Promotion - Fiscal Year 2009.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>		
5. \$ 15,130.25	9910-600-354	9910-601-354
20th EDF	Constr. Res.	20 th EDF
	W. Balto. Ind.	W. Balto. Ind. &
	Coml. Dev.	Coml. Dev.
39,557.75	9910-600-354	9910-601-354
21st EDF	Constr. Res.	21st EDF
	W. Balto. Ind.	W. Balto. Ind. &
	Coml. Dev.	Coml. Dev.
<u>\$ 54,688.00</u>		

This transfer will provide funds to reimburse Baltimore Development Corporation for expenses and payments related to Baltimore Development Corporation's contract with the Otis Warren/Savatos Real Estate Resources for the Seton Business Park land sales commission for the New Psalmist Baptist Church.

(FILE NO. 55993A)

Department of Transportation

6. \$ 96,114.05	9950-509-550	9950-508-550-3
MVR	Constr. Res.	Design Services
	Neighborhood	Neighborhood
	Reconstruction	Reconstruction

This transfer will provide funds to clear the existing deficit and fund the costs associated with assignment of one consultant technical staff member to assist the Department's Engineering and Construction Division in in-house design for various highway projects.

MINUTES

Department of Transportation - Exhibit C for Agreement with Veolia Transportation Services

ACTION REQUESTED OF B/E:

The Board is requested to note receipt of the revised version of Exhibit C to the agreement with Veolia Transportation Services for B50000482, Baltimore City Shuttle Transit Services.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

As requested by the Board of Estimates following their approval of the agreement approved on February 11, 2009, Exhibit C is submitted for the Board's information and review.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 57006)

The Board **NOTED** receipt of the revised version of Exhibit C to the agreement with Veolia Transportation Services for B50000482, Baltimore City Shuttle Transit Services.

**Veolia Transportation
Best and Final Offer
Operating Expenses**

Expense	Year 1	Year 2	Year 3	Year 4	Year 5
<u>Operations</u>					
Driver Wages & Benefits	\$1,490,671	\$1,565,319	\$1,637,111	\$1,754,301	\$1,822,819
Dispatch/Supervision Wages & Benefits	\$398,892	\$408,026	\$417,455	\$427,196	\$437,313
MBE Subcontracted	\$685,536	\$712,845	\$726,847	\$748,103	\$769,840
Fuel	\$10,470	\$11,731	\$14,688	\$19,560	\$25,803
Uniforms	\$14,948	\$15,185	\$15,948	\$16,384	\$17,190
Radio/Cell Phone Expense	\$62,750	\$64,477	\$66,241	\$68,049	\$69,894
Drug Testing/Physicals	\$6,160	\$5,108	\$5,358	\$5,485	\$5,741
DriveCam Review	\$7,560	\$7,693	\$7,828	\$7,964	\$8,101
TOTAL	\$2,676,988	\$2,790,384	\$2,891,476	\$3,047,041	\$3,156,701
<u>Vehicle Maintenance</u>					
Maintenance Wages & Parts	\$346,618	\$354,989	\$363,867	\$373,102	\$382,745
Battery Pack Replacements	\$138,519	\$149,334	\$168,413	\$181,860	\$203,198
Tires	\$0	\$0	\$0	\$0	\$0
Supplies	\$9,230	\$28,533	\$32,950	\$34,241	\$35,580
Contracted Bus Washing	\$18,480	\$19,029	\$19,774	\$20,533	\$21,346
	\$46,420	\$48,264	\$50,176	\$51,641	\$53,660
TOTAL	\$559,268	\$600,149	\$635,179	\$661,377	\$696,529
<u>Insurance</u>					
Vehicle Liability	\$107,200	\$110,150	\$113,167	\$116,244	\$119,406
Performance Bond Expense	\$60,000	\$61,651	\$63,342	\$62,564	\$61,791
Workers Compensation	\$90,847	\$94,015	\$96,352	\$100,867	\$103,349
TOTAL	\$258,047	\$265,816	\$272,861	\$279,674	\$284,547
<u>General & Administrative</u>					
Staff Wages & Benefits	\$220,721	\$225,888	\$231,228	\$236,749	\$242,488
Supplies	\$12,600	\$12,943	\$13,283	\$13,650	\$14,005
Services	\$3,000	\$3,083	\$3,162	\$3,249	\$3,332
Travel	\$6,000	\$6,165	\$6,334	\$6,507	\$6,684
Janitorial	\$12,000	\$12,330	\$12,668	\$13,014	\$13,367
Trash Removal	\$12,000	\$12,330	\$12,668	\$13,014	\$13,367
Utilities	\$60,000	\$61,651	\$63,342	\$65,070	\$66,837
Telephone	\$18,000	\$18,495	\$19,003	\$19,521	\$20,051
IT/Internet Expense	\$67,200	\$69,051	\$70,945	\$72,878	\$74,854
Marketing/Branding	\$260,000	\$267,155	\$274,471	\$281,941	\$289,600
Recruitment	\$5,400	\$5,553	\$5,700	\$5,851	\$6,008
Professional Fees	\$6,000	\$6,165	\$6,334	\$6,507	\$6,684
TOTAL	\$682,921	\$700,810	\$719,140	\$737,951	\$757,279
<u>Fixed/Facility</u>					
Facility Lease	\$257,760	\$264,853	\$272,099	\$279,502	\$287,096
Building & Grounds	\$18,000	\$18,495	\$19,003	\$19,521	\$20,051
Bus Lease	\$0	\$0	\$0	\$0	\$0
Equipment/Furnishings					
Depreciation	\$157,900	\$156,005	\$154,110	\$152,216	\$150,350
Licensing/Taxes	\$20,810	\$20,600	\$20,389	\$20,186	\$19,985
TOTAL	\$454,470	\$459,954	\$465,601	\$471,425	\$477,482
<u>Profit</u>	\$312,170	\$324,845	\$335,754	\$350,038	\$361,293
<u>Corporate Overhead</u>	\$260,207	\$270,491	\$279,622	\$291,253	\$301,068
TOTAL EXPENSES	\$5,204,071	\$5,412,448	\$5,599,632	\$5,838,760	\$6,034,900
Revenue Hours	83,429	83,429	83,429	83,429	83,429
Operating Rate per Hour	\$62.38	\$64.87	\$67.12	\$69.98	\$72.34

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>		
1. Glenda Weber	MAEOE Annual Conference Ocean City, MD February 27 - March 1, 2009 (Reg. Fee \$215.00)	\$674.20
2. Donald Salamone	AAABA Annual Meeting Kissimmee, FL February 25 - March 1, 2009	\$847.00

TRAVEL REIMBURSEMENTBaltimore City Health Department

3. Kompan Y. Ngamsnga \$933.00

On December 3, 2008 Mr. Ngamsnga traveled to Raleigh, NC to attend the 7th Annual International Society for Disease Surveillance Conference. Mr. Ngamsnga attended the conference for the period of December 3 - 5, 2008. The subsistence rate for this location is \$142.00 per day. The request is being processed at this time because Mr. Ngamsnga was not informed of the conference until one week before the trip. The Department is requesting reimbursement for the following expenses:

Airfare	\$129.00
Parking	95.00
Hotel	218.34
Food	65.66
Registration	425.00

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

MINUTES

Department of Recreation and Parks - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Communications Health Network, Inc. (CHN). The period of the agreement is March 7, 2009 through March 6, 2010.

AMOUNT OF MONEY AND SOURCE:

\$17,024.00 - G296-482-623-00-326

BACKGROUND/EXPLANATION:

The Department's Senior Citizen Division will utilize the CHN, a certified M/WBE, to provide specialized activities for seniors. The CHN will offer theatre training, oral history classes, health and well being programs, Tai Chi and various other movement disciplines, as well as literary and visual arts.

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 Communications Health Network, Inc.

MINUTES

Department of Recreation and Parks - Declaration of Covenant
for Open Space

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a declaration of covenant for open space for 201 Reebird Avenue, 3100 Hanover Street and 240 Laurens Street. The declaration of covenant for open space will remain in effect until a release is approved by the State of Maryland.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 9, 2005, the Board approved a Consent and Release agreement between the City and the State of Maryland Departments of Natural Resources, Department of Budget and Management, and Planning for the release of Open Space restrictions on Properties located at 101 West Cromwell Street and 3500 East Monument Street.

In order to satisfy the provisions of State Law (Open Space), which mandates that "released properties" must be replaced, the City is required to execute this declaration of covenant for open space for the replacement property.

(FILE NO. 56172)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the declaration of covenant for open space for 201 Reebird Avenue, 3100 Hanover Street and 240 Laurens Street.

MINUTES

Department of Recreation and Parks - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Mr. Willard Hackerman. The period of the agreement is effective upon approval by the Board.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

Mr. Willard Hackerman, a private donor, has commissioned a sculptor, Mr. Rodney Carroll, to create a bronze likeness of former Governor and Mayor William Donald Schaefer to be placed on City-owned property at the Inner Harbor. Through the execution of this agreement, the terms and conditions of the donation will be set forth, and the right of entry for installation of the sculpture will be granted. The agreement will terminate if the City does not receive notice of delivery of the statue by October 1, 2010. The donor will also provide funds to cover conservation and/or restoration and maintenance by a professional conservator following installation, in the event of structural failure.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Mr. Willard Hackerman.

MINUTES

Baltimore City Fire Department (BCFD) - Retroactive Salary
Payment

ACTION REQUESTED OF B/E:

The Board is requested to approve the retroactive salary payment to Mr. Everett T. Lewis.

AMOUNT OF MONEY AND SOURCE:

\$ 7,587.67 - 1001-212-001-00-161

BACKGROUND/EXPLANATION:

Mr. Everett T. Lewis transferred to the Baltimore City Fire Department and did not receive his 18-month salary increase (Step 2), and therefore is due the difference in salary. The payment is for payroll periods ending July 10, 2007 through December 09, 2008.

APPROVED FOR FUNDS BY FINANCE.

UPON MOTION duly made and seconded, the Board approved the retroactive salary payment to Mr. Everett T. Lewis.

MINUTES

Baltimore City Fire Department (BCFD) - Donation Acceptance

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a donation from Roland Park Civic Association.

AMOUNT OF MONEY AND SOURCE:

\$14,063.03

BACKGROUND/EXPLANATION:

The funds are from the Roland Park Civic League, the Roland Park Community Foundation, and a fundraiser at the firehouse in December, 2008. The funds will be used to purchase 48 new steel, open mesh Patriot Red lockers including delivery and installation for Station 44 located at 2 Upland Road. The BCFD is responsible for removing the existing lockers.

UPON MOTION duly made and seconded, the Board approved acceptance of the donation from Roland Park Civic Association.

MINUTES

Baltimore Police Department(BPD) - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the acceptance of a grant award from the Washington Village/Pigtown Neighborhood Planning Council (WPNPC). The period of the grant award is effective upon Board approval through September 30, 2009.

AMOUNT OF MONEY AND SOURCE:

\$ 37,500.00 - 4544-201-901-00-165

BACKGROUND/EXPLANATION:

The WPNPC is granting \$37,500.00 of its Weed and Seed program grant funds to the Baltimore Police Department to reimburse the BPD for police overtime in the community. The BPD officers will assist the WPNPC to accomplish its Weed and Seed initiatives.

This grant acceptance request is late because the grant award was recently received by the BPD.

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

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the grant award from the Washington Village/Pigtown Neighborhood Planning Council.

MINUTES

Baltimore Police Department - Amendment No. 3 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 3 to the agreement with the Maryland Emergency Management Agency (MEMA) for the FY 2006 Urban Area Security Initiative Program.

AMOUNT OF MONEY AND SOURCE:

No additional funds are requested.

BACKGROUND/EXPLANATION:

On March 7, 2007, the Board approved the agreement with MEMA for a \$3,034,430.00 award for the period of September 1, 2006 through March 31, 2008 for the FY06 Urban Area Security Initiative Program.

On January 29, 2009, MEMA issued amendment no. 3 changing the September 30, 2008 end date of the agreement to June 30, 2009 to allow expenditure of the remaining funds for the CMARC project in the amount of \$400,921.00.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 3 to the agreement with the Maryland Emergency Management Agency for the FY 2006 Urban Area Security Initiative Program.

MINUTES

Health Department - Memoranda of Understanding, Agreements
and an Amendment to Agreement

The Board is requested to approve and authorize execution of the various memoranda of understanding, agreements and an amendment to agreement. The period of the memoranda of understanding is October 1, 2008 through June 30, 2010, unless otherwise indicated.

Memoranda of Understanding

1.	TOTAL HEALTH CARE, INC.	\$ 0.00
2.	THE PEOPLE'S COMMUNITY HEALTH CENTER, INC.	\$ 0.00
3.	FAMILY HEALTH CENTERS OF BALTIMORE, INC.	\$ 0.00
4.	WOMEN ACCEPTING RESPONSIBILITY, INC.	\$ 0.00
5.	HEALTH CARE FOR THE HOMELESS, INC.	\$ 0.00
6.	SISTERS TOGETHER AND REACHING, INC.	\$ 0.00

These organizations through the collaboration with the Bureau of Disease Control Laboratory will provide medical laboratory testing for individuals suspected of having infectious diseases or individuals having contact with others with infectious diseases such as Chlamydia, Syphilis, HIV and/or Gonorrhea.

7.	THE JOHNS HOPKINS UNIVERSITY (JHU)	\$ 0.00
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The Johns Hopkins University Minority AIDS Initiative program will provide primary care and case management services to HIV positive clients referred to the JHU by the Department. The period of the agreement is January 1, 2008 through December 31, 2008.

The memorandum of understanding is late because it was requested on July 26, 2007 and mailed to the provider on August 20, 2007. It was returned on December 9, 2008.

MINUTES

Health Dept. - cont'd

Agreements

8. **THE JOHNS HOPKINS UNIVERSITY** **\$ 25,483.00**

Account: 4245-304-901-22-351

The organization will provide oral health and dental services for the Oral Health Pediatric and Adolescent Program for the Ryan White Part B Program. The services will include dental examinations, x-ray examinations, written treatment plans oriented toward maintaining health and function and individualized oral health instructions.

MWBOO GRANTED A WAIVER.

9. **THE JOHNS HOPKINS UNIVERSITY** **\$111,183.00**

Account: 4245-304-901-12-351

The organization will provide HIV primary and subspecialty care to individuals with HIV illnesses, train providers of HIV care, and conduct research to advance the treatment and prevention of HIV infection. Clinical programs are developed to provide easy and ready access to services to the target population, while offering the totality of services under the main umbrella of The Johns Hopkins University AIDS Services.

The agreement is late because the State AIDS Administration programmatically manages Ryan White Part B services. The Department is responsible for processing contracts after receipt of an approved budget and scope of services and making payments to the provider after the State selects the provider through the Request for Proposal process.

MWBOO GRANTED A WAIVER.

The period of the agreement is July 1, 2008 through June 30, 2009.

MINUTES

Health Dept. - cont'd

Amendment to Amendment

10. **AIDS ACTION BALTIMORE, INC.** **\$35,000.00**

Account: 4187-303-906-20-351

On September 10, 2008, the Board approved the initial agreement in the amount of \$24,565.00 for the period of July 1, 2008 through June 30, 2009. Under this amendment, AIDS Action Baltimore, Inc. will provide additional services for HIV prevention services to sexual minorities with the implementation of activities associated with the transition of Health Education Resources Organization, Inc. (HERO) services to other AIDS service organizations. The amendment will increase the amendment by \$35,000.00 and make the total award amount \$59,565.00.

All other terms and conditions of the agreement remain unchanged.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NOS. 1 - 7) AND HAD NO OBJECTION.

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

MINUTES

Health Department - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award from the Centers for Disease Control and Prevention for Tuberculosis Elimination and Laboratory Services. The period of the grant is January 1, 2009 through December 31, 2009.

AMOUNT OF MONEY AND SOURCE:

\$519,828.00 - D/4221-303-903

BACKGROUND/EXPLANATION:

The Department's Tuberculosis (TB) Control Program will use the federal funds to support the City's TB Control efforts to provide medical care and treatment for active and latent TB patients, and to conduct contact investigations. Funds are used for staff, radiology services, and clinician salaries.

The grant award is late because the Department was notified of this award on December 5, 2008.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the grant award from the Centers for Disease Control and Prevention for Tuberculosis Elimination and Laboratory Services.

MINUTES

Baltimore Development - Amended and Restated Lease
Corporation (BDC) and Management Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amended and restated lease and management agreement with the Pride of Baltimore, Inc., and Snow Advertising, Inc. a/k/a Ben & Jerry's Ice Cream (Ben & Jerry's) for a City-owned kiosk located in the Inner Harbor.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Pride of Baltimore, Inc. (Pride) operated the Pride of Baltimore II, a sailing vessel owned by the State of Maryland. The Pride of Baltimore sails to ports around the world as a goodwill ambassador for the City as well as the State of Maryland.

The Pride operated a kiosk located on the west shore of the City's Inner Harbor prior to 2004. The kiosk was used for fundraising purposes, but the Pride did not have the proper permission from the City's Department of Recreation and Parks. The kiosk was demolished during construction of the West Shore Park and reconstructed as part of the project.

The Pride leases the newly constructed City-owned kiosk, containing approximately 200 square feet of space, located on the west shore of the Inner Harbor through a settlement agreement dated April 26, 2006. The kiosk has been in operation since July 2007. The Pride subleases the Kiosk to Ben & Jerry's and receives approximately 10% of Ben & Jerry's gross profits, which is part of the Pride's yearly fundraising efforts.

MINUTES

BDC - cont'd

The Pride and Ben & Jerry's both assert that the revenues from the kiosk are not sufficient to pay the current rent to the City, contribute to the Pride's fundraising efforts, and maintain a profitable business. The Pride also asserts that because the City was unable to deliver the kiosk on April 01, 2007, per the settlement agreement, Ben & Jerry's did not fully begin operations until August 01, 2007, resulting in a significant reduction in profits for the first year.

The City filed suit against the Pride in December 2008 because of the late rent. Since the filing of the suit, BDC has negotiated a settlement satisfactory to all parties. Therefore, BDC requests that the Board approve the agreement which memorializes the terms of the settlement.

Under the terms of the settlement, the Pride will pay the City \$6,000.00 in restitution for unpaid rent. The existing lease will be revised for an initial term of one year, and year-to-year thereafter. The rent will be \$18,000.00 per year, with a 3% yearly increase, plus 15% of the gross profits above \$120,000.00. Upon approval of this agreement by the Board, the City will dismiss the existing lawsuit.

(FILE NO. 57015)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amended and restated lease and management agreement with the Pride of Baltimore, Inc., and Snow Advertising, Inc. a/k/a Ben & Jerry's Ice Cream (Ben & Jerry's) for a City-owned kiosk located in the Inner Harbor.

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

- | | | |
|--------------------------------------------------------------------------------------------|-------------|-------------|
| 1. HACH | \$ 9,913.92 | Sole Source |
| Solicitation No. 08000 - Fluoride Analyzer - Department of Public Works - Req. No. R516959 | | |

The vendor is the sole source provider of this item, which must be compatible with the existing installed equipment.

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|-----------------------------------------------------------------------------------------------------------|-------------|-------------|
| 2. SHAFER, TROXWELL & HOWE | \$17,544.00 | Sole Source |
| Solicitation No. 08000 - Suction Plate Wear Ring Assembly - Department of Public Works - Req. No. R517684 | | |

The vendor is the sole source provider of this item, which must be compatible with the existing installed equipment.

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| 3. ASHBROOK SIMON-HARTLEY OPERATIONS L.P. | \$11,416.00 | Sole Source |
| Solicitation No. 08000 - Aquabelt Belt System - Department of Public Works - Req. No. R518117 | | |

The vendor is the sole source provider of this item, which must be compatible with the existing installed equipment.

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| 4. ABSOLUTE SUPPLY AND SERVICES, LLC | \$ 5,565.00 | Low Bid |
| Solicitation No. 07000 - Armstrong Valve - Department of Public Works - Req. No. R516544 | | |

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|--------------------------------------------------------------------------------------------|-------------|---------|
| 5. XEROX CORPORATION | \$ 7,070.00 | Low Bid |
| Solicitation No. MD BPO #001B7900157 - Fax Machines - Health Department - Req. No. R514166 | | |

- | | | |
|--------------------------------------------------------------------------------------|-------------|---------|
| 6. GLOBAL MESSENGER CORPORATION | \$11,257.00 | Low Bid |
| Solicitation No. B50000908 - Courier Services - Health Department - Req. No. R506529 | | |

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

- | | | |
|-----------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|
| 7. <u>PARKSON CORPORATION</u> | <u>\$ 7,128.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Power Pack - Department of Public Works - Req. No. R516543 | | |
| 8. <u>JANI-KING OF BALTIMORE</u> | <u>\$ 8,340.00</u> | <u>Low Bid</u> |
| Solicitation No. B50000925 - Janitorial Services - Department of Housing and Community Development - Req. No. R512296 | | |
| 9. <u>J. KOCH ASSOCIATES, INC.</u> | <u>\$ 9,430.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Trace THC Analyzer - Department of Public Works - Req. No. R517676 | | |

The vendor is the sole supplier of this item in the Baltimore area.

- | | | |
|-------------------------------------------------------------------------------------------|--------------------|------------------------|
| 10. <u>AIRGAS EAST, INC.</u> | <u>\$ 7,075.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Laboratory Gases - Department of Public Works - Req. No. R517584 | | |
| 11. <u>SCRANTON</u> | <u>\$ 5,667.40</u> | <u>Selected Source</u> |
| Solicitation No. 06000 - Registration Forms - Health Department - Req. No. R514319 | | |

The vendor is the sole source provider of these forms, which must be compatible for use with the existing installed equipment.

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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|-----------------------------------------------------------------------------------------|-------------|-----------------|
| 12. JANSSEN ORTHO-MCNEIL
(JOM) PHARMACEUTICAL
SERVICES | \$56,724.36 | Selected Source |
| Solicitation No. 06000 - Ortho Contraceptives - Health
Department - Req. No. R515845 | | |

Under the U.S. Department of Health and Human Services, Health Resources and Services Administration, the Health Department receives the lowest price available under Public Health Service (PHS) pricing. As a recipient of PHS pricing, the City's Family Planning Clinic is able to purchase directly from the manufacturer.

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

MWBOO GRANTED A WAIVER.

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 13. COMMONWEALTH CONTROLS
CORPORATION | \$38,747.47 | Sole Source |
| Solicitation No. 08000 - Provide Programmable Logic
Controllers Parts for Water Treatment Plants - Department of
Public Works, Bureau of Water and Wastewater - Req. No.
R517290 | | |

The requirements for these items are specific and unique to the existing installed equipment. The vendor is the sole source provider of these proprietary items in the area.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 14. CCG SYSTEMS, INC. | \$39,281.00 | Sole Source |
| Solicitation No. 08000 - FASTER Fleet Management Software
Annual Software Support Service - Department of Public Works,
Fleet Management Division - Req. No. R517196 | | |

Annual maintenance and technical support is required for the Fleet Management Division's operations software. The vendor is the sole source of support for this proprietary system.

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

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|------------------------------------------------------------------------|---------------------|----------|
| 15. SUBURBAN SALES &
RENTAL, INC. | \$100,000.00 | |
| MILL SUPPLY INC. | \$300,000.00 | |
| | <u>\$400,000.00</u> | Increase |
| BP 05087 - Hand and Power Tools - Agencies Various - Req. Nos. Various | | |

On January 12, 2005 the Board approved the initial award to Suburban Sales & Rental Inc., in the amount of \$250,000.00 and to Mill Supply Inc in the amount of \$100,000.00. On January 30, 2008, the Board approved an increase and a renewal in the amount of \$100,000.00 to Suburban Sales & Rental Inc., and an

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

increase and renewal in the amount of \$300,000.00 to Mill Supply Inc. Due to an increased demand for these items, an increase in the amount of \$100,000.00 is necessary for Suburban Sales & Rental, Inc. making the total award amount \$450,000.00 and an increase in the amount of \$300,000.00 is necessary for Mill Supply Inc., making the total award amount \$700,000.00.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the aforementioned informal awards, renewals, increases to contracts and extensions. Item No. 15 was **WITHDRAWN**.

MINUTES

Department of Housing and Community - Grant Agreements and
Development/Homeless Services (BHS) a Memorandum of
Understanding

The Board is requested to approve and authorize execution of the various grant agreements and a memorandum of understanding. The period of the agreement is July 1, 2008 through June 30, 2011, unless otherwise indicated.

Grant Agreements

1. **QUEEN ANNE'S COUNTY, DEPARTMENT OF COMMUNITY SERVICES** **\$ 23,412.00**

Account: 4909-357-901-74-351

The organization will provide housing assistance to eligible Queen Anne's County residents living in the Baltimore Metropolitan Statistical Area. The organization will also assign sufficient staff to the Housing Opportunity for Persons with AIDS program relative to the administration of this program.

2. **ANNE ARUNDEL COUNTY** **\$375,989.00**

Account: 4909-357-901-79-351

Anne Arundel County will administer a tenant-based rental assistance program to approximately 35 HIV/AIDS clients and their families. The organization will also provide funds to the HIV/AIDS Volunteer Enrichment Network to fund a program known as Our House. The funds will also be used for operational costs and support services for a transitional housing program for approximately seven persons with HIV/AIDS related illnesses who are medically stable but would otherwise be homeless.

MINUTES

DHCD/Homeless Services - cont'd

3. **WOMEN'S HOUSING COALITION, INC.** **\$ 44,298.00**

Account: 4962-357-902-94-351

The organization will provide housing and supportive services to nine homeless or very low income women with children who are homeless due to chronic substance abuse and/or chronic mental illness. The period of the agreement is January 1, 2009 through December 31, 2009.

4. **GOVANS ECUMENICAL DEVELOPMENT CORP.** **\$130,219.00**

Account: 4963-357-901-50-351

The organization will provide housing and supportive services to 25 clients with HIV related illnesses, at least one disabling condition and are homeless. Services will include monthly rental assistance payments for monthly rental subsidies, security deposits and/or payment for damage to the property if applicable. The period of the agreement is December 13, 2008 through March 31, 2009.

The agreements are late due to a delay at the administrative level.

Memorandum of Understanding (MOU)

5. **MORGAN STATE UNIVERSITY** **\$ 25,000.00**

Account: 1001-357-001-69-351

Morgan State University will conduct a census survey of unsheltered homeless persons for the City of Baltimore. The University will also conduct a one day census survey on January 22, 2009 using a direct point-in-time method of counting homeless individuals located in non-shelter, non-service public locations. The period of the MOU is November 15, 2008 through March 30, 2009.

MINUTESDHCD/Homeless Services - cont'd

The MOU is late because of delay at the administrative level. Specifically, the delay was caused by a number of factors, including the amount of time the provider required to send information appropriate to the contract, as well as the fact that a significant backlog of undeveloped contracts occurred while the BHS Contracts Manager position went unfilled for several months.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned grant agreements and the memorandum of understanding.

MINUTES

Department of Housing and - Amendment No. 1 to Grant Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment no. 1 to the grant agreement with Jobs, Housing and Recovery, Inc.

AMOUNT OF MONEY AND SOURCE:

\$95,712.00 - 1001-357-001-59-351

BACKGROUND/EXPLANATION:

On October 1, 2008, the Board approved the initial agreement in the amount of \$2,069,474.00, for nine months ending June 30, 2009. The funds were utilized to provide 250 emergency shelter beds for homeless men and women in Baltimore City.

Due to an increase in the demand for these services, this amendment no. 1 to agreement in the amount of \$95,712.00 is necessary as the organization is now providing services to over 375 clients daily. The funds will be utilized for salaries and operating costs, which include, cots, blankets, linens, general office supplies, first aid supplies and general hygiene supplies. All other terms and conditions of the agreement remain the same.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to the grant agreement with Jobs, Housing and Recovery, Inc.

MINUTES

Department of Housing and - Local Government Resolution
Community Development

The Board is requested to approve and authorize execution of the following local government resolution.

The following organization is applying to the State of Maryland's Neighborhood Business Works Program (NBW). A local government resolution of support is required by the State for all applications to this program for funding.

<u>Organization</u>	<u>Amount</u>
1. PROGRESSIVE HORIZONS, LLC	\$500,000.00
	(NBW)

The funds will be used for The Mount project. The project will renovate a vacant 1850's property located at 3706 Nortonia Road. The purpose of the renovation is for the expansion of a community training and multipurpose center.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the local government resolution for Progressive Horizons, LLC.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>			
1. Morning Star Community Care Center, Inc.	1087 W. Fayette St.	F/S	\$ 14,000.00
FILE NO. 57069			
2. Oloruntosin Kekere-Ekun & Olatunji Kekere-Ekun	122 N. Carlton St.	F/S	\$116,000.00
FILE NO. 57069			

Funds are available in account no. 9910-588-780-00-440,
Poppleton Project.

3. Mark B. Lapidus	938 W. Saratoga St.	G/R	\$ 459.00
			\$50.00

Funds will be transferred prior to settlement into account
no. 9910-558-780-00-440, Poppleton Project.

FILE NO. 57069

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.

DHCD - Quick-takes:

4. Michael McGurn	940 W. Saratoga St.	L/H	\$ 42,600.00
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MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Quick-takes - cont'd</u>			
5. BGM Realty #22 Corporation	931 W. Saratoga St.	L/H	\$ 27,880.00
6. SD-4 Corporation	933 W. Saratoga St.	L/H	\$ 27,880.00
7. SD-4 Corporation	935 W. Saratoga St.	L/H	\$ 21,720.00
8. SD-4 Corporation	941 W. Saratoga St.	L/H	\$ 28,900.00
9. BGM Realty #22 Corporation	944 W. Saratoga St.	L/H	\$ 38,000.00
10. Jack Novograd, Trustees of NB7 Business Trust	315 N. Schroeder St.	L/H	\$ 39,000.00

Funds are available in account no. 9910-588-780-00-440, Poppleton project.

FILE NO. 57069Law Department - Settlements

11. Campco-I	929 Duncan Street	L/H	\$ 2,400.00
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On September 4, 2008, the City filed a regular condemnation action to acquire the leasehold interest in 929 Duncan Street. The Board previously approved \$22,600.00 for this property. The City and owner have agreed to settle the suit for \$25,000.00, which represents a 10% administrative increase in the City's valuation, plus a slight additional amount to round up the figure. Therefore, the Board is requested to approve the balance in the amount of \$2,400.00.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Department - Settlements - cont'd</u>			
12. Clayton & Jennifer Cunningham	913 N. Chester St.	L/H	\$ 19,633.00

On May 13, 2008, the City filed a condemnation action to acquire the leasehold interest in 913 N. Chester St. The Board previously approved \$55,367.00 for this property, based upon the initial appraisal obtained by the City. The former owners obtained an appraisal report that valued the property at \$125,000.00.

On the day of trial, the City and the former owners agreed to settle the suit in the amount of \$75,000.00. Therefore, the Board is requested to approve the balance in the amount of \$19,633.00.

13. Deben Ventures, LLC	2116 Ashland Ave.	L/H	\$ 9,600.00
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On March 13, 2008, the City filed a regular condemnation action to acquire the fee simple interest in 2116 Ashland Avenue in the amount of \$57,400.00. The previous owner demanded \$181,000.00, based upon a pending contract of sale. The property was assessed for \$70,000.00. In preparation for trial, the City and owner agreed to settle the condemnation suit for \$67,000.00. Therefore, the Board is requested to approve the balance in the amount of \$9,600.00.

Funds will be drawn from account 9910-588-416-00-440, East Baltimore Development Project, Phase II Area.

UPON MOTION duly made and seconded, the Board approved the options, condemnation, quick-takes, and settlements.

MINUTES

Bureau of General Services (BGS) - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement for energy performance contracting at the Maryland Zoo in Baltimore, Phase I with PEPCO Energy Services (PEPCO). The period of the agreement is effective upon Board approval for one year or until acceptance or rejection of the Phase II Proposal, by the City, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

No funds are required at this time. If PEPCO's Phase I Report/Proposal for Phase II is acceptable to the City, the cost of the Phase I contract of \$30,325.00 will be included in the Phase II contract, which will be presented to the Board for approval at a future date.

The cost of Phase II (including Phase I costs) will be financed by the City and paid for by the savings guaranteed by PEPCO. If the Phase I report and Phase II proposal do not meet the criteria defined in the Phase I contract, then the BGS may reject the report and the City will not be obligated to pay the Phase I cost.

BACKGROUND/EXPLANATION:

PEPCO will provide a detailed energy audit and guaranteed savings program to design and install energy efficiency technologies in the Maryland Zoo in Baltimore City facilities.

Phase I activities include the development of the engineering audit and definition cost estimate, and cash flow projections necessary for a comprehensive definition of the energy efficiency and associated savings sufficient to meet the requirements of the guaranteed savings program of the City. The savings will result from installing energy saving technologies and implementing measures in the Maryland Zoo in Baltimore facilities.

MINUTES

BGS - cont'd

After completion of the Phase I definition activities and acceptance of a Phase I Proposal to implement the technologies and measures, a Phase II contract will be presented to the Board.

MBE/WBE PARTICIPATION:

PEPCO IS REQUIRED TO MEET PROGRAM GOALS AS ESTABLISHED BY THE MINORITY AND WOMENS'S BUSINESS OFFICE. DUE TO THE RISK ASSOCIATED WITH THE ENERGY SAVINGS GUARANTEE, AND DUE TO THE SPECIALIZED NATURE OF WORK, MWBOO GRANTED A WAIVER OF MBE/WBE REQUIREMENTS FOR THIS PHASE I CONTRACT. PEPCO WILL COMPLY WITH THE MBE/WBE REQUIREMENTS FOR THE PHASE II WORK, WHICH WILL BE ESTABLISHED BY MWBOO UPON CONCLUSION OF THE PHASE I WORK.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 57016)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement for energy performance contracting at the Maryland Zoo in Baltimore, Phase I with PEPCO Energy Services.

MINUTES

Bureau of General Services (BGS) - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement for energy performance contracting at the Enoch Pratt Free Libraries (EPFL) Phase I with PEPCO Energy Services (PEPCO). The period of the agreement is effective upon Board approval and will continue until acceptance or rejection of the Phase II Proposal by the City. The Phase II Proposal will be completed no later than eight months following approval of the Phase I agreement.

AMOUNT OF MONEY AND SOURCE:

No funds are required at this time. If PEPCO's Phase I Report/Proposal is acceptable to the City, the cost of the Phase I contract of \$63,275.00 will be included in the Phase II contract, which will be presented to the Board for approval.

The cost of Phase II will be financed by the City and paid for by the savings guaranteed by PEPCO. If the Phase I Report and Phase II Proposal do not meet the criteria defined in the Phase I contract, the BGS may reject the report and the City will not be obligated to pay the Phase I cost.

BACKGROUND/EXPLANATION:

PEPCO will provide engineering and energy services at the Enoch Pratt Free Libraries.

Phase I activities include the development of the engineering audit and definition cost estimate, and cash flow projections necessary for a comprehensive definition of the energy efficiency and associated savings sufficient to meet the requirements of the guaranteed savings program of the City. The savings will result from installing energy savings technologies and implementing measures in the EPFL facilities. After completion of the Phase I definition activities and acceptance of a Phase I Proposal to implement the technologies and measures, a Phase II contract will be presented to the Board.

MINUTES

BGS - cont'd

MBE/WBE PARTICIPATION:

PEPCO IS REQUIRED TO MEET PROGRAM GOALS AS ESTABLISHED BY THE MINORITY AND WOMEN'S BUSINESS OPPORTUNITY OFFICE (MWBOO). DUE TO THE RISK ASSOCIATED WITH THE ENERGY SAVINGS GUARANTEE, AND DUE TO THE SPECIALIZED NATURE OF THE WORK, MWBOO GRANTED A WAIVER OF MBE/WBE REQUIREMENTS FOR THIS PHASE I CONTRACT. PEPCO WILL COMPLY WITH THE MBE/WBE REQUIREMENTS FOR THE PHASE II WORK, WHICH WILL BE ESTABLISHED BY MWBOO UPON CONCLUSION OF THE PHASE I WORK.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 57016)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement for energy performance contracting at the Enoch Pratt Free Libraries (EPFL) Phase I with PEPCO Energy Services.

MINUTES

Bureau of General Services - Developer's Agreement No. 1071 - A

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a developer's agreement with Pompeian Inc.

AMOUNT OF MONEY AND SOURCE:

\$37,450.00

BACKGROUND/EXPLANATION:

Pompeian Inc. is the owner of 4201 Pulaski Highway and is in need of new conduits. This agreement allows the organization to do its own installation in accordance with Baltimore City Standards.

A Letter of Credit in the amount of \$37,450.00 has been issued to Pompeian Inc. which assumes 100% of the financial responsibility.

(FILE NO. 56575)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the developer's agreement with Pompeian Inc.

MINUTES

Baltimore Police Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds by direct payment order to pay AT&T for long distance services for the period September 3, 2008 through September 28, 2008.

AMOUNT OF MONEY AND SOURCE:

\$1,807.77 - 1001-204-068-00-304

BACKGROUND/EXPLANATION:

AT&T provides long distance services to the Police Department that is critical to the day-to-day operations of the Baltimore Police Department. AT&T through its phone line provides a necessary tool for local and out of jurisdiction investigations that include long distance service for daily covert operations.

Historically, there has been no contract with AT&T for these services. The Police Department is working with the Municipal Telephone Exchange to have these services provided under a citywide contract.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds by direct payment order to pay AT&T for long distance services for the period September 3, 2008 through September 28, 2008.

MINUTES

Department of Transportation (DOT) - Increase to Purchase Order
No. 505876

ACTION REQUESTED OF B/E:

The Board is requested to approve an increase to purchase order no. 505876 issued to Radio One, Inc. for media goods and services provided to the Department of Transportation, Safety Division's Traffic Safety Education Program.

AMOUNT OF MONEY AND SOURCE:

\$7,750.00 - 4182-239-810-00-308

BACKGROUND/EXPLANATION:

The Safety Division's Safety Education Section is the recipient of and steward of a grant awarded by the Maryland State Highway Administration's (SHA) Traffic Safety Education Program. As a requirement of the grantor, SHA, prior permission was requested and received for the expenditure of funds and participation as a Silver Sponsor in Radio One, Inc.'s 17th Stone Soul Picnic event that was held on August 16, 2008 in Druid Hill Park.

The initial invoice submitted by Radio One, Inc. was incorrect and did not include the total amount owed as stated in the original contract. To correct this situation, Radio One, Inc. was asked to submit to the DOT another invoice showing the total amount of the original contract, which was \$15,500.00, as well as their receipt of payment in the amount of \$7,750.00, which was the amount of the original invoice.

This increase in the amount of \$7,750.00 is the balance of funds

MINUTES

DOT - cont'd

previously approved by the Maryland State Highway Administration.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the increase to purchase order no. 505876 issued to Radio One, Inc. for media goods and services provided to the Department of Transportation, Safety Division's Traffic Safety Education Program.

MINUTES

Bureau of Water and Wastewater - Amendments to Agreements

The Board is requested to approve the amendments to the agreements with the consultants.

<u>Consultant</u>	<u>Amount</u>
1. ADS ENVIRONMENTAL	\$0.00

On February 8, 2006, the Board approved the initial agreement with the consultant for Project No. 995A, Flow Monitoring Services for Jones Falls and Lower Level Sewersheds under the Consent Decree. The period of the agreement was effective upon Board approval for three years.

2. RJN GROUP	\$0.00
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On February 8, 2006, the Board approved the initial agreement with the consultant for Project No. 995R, Flow Monitoring Services for interceptors located in the Gwynns Falls and Patapsco Sewersheds and tracking doppler rainfall measurements throughout the City under the Consent Decree. The period of the agreement was effective upon Board approval for three years.

In order to comply with the Consent Decree an extension to the agreements are necessary. The amendments will extend the agreements for 18 months. All other terms and conditions of agreements will remain unchanged. The consultants were originally approved by the Office of Board and Commission and AEAC.

AUDITS NOTED THIS NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board to approved and authorized execution of the amendments to the agreements with the consultants.

MINUTES

Bureau of General Services (BGS) - Ratification of Invoices

ACTION REQUESTED OF B/E:

The Board is requested to ratify services ordered and approve and authorize an expenditure of funds to pay the Carroll Independent Fuel Co. The invoices are dated December 2, 2008.

AMOUNT OF MONEY AND SOURCE:

\$16,207.61 - 1001-193-999-00-404

BACKGROUND/EXPLANATION:

The BGS heating oil contract vendor was unable to provide services in a timely manner. There were no back-up vendors given to substitute in emergencies.

The Empowerment School located at 851 Braddish Avenue was depleted of heating oil and the BGS contacted the Carroll Independent Fuel Co., which provided the heating oil during this difficult time.

The Bureau of General Services will be reimbursed for these costs.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

This item was **DEFERRED** until February 25, 2009.

MINUTES

Bureau of General Services - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	454 E. Fort Ave.	Edward T. Westervelt	Retain two single face electric signs at 10'x 2 1/2'
	\$168.72 Annual Charge		
2.	910 S. Charles St.	Shofers Furniture Co., Inc.	Bracket sign 1'5" x 18"
	\$52.70 Annual Charge		

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

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Minor Privilege Permits.

MINUTES

Department of Transportation - Amendment No. 2 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment no 2 to the agreement with Parsons Brinckerhoff, Quade & Douglass, Inc. (consultant) for Project No. 938, Rehabilitation of the Hanover Street Bridge Street over Middle Branch. The amendment extends the agreement another five years through February 3, 2014.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On February 4, 2004, the Board approved the design agreement with the consultant. On February 13, 2008, the Board approved amendment no. 1 for an extension of 12 months to reevaluate the operation of maritime traffic. The Department is requesting that this contract be extended for five additional years.

The extension will include two years to complete the project design, one year Federal approval and construction advertisement, and two years for construction.

DBE PARTICIPATION:

The consultant will continue to adhere to the goal of 11.2% for this project.

AUDITS NOTED THE NO COST TIME EXTENSIONS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to the agreement with

MINUTES

Department of Transportation - cont'd

Parsons Brinckerhoff, Quade & Douglass, Inc. (consultant) for
Project No. 938, Rehabilitation of the Hanover Street Bridge
Street over Middle Branch.

MINUTES

Department of Transportation - Refund of Excess Proceeds
from an Auction

ACTION REQUESTED OF B/E:

The Board is requested to approve payment, by Direct Payment Order, of the refund of excess proceeds from a City vehicle auction to the registered owner, Kiva L. Fox.

AMOUNT OF MONEY AND SOURCE:

\$4,233.00 - A001-785-195-15

BACKGROUND/EXPLANATION:

The refund represents the proceeds beyond the expenses of receiving, storing, and disposing of the vehicle in question at auction. The refund is in accordance with AM-303-1 and Article 31, Section 97 of the Baltimore City Code (2000).

The registered owner and/or lienholder was properly notified that the vehicle was at the Towing Section, and the vehicle remained unclaimed. Therefore, the vehicle was sold at auction and the owner has requested the refund of the excess proceeds from the auction.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the payment, by Direct Payment Order, of the refund of excess proceeds from a City vehicle auction to the registered owner, Kiva L. Fox.

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:

583 - 587

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

The Transfers of Funds were approved
SUBJECT to receipt of favorable report
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

The Comptroller **ABSTAINED** on item nos. 1, 2, 5, and 6.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation

1. TR 02380, Resur- P. Flanigan & Sons, \$ 936,677.59
 facing Hanover St. Inc.
 from Hanover St.
 Bridge over
 Middle Branch to
 Frankfurst Ave.

THE VENDOR COMPLIED WITH THE DISADVANTAGED BUSINESS ENTERPRISE GOALS.

AJO Concrete Construction, Inc.	\$ 82,870.00	8.85%
Priority Construction Corporation	115,323.00	12.31%
L & J Construction Services, Inc.	82,160.00	8.77%
McCall Trucking, Inc.	1,105.00	.12%
	<u>\$281,458.00</u>	<u>30.05%</u>

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT'S</u>
\$ 861,743.38	9950-507-540	
Federal	Constr. Res.	
	Hanover St.	
	Reserve	
215,435.85	" "	
<u>MVR</u>		
<u>\$1,077,179.23</u>		

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT'S</u>
\$ 936,677.59	-----	9950-506-540-6 Struc. & Improv.
93,667.76	-----	9950-506-540-5 Inspections
46,833.88	-----	9950-506-540-2 Contingencies
<u>\$1,077,179.23</u>		Resurfacing Hanover St. from Hanover St. Bridge over Middle Branch to Frankfurst Ave.

This transfer will provide funds to cover costs associated with the award of TR 02380 to P. Flanigan & Sons, Inc.

Bureau of General Services

- 3. PB 08810, Elevator Upgrade at the Municipal Employees Credit Union Building (MECU) Elevator Control Service \$ 998,990.00

MWBOO SET GOALS OF 3% MBE AND 1% WBE.

MINUTES

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

MBE: *Telesis Systems, Inc.
WBE: Baltimore Electric \$2,498.00 .25%
 Service, Inc.

*BIDDER DID NOT ACHIEVE THE MBE GOAL. TELESIS SYSTEMS, INC. NAMED AS MBE IS NOT CERTIFIED WITH BALTIMORE CITY. THE VENDOR ALSO DID NOT ACHIEVE THE WBE GOAL. NOT MORE THAN 25% OF EACH GOAL MAY BE ATTAINED BY EXPENDITURES OF MBE/WBE SUPPLIERS WHO ARE NOT MANUFACTURERS; THEREFORE THE MAXIMUM VALUE ALLOWED HAS BEEN APPLIED.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

THE MINORITY AND WOMEN'S BUSINESS OPPORTUNITY OFFICE WILL SUPPORT AWARD TO THE SOLE BIDDER CONTINGENT UPON COMPLIANCE WITHIN 14 DAYS OF AWARD. MWBOO WILL REPORT TO THE BOARD.

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,225,000.00	9916-194-410	9916-197-410
General Funds	Elevator Re- placement Various Bldgs. Reserve	Elevator Re- placement Various Bldgs. Active

This transfer will provide funds to cover the costs associated with the award of PB 08810 and any in-house costs associated with the project. The MECU is the first of five major City buildings scheduled for elevator upgrades/replacement.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of General Services

5. RP 07834, HVAC J. F. Fischer, Inc. \$ 348,250.00
 System Renovation
 at Madison Square
 Gymnasium

MBE: Horton Mechanical \$81,000.00 23.26%
 Contractors, Inc.

WBE: N.R. Eyler, Inc. \$25,000.00 7.18%

MWBOO FOUND VENDOR IN COMPLIANCE.

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 96,000.00	9938-475-721	
State	Reserve	
32,000.00	9938-475-721	
Rec. & Park	Reserve	
23 rd Series	Park & Rec. Facilities	
25,000.00	9938-474-665	
General Fund	Active	
60,000.00	9938-475-665	
General Fund	Reserve	
	Madison Square Recreation Center Renovation	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Bureau of General Services - cont'd</u>		
137,000.00	9938-475-742	
General Fund	Reserve - Park & Rec. Facilities Renovation FY 08	
<u>\$350,000.00</u>	-----	9938-474-721 Active - Park & Rec. Facilities

This transfer will provide funds to cover costs associated with the award of the HVAC System Renovation at Madison Square Gymnasium, Contract No. PB 07834 to J.F. Fischer, Inc.

Bureau of Purchases

7. B50000899, Oils & Lubricants	<u>1st Call:</u> Tri County Petroleum	\$1,500,000.00
	<u>2nd Call:</u> US Lubes, LLC	<u>500,000.00</u> \$2,000,000.00

MWBOO GRANTED A WAIVER.

8. B50000929, Port- able Chemical Toilets	HCE, Inc.	\$ 200,000.00
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MWBOO GRANTED A WAIVER.

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 Public Works

- PB 08831, B.A.R.C.S. Baltimore Animal Rescue and Care Shelter, Inc. Resinous Floor Resurfacing and Repair
BIDS TO BE RECV'D: 03/25/2009
BIDS TO BE OPENED: 03/25/2009

Department of Public Works

- PB 08820, Fallsway Housing and Service Center
BIDS TO BE RECV'D: 03/25/2009
BIDS TO BE OPENED: 03/25/2009

* * * * *

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

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Purchases - B50000919, Environmental Remediation
at Various Locations
BIDS TO BE RECV'D: 02/25/2009
BIDS TO BE OPENED: 02/25/2009

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

Bureau of Purchases - B50000913, Roll-Off Container Truck
Waste Equipment Sales &
Service
Beltway International, LLC
Baltimore Mack Trucks, Inc.
THC Enterprises, Inc. t/a
Mid Atlantic Waste Systems
Chesapeake Ford Sales, Inc.
Baltimore Freightliner
Central Truck Center, Inc.

MINUTES

Bureau of Purchases - B50000936, Cleaning, Collection and Disposal of Contaminated Soil

Page Technologies

Voice from the audience: "I was to deliver this morning."

Clerk: "What bid are you here for sir?"

Voice from the Audience: "936."

Clerk: "What is your name?"

Voice from the Audience: "Mr. Ben Deaf for Range Maintenance."

Clerk: "Yes. You may address the Board. Please speak into the microphone sir."

Mr. Dea: "Mr. Sonny Sharma called me yesterday to inform me that the bid was due today and that there was a project to bid. I have been working with the City for 14 years, providing cleaning services for the Shooting Ranges. I put my paperwork together. I left the FBI Academy where I work at 9:00 a.m. this morning. I got here just after 11:00 a.m., they would not let me up to deliver the paperwork."

Clerk: "Sir, the deadline is for receipt is by 11:00 a.m."

Mr. Dea: "I understand that."

MINUTES

Clerk: "Regrettably we are not able to accept your bid and we hope that maybe in the future you will be able to bid again. But thank you very much."

Mr. Dea: "Thank you. Take care."

Clerk: "Certainly."

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Bureau of Purchases - B50000946, Regular Cab Pickup Truck with Stake Body

Lindsay Ford

Bureau of Purchases - B50000947, Utility Body Pickup Trucks

- Northeast Auto Outlet
- Apple Ford
- Chesapeake Ford Sales, Inc.
- Chas. S. Winner, Inc. d/b/a
- Winner Ford
- Lindsay Ford of Wheaton
- Bob Bell Pontiac GMC
- Fords National Automart
- Inc./Motors Fleet

MINUTES

Bureau of Purchases - B50000955, 3/4- Ton 4-Wheel Drive Crew Cab Pickup Truck

Northeast Auto Outlet Apple Ford
Chesapeake Ford Truck
Sales, Inc.
Lindsay Ford of Wheaton
Chas. S. Winner d/b/a
Winner Ford
Ford National Automart
Inc./Motors Fleet
Bob Bell Pontiac GMC

Bureau of Purchases - B50000956, 2009 Ford Escape SUV's

Apple Ford
Lindsay Ford of Wheaton
Chas. S. Winner, Inc. d/b/a
Winner Ford
Ford National Automart
Inc./Motors Fleet

Bureau of Purchases - B50000963, Air Filter Replacement Service for City of Baltimore

Air Filter Maintenance
GDP Enterprises/Complete
Wholesale
CAFCO/T.F.S.

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There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, February 25, 2009.

JOAN M. PRATT
Secretary