

**MINUTES****REGULAR MEETING**

Honorable, Stephanie Rawlings-Blake, President  
Honorable, Sheila Dixon, Mayor  
Honorable, 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.

**MINUTES**Enoch Pratt Free Library - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement between the Enoch Pratt Free Library and Coinstar, Inc. and to approve an exemption to Administrative Manual Policy 307-1. The period of the agreement is effective upon Board approval for one year.

**AMOUNT OF MONEY AND SOURCE:**

\$ 720.00 - 1001-000000-1440-500800-401510  
(Revenue Account)

**BACKGROUND/EXPLANATION:**

The Central Library of the Enoch Pratt Free Library serves as the main branch of the City's public library system and a cultural attraction for visitors. Approximately 1,500 members of the public visit the Central Library on a daily basis. A coffee shop would be an enhancement to the Library's other attractions, which now include wireless internet service.

The coffee machines would be provided and maintained by Coinstar, Inc. at the Enoch Pratt Free Library's Central and Southeast Anchor locations, and will supply premium coffee beverages that are popular with the public and staff.

An exemption is also requested as the Enoch Pratt Free Library is not included in the City's contract for vending machines. Subsequently, an exemption is required under Administrative Manual

**MINUTES**Enoch Pratt Free Library - cont'd

Policy 307-1 which states, "Any City agency desiring to have vending machine installations other than those included in the City requirements contracts, must request an exemption from the Board of Estimates."

The contract may be extended for an additional four-year period, upon written agreement of the parties.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Enoch Pratt Free Library and Coinstar, Inc. The Board also approved an exemption to Administrative Manual Policy 307-1.

**MINUTES**Mayor's Office of Information Technology - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Maryland Transit Administration (MTA). The agreement is effective December 30, 2008.

**AMOUNT OF MONEY AND SOURCE:**

No funding is requested.

**BACKGROUND/EXPLANATION:**

Baltimore City currently operates and maintains an 800 MHz radio system used primarily by the Departments of Police, Fire, and Public Works. This system is critical to first responders and daily communications between police and fire personnel. The Baltimore Metro Tunnel is not currently serviced by this system, which puts first responders and other emergency staff at-risk. The requested exchange of assets will provide both parties needed resources benefiting the City with additional coverage not available today.

The MTA operates an Automated Vehicle Location (AVL) system and a 490 MHz trunked simulcast radio system that requires fifteen 490 MHz radio frequencies (3 for AVL and 12 for trunked voice) when operated in its final configuration. The MTA presently has only 11 frequencies in service and cannot complete the final utilization of these two systems without obtaining additional frequencies. As planned, the City will make four frequencies available for the MTA's use in exchange for the assets and certain rights necessary to resolve their respective communications issues in the Baltimore Metro tunnel.

**(FILE NO. 55365)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of an agreement with the Maryland Transit Administration.

## 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 - Options</u>			
1. C. Joan Jacobs	1621 N. Gay St.	G/R \$54.00	\$ 360.00
Funds will be transferred prior to settlement into, account no. 9910-588-488-00-440, American Brewery Project.			
2. Bay Ground Rents, LLC	1623 N. Gay St.	G/R \$96.00	\$ 640.00
Funds will be transferred prior to settlement into, account no. 9910-588-488-00-440, American Brewery Project.			
3. Dorothy Dubose	1112 W. Fayette St.	F/S	\$42,000.00
Funds are available in account no. 9980-593-780-00-440, Poppleton Project.			
4. Rae V. Holley a/k/a Rae Harley	1617 N. Gay St.	F/S	\$27,500.00
Funds are available in account no. 9910-904488-9588-900000-704040, American Brewery Project.			

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.

**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-Take</u>			
5. Jeb Stuart Fries and Mary B. Buonanno	2210 E. Lanvale St.	G/R \$160.55	\$ 1,067.00

Funds will be transferred prior to quick-take into account no. 9910-588-488-00-440, American Brewery Project.

Baltimore Development Corporation - Option

6. Gene Gerber Family, LLC	400-404 Park Ave.	F/S	\$850,000.00
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Funds are available in account no. 9910-905825-9603-900000-700000, Market Center Urban Renewal Plan.

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

**MINUTES**

Police Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds to pay Enterprise Rent-a-Car.

**AMOUNT OF MONEY AND SOURCE:**

\$14,224.56 - 1001-000000-2010-197600-603067

**BACKGROUND/EXPLANATION:**

The Department leased vehicles from the above vendor and assigned them to various units for police operations. Body damage occurred to 10 of the vehicles while the vehicles were operated in an official capacity.

Under the current agreement, the City is obligated to compensate the vendor for all damages to the vehicles and any diminished value that resulted while the vehicles were under the Department's control.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay Enterprise Rent-a-Car.

**MINUTES**

Police Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a payment to The Gun Shop by Expenditure Authorization.

**AMOUNT OF MONEY AND SOURCE:**

\$3,267.90 - 1001-200-007-00-430

**BACKGROUND/EXPLANATION:**

The Department requests approval to ratify payment for a double shipment of ammunition that was inadvertently shipped by the vendor. The Department utilized the ammunition but did not have sufficient funds in the existing Purchase Order to cover the cost of the shipment.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized the payment to The Gun Shop by Expenditure Authorization.

**MINUTES**

Department of Recreation and Parks - Right-of-Entry Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a right-of-entry agreement with the Cylburn Arboretum Association. The period of the agreement is effective upon Board approval for 12 months.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Cylburn Arboretum Association has raised funds and hired a contractor to furnish and install an audio-video system at the newly constructed Cylburn Orientation and Education Center. This agreement will grant right-of-entry to the Cylburn Arboretum Association and its contractor to perform the installation.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with the Cylburn Arboretum Association.

**MINUTES**Bureau of General Services - Facility Encroachment Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a facility encroachment agreement with CSX Transportation, Inc. (CSXT). The period of the agreement is effective upon Board approval for five years.

**AMOUNT OF MONEY AND SOURCE:**

\$ 12,000.00	Encroachment Fee
<u>      750.00</u>	Insurance Risk Fee

**\$ 12,750.00** - 9950-901321-9508-900020-703044

**BACKGROUND/EXPLANATION:**

The Department of Transportation is proposing a project to widen Washington Boulevard in the vicinity of Monroe Street under Project TR 03313. The design of the project requires the City's contractor to replace 70 feet of an existing stormwater pipe through an existing CSXT right-of-way and under existing CSXT rails. This agreement will allow the construction to proceed.

**APPROVED FOR FUNDS BY FINANCE.**

**(FILE NO. 55492)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the facility encroachment agreement with CSX Transportation, Inc. (CSXT).

**MINUTES**

Bureau of General Services - Temporary Easement Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a temporary easement agreement with Park Crescent Apartments, LLC. The period of the agreement is effective upon the date of physical entry for one year.

**AMOUNT OF MONEY AND SOURCE:**

\$ 1.00

**BACKGROUND/EXPLANATION:**

The Bureau of Water and Wastewater proposes to perform work in conjunction with the Herring Run Sanitary Sewer Project, SC 856 in the vicinity of the property owned by Park Crescent Apartments, LLC known as 6556 Falkirk Road, Block 5210E, Lots 177/182. The required work necessitates the need for a temporary easement for construction access. The temporary easement is located along the north side of Loch Raven Boulevard.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the temporary easement agreement with Park Crescent Apartments, LLC.

**MINUTES**Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2008 through June 30, 2009, unless otherwise indicated.

1. **THE JOHNS HOPKINS UNIVERSITY** **\$ 71,058.00**

Account: 4000-422209-3040-278120-603051

The organization will provide on-site personnel to facilitate HIV surveillance activities within the Johns Hopkins Medical Institution, which are deemed priority by the State AIDS Administration. Data will be retrieved from the medical records at the Johns Hopkins Medical Institute sites, which will facilitate HIV reporting to the Centers for Disease Control and Prevention.

**MWBOO GRANTED A WAIVER.**

2. **THE JOHNS HOPKINS UNIVERSITY** **\$301,612.00**

Account: 4000-422309-3030-273110-603051

The organization will provide HIV Counseling, Testing and Referral Services to 13,000 clients presented in the Eastern/Druid Sexually Transmitted Disease Clinics of the Baltimore City Health Department who are at risk for HIV infection or who are in various stages of HIV infection.

**MWBOO GRANTED A WAIVER.**

3. **CENTER FOR A HEALTHY MARYLAND, INC.** **\$ 30,000.00**

Account: 4000-422309-3030-272130-603051

The organization will provide a part-time Health Educator who will conduct professional education and consultation services. Services will include, establishing and maintaining rapid HIV testing programs in labor and delivery settings in Maryland hospitals and assisting physicians in transitioning to name based HIV reporting.

**MWBOO GRANTED A WAIVER.**

**MINUTES**Health Department - cont'd

4. **LIGHT HEALTH AND WELLNESS COMPREHENSIVE SERVICES, INC.** \$ 50,000.00

Account: 4000-424209-3030-273108-603051

The organization will provide Health Education and Risk Reduction services to high-risk African American women in communities most impacted by HIV/AIDS, who engage in behaviors that put them at high risk for becoming HIV infected. Risk may include STD's and HIV infected partners, sex or needle sharing, commercial sex, and intravenous drug user partners.

**MWBOO GRANTED A WAIVER.**

5. **TOTAL HEALTH CARE, INC. (THC)** \$ 31,250.00

Account: 4000-000000-3030-Z16490-600000

Under this agreement, the THC will expand its Rapid HIV Counseling, Testing and Referral Program by targeting at-risk individuals in four underserved zip code areas, 21207, 21225, 21226 and 21239, prioritized by the Baltimore City Health Department, as well as expanding its existing Rapid HIV testing to approximately 20,477 individuals with 96% being African American. The period of the agreement is October 1, 2008 through June 30, 2009.

**MWBOO GRANTED A WAIVER.**

The agreements are late because funds were awarded late in the grant year and because of changes to the budget accounting system.

## MINUTES

Health Department - cont'd

6. **THE JOHNS HOPKINS UNIVERSITY** **\$127,522.00**  
**SCHOOL OF MEDICINE**

Account: 4000-000000-3030-Z16603-600000

The Johns Hopkins University-Bayview Medical Center will complete at least 2,550 rapid HIV tests and provide services in the Emergency Department at the Johns Hopkins University-Bayview Medical Center. The organization will also perform at least an annual site visit and potentially unannounced site visits, as needed. Biannual collaborative grant meetings will be held with the project monitors and all HIV testing counselors will attend required trainings and participate in annual competencies and proficiency testing programs. The period of the agreement is October 1, 2008 through June 30, 2009.

The agreement is late because funds were awarded late in the grant year and because of changes to the budget accounting system.

**MWBOO GRANTED A WAIVER.**

7. **CHARLES STREET HEALTH CARE, LLC** **\$ 0.00**

Through a grant from the Corporation for National and Community Service, the Health Department sponsors the Senior Companion Program. The Charles Street Health Care, LLC will serve as a Volunteer Station for the Senior Companion Program. The Senior Companions volunteer to assist special needs clients who want to remain in their homes.

The agreement is late because it was just returned by the provider.

**MINUTES**Health Department - cont'd

8. **CHASE BREXTON HEALTH SERVICES, INC.** **\$ 24,298.00**

Account: 4000-422209-3040-278110-603051

The organization will collect detailed information on patient demographics, socioeconomic status, drug use history, sexual behavior, sexually transmitted disease history, reproductive history (for females only), HIV testing and therapy, service utilization patterns, and HIV-related disability under the Morbidity and Risk Behavior Surveillance Project.

The agreement is late because of budget negotiations and the conversion of the new accounting system.

9. **THE JOHNS HOPKINS UNIVERSITY** **\$ 68,336.00**

Account: 6000-623509-3040-535900-603026

The Johns Hopkins University has been awarded a contract from the State of Maryland Department of Health and Mental Hygiene entitled Baltimore City Public Health Grant No. CH 657 DRF, through the Maryland Cancer Education, Prevention, Screening, Diagnosis and Treatment Program to partner with local physicians, physician groups or similar medical service providers to offer clinical services for the uninsured of Baltimore City.

The Baltimore City Health Department will be responsible for providing an Administrative Coordinator/Planner and a Patient Recruiter, to coordinate and plan programmatic implementation of the grant and submit progress reports and report on meetings and strategic planning sessions.

The agreement is late because it was just received.

**MINUTES**

Health Department - cont'd

10. **CHASE BREXTON HEALTH SERVICES, INC.** **\$ 20,000.00**

Account: 5000-530309-3040-278995-603051

The organization will work with the Health Department in reducing diseases, disability and death related to tobacco use, by preventing the initiation of tobacco use. This will be achieved through promoting cessation among adults, young people and pregnant women and eliminate exposure to second-hand smoke. The period of the agreement is February 1, 2009 through June 30, 2009.

The agreement is late because the FY 09 Grant Award from the Department of Health and Mental Hygiene was received late in the funding period. The Department requested proposals on November 26, 2008 and held a bidder's conference on December 11, 2008. Applications were due on January 6, 2009.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED (EXCEPT ITEM NO. 7) AND HAD NO OBJECTION.**

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

**MINUTES**Health Department - Amendments to Agreements and  
Memorandum of Understanding

The Board is requested to approve and authorize execution of the amendments to agreements and a memorandum of understanding.

AMENDMENTS TO AGREEMENTS

1. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$3,090.00**

Account: 4000-000000-3040-313664-600000

On November 19, 2008, the Board approved the original agreement, in the amount of \$197,641.00, with the JHU to provide HIV obstetrical services for the Ryan White Part D Program. Due to the closing of the Health Education Resource Organization (HERO), the State AIDS Administration has redirected HERO funds to other AIDS service organizations. This amendment to agreement, in the amount of \$3,090.00, will allow the JHU to provide additional HIV obstetrical services. All other terms and conditions of the agreement remain unchanged.

2. **LIGHT HEALTH AND WELLNESS \$3,395.00**  
**COMPREHENSIVE SERVICES, INC.**

Account: 4000-000000-3040-Z16609-600000

On January 14, 2009, the Board approved the original agreement, in the amount of \$43,170.00, with Light Health and Wellness Comprehensive Services, Inc. to provide client advocacy services for the Ryan White Part B Program. Due to the closing of the Health Education Resource Organization (HERO), the State AIDS Administration has redirected HERO funds to other AIDS service organizations. This amendment to agreement, in the amount of \$3,395.00, will allow the organization to provide additional services. All other terms and conditions of the agreement remain unchanged.

**MINUTES**

Health Department - cont'd

MEMORANDUM OF UNDERSTANDING

3. **SINAI HOSPITAL OF BALTIMORE, INC.** **\$ 0.00**

Sinai Hospital of Baltimore, Inc. will collaborate with the Bureau of Disease Control Laboratory to improve the public health in Baltimore City. This will be accomplished by providing medical laboratory testing for patients suspected of having infectious diseases or patients having contact with infectious diseases such as Chlamydia, Syphilis, and/or Gonorrhoea. The period of the agreement is October 1, 2008 through June 30, 2010.

The agreement is late because revisions to the language in the agreement were necessary.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED (EXCEPT ITEM NO. 3) AND HAD NO OBJECTION.**

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

**MINUTES**

Health Department/Baltimore - Memorandum of Understanding  
Homeless Services (BHS)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with Howard County Housing Commission. The period of the agreement is July 1, 2007 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$132,666.00 - 4000-490808-3010-267875-603051

**BACKGROUND/EXPLANATION:**

The BHS has received a Housing Opportunity for Persons with AIDS (HOPWA) program grant award from the U.S. Department of Housing and Urban Development for the Baltimore Eligible Metropolitan Statistical Area, which includes Baltimore City, Baltimore, Anne Arundel, Carroll, Howard, Harford and Queen Anne's Counties. Under the terms of the award, a portion of the HOPWA funds have been allocated to the Howard County Housing Commission to provide supportive services and rental assistance to eligible Howard County residents with AIDS.

The MOU is late because of delays at the recipient level.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the Howard County Housing Commission.

**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. 509 S. Exeter St.	Skylar Development, LLC	One double face electric sign 2' x 2'4", one double face non-illuminated sign 11 ½ ' x 2'4"
Annual Charge: \$140.70		
2. 615 President St.	Harbor East Parcel B Retail, LLC	Outdoor seating 36' x 4'
Annual Charge: \$1,233.50		
3. 1148 E. North Ave.	Young Koo Lee	One handicap ramp 11' x 4'
Annual Charge: \$70.30		

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 foregoing applications for Minor Privilege Permits. The Mayor **ABSTAINED** on item no. 2.

**MINUTES**Space Utilization Committee - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement between Mondawmin Business Trust, lessor, and the Mayor's Office of Employment Development, lessee for the rental of approximately 10,283 square feet of space located at Metro Plaza, 1200 Mondawmin Concourse, 3rd floor, generally known as Mondawmin Mall. The period of the agreement is July 1, 2008 through June 30, 2013.

**AMOUNT OF MONEY AND SOURCE:**

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
1	\$174,811.00	\$14,567.58
2	\$181,803.44	\$15,150.29
3	\$189,075.58	\$15,756.30
4	\$196,638.60	\$16,386.55
5	\$204,504.14	\$17,042.01

Accounts: 6000-685401-6390-488905-603013  
 4000-894809-6390-488905-603013

**BACKGROUND/EXPLANATION:**

The leased premises will be used for general office purposes by the Mayor's Office of Employment Development.

The lessor will be responsible for utilities, real estate taxes, maintenance, repairs, janitorial services, fire insurance and snow removal. The lessor will carpet the leased premises and tile the hallway and bathroom.

The Space Utilization Committee approved this lease at its meeting on March 10, 2009.

**MINUTES**Space Utilization Committee - cont'd

The lease agreement is late because of a change in administrative personnel at Metro Plaza, which caused delays in the administrative review process.

**APPROVED FOR FUNDS BY FINANCE****(FILE NO. 55739)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a lease agreement between Mondawmin Business Trust, lessor, and the Mayor's Office of Employment Development, lessee for the rental of approximately 10,283 square feet of space located at Metro Plaza, 1200 Mondawmin Concourse, 3rd floor, generally known as Mondawmin Mall.

**MINUTES**

Baltimore Office of Promotion - Shared Use Agreement and  
and the Arts (BOPA) Grant of Reciprocal Non-  
Exclusive License

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a shared use agreement and grant of reciprocal nonexclusive license between the Baltimore City Fire Department and the Bromo Seltzer Arts Tower, LLC. The period of the agreement is effective upon Board approval, and will continue as long as the generator is located on the roof of the Bromo Seltzer Tower.

**AMOUNT OF MONEY AND SOURCE:**

No funds are required

**BACKGROUND/EXPLANATION:**

As part of the rehabilitation of the Bromo Seltzer Tower (Tower), a back-up generator was required to support communication equipment housed on the roof of the Tower and belonging to the Baltimore City Fire Department. In addition, the generator is used for back-up for the Tower's fire pump, elevator, and lighting. The size of the generator required that it saddle both the Tower's property and the adjacent Fire Department facility. The generator was installed in November 2007.

**(FILE NO. 56255)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the shared use agreement and grant of reciprocal nonexclusive license between the Baltimore City Fire Department and the Bromo Seltzer Arts Tower, LLC.

**MINUTES**

Mayor's Office on Criminal Justice - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the memorandum of understanding between the Mayor and City Council, the Baltimore Police Department, and Iguana Cantina, LLC.

**AMOUNT OF MONEY AND SOURCE:**

\$400.00 per week - 1001-000000-0000-Z15453-300000

**BACKGROUND/EXPLANATION:**

The Marketplace area downtown is a major nighttime destination for thousands of persons in Baltimore. The businesses in the area and the City seek to provide a safe environment for all persons who work in, or visit the businesses in the Marketplace and surrounding area. The Police Department agrees to provide visible police officers to the downtown Marketplace on Friday and Saturday in a nighttime deployment configuration. These officers will work in a foot patrol capacity. Iguana Cantina, LLC will reimburse the Police Department \$400.00 per week and it will be invoiced on a monthly basis by the Police Department.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding between the Mayor and City Council, the Baltimore Police Department, and Iguana Cantina, LLC. The Mayor **ABSTAINED**.

**MINUTES**

Mayor's Office on Criminal Justice - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the memorandum of understanding between the Mayor and City Council, the Baltimore Police Department, and Power Plant Live.

**AMOUNT OF MONEY AND SOURCE:**

\$800.00 per week - 1001-000000-0000-Z15453-300000

**BACKGROUND/EXPLANATION:**

The Marketplace area downtown is a major nighttime destination for thousands of persons in Baltimore. The businesses in the area and the City seek to provide a safe environment for all persons who work in, or visit the businesses in the Marketplace and surrounding area. The Police Department agrees to provide visible police officers to the downtown Marketplace on Friday and Saturday in a nighttime deployment configuration. These officers will work in a foot patrol capacity. Power Plant Live will reimburse the Police Department \$800.00 per week and it will be invoiced on a monthly basis by the Police Department.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding between the Mayor and City Council, the Baltimore Police Department, and Power Plant Live. The Mayor **ABSTAINED**.

**MINUTES**

Mayor's Office on Criminal Justice - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the memorandum of understanding between the Mayor and City Council, the Baltimore Police Department, and the Midtown Community Benefits District (Midtown).

**AMOUNT OF MONEY AND SOURCE:**

\$11,760.00 - 1001-000000-0000-Z15453-300000

**BACKGROUND/EXPLANATION:**

Midtown is a community organization dedicated to making the neighborhoods of Bolton Hill, Charles North, Madison Park, and Mt. Vernon-Belvedere cleaner, safer and more attractive by supplementing municipal services. The Midtown and the City seek to provide a safe environment for all persons who live, work in, or visit the area. Therefore, the Midtown will reimburse the Police Department a total of \$11,760.00 for additional police officers to work in a foot patrol capacity for 13 days in April 2009. This deployment will consist of five officers working six hours each day. The one Sunday deployment will consist of eight officers working four hours each. Specific days, times and locations of deployment will be determined by the Police Department in consultation with the Midtown.

The Midtown will provide segways to supplement this deployment. It is understood that the police officers are deployed to the Midtown area, generally, but are not assigned to provide security for any specific business.

**MINUTES**

Mayor's Office on Criminal Justice - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding between the Mayor and City Council, the Baltimore Police Department, and the Midtown Community Benefits District (Midtown). The Mayor

**ABSTAINED.**

**MINUTES**Law Department - Opinion - Request for Refund of Real  
Property Taxes

The Board is requested to approve a refund of real property taxes for Ms. Gail R. Proctor, the claimant, for her property at 857 Woodward Street.

It is the opinion of the Law Department that Ms. Proctor meets the qualifications for a real property tax exemption for disabled veteran, and that she is eligible to receive a refund of taxes paid because she meets the status of a disabled individual and resided in a dwelling occupied by not more than two families during the period in question. It has been determined that Ms. Proctor is entitled to a refund of real property taxes for a portion of the 2008/2009 taxable year from July 1, 2008 to June 30, 2009, which were paid as follows:

<u>Property</u>	<u>Amount</u>	<u>Taxable Year</u>
857 Woodward Street	\$1,660.75	2008/2009

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for Ms. Gail R. Proctor, the claimant, for her property at 857 Woodward Street.

**MINUTES**

Department of Transportation (DOT) - Amendment No. 2 to an Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 2 to an agreement with Alpha Corporation, for Project No. 1012, On-Call Construction Management. The amendment extends the period of the agreement through March 21, 2010, or until the upset limit of \$1,000,000.00 is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - account various to be determined with each individual task

**BACKGROUND/EXPLANATION:**

On March 22, 2006, the Board approved the original agreement with the consultant to provide technical and administrative assistance in all aspects of construction project management and various engineering discipline services for the City's system of streets, highways, and bridges. The initial agreement was approved in the amount of \$500,000.00 for two years with an option to extend for an additional year, or until the upset limit is reached. On November 7, 2007, the Board approved amendment no. 1 to extend the period of the agreement for one year and increase the upset limit by \$250,000.00 to enable the Department of Transportation to assign additional tasks to the consultant.

This amendment no. 2 will extend the period of the agreement for an additional year and increase the upset limit by \$250,000.00 to continue overseeing the existing transportation engineering and construction projects.

**MINUTES**

DOT - cont'd

**MBE/WBE PARTICIPATION:**

The consultant will continue to adhere to the established goal of 22% MBE and 8% WBE.

**AUDITS NOTED THE TIME EXTENSION AND INCREASE IN THE UPSET LIMIT AND WILL REVIEW TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to the agreement with Alpha Corporation, for Project No. 1012, On-Call Construction Management.

**MINUTES**

Department of Transportation (DOT) - Amendment No. 2 to  
Reimbursement Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 2 to the reimbursement agreement with the Central Maryland Transit Alliance (CMTA).

**AMOUNT OF MONEY AND SOURCE:**

\$1,160.34 - 9950-514-838-20-954

**BACKGROUND/EXPLANATION:**

The DOT and the CMTA desire to work together to educate community, civic, business leaders, and elected officials about transit projects similar to the Red Line Transit Project.

On August 20, 2008, the Board approved a one year reimbursement agreement, in the amount of \$24,000.00, that would allow the DOT and the CMTA to co-sponsor a delegation of community, civic, business leaders, and elected officials to visit Seattle, Washington, Portland, Oregon, Phoenix, Arizona, and Los Angeles, California in September and October 2008. The purpose of the trips was to learn about the transit projects under construction. The DOT agreed to reimburse the CMTA for trip related expenses not to exceed \$27,583.38.

On December 17, 2008, the Board approved amendment no. 1 to the reimbursement agreement, in the amount of \$2,423.04, for co-sponsored trips.

**MINUTES**

DOT - cont'd

This amendment no. 2 to the reimbursement agreement, in the amount of \$1,160.34, will pay for a co-sponsored trip to Portland, Oregon on September 28, 2008 and October 1, 2008. The purpose of the trip was to learn about the transit project under construction.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to the reimbursement agreement with the Central Maryland Transit Alliance (CMTA).

**MINUTES**

Department of Transportation - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a payment to the Maryland Asphalt Association.

**AMOUNT OF MONEY AND SOURCE:**

\$14,500.00 - 9950-508-508-20-655

**BACKGROUND/EXPLANATION:**

The Department requests approval to pay for HMA Field Technician Certification, a federally mandated certification training course required for the Public Works Inspectors III and Public Works Inspectors II in the Transportation Engineering and Construction Division.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized a payment to the Maryland Asphalt Association.

**MINUTES**

Department of Transportation - Refund of Excess Proceeds  
from an Auction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve payment, by Expenditure Authorization, of the refund of excess proceeds from a City vehicle auction to the registered owner, Westport Auto, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$2,820.00 - 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 lien holder 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 payment, by Expenditure Authorization, of the refund of excess proceeds from a City vehicle auction to the registered owner, Westport Auto, Inc.

**MINUTES**

Department of Communication Services - Participation Agreement  
- Municipal Telephone Exchange (MTE)

**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested to approve and authorize execution of a participation agreement with Verizon Business Network Services, Inc. (Verizon). The Board is also requested to authorize payment by Expenditure Authorization. The Board is further requested to authorize the Department of Communication Services, Municipal Telephone Exchange to add services under this agreement, as required by City agencies. The agreement is effective upon Board approval for one year, after which services will be extended on a month-to-month basis, and may be terminated upon notice to Verizon.

**AMOUNT OF MONEY AND SOURCE:**

The costs for services were projected in the Centrex contract with Verizon. The costs will be charged to agency accounts, subject to budget approval.

**BACKGROUND/EXPLANATION:**

As a result of the merger between MCI Communication Services, Inc. (MCI) and Verizon, some services and or upgrades to services which were in the past provided under the City's contract with Verizon for Centrex, now must be procured through Verizon on behalf of MCI. This agreement will allow the City to maintain existing services, upgrade existing services, or add services as needed by City agencies that are provided through the MCI division of Verizon. This request will allow the Police Department to upgrade its internet service that is used by personnel for email, and internet access by detectives and patrol cars while operating in the field. In addition, it will continue the internet access service for the Mayor's Office of Employment Development and an option of conference calling.

**MINUTES**

Department of Communication Services - Participation Agreement  
- Municipal Telephone Exchange (MTE)

**(FILE NO. 55899)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a participation agreement with Verizon Business Network Services, Inc. (Verizon). The Board also authorized payment by Expenditure Authorization. The Board further authorized the Department of Communication Services, Municipal Telephone Exchange to add services under this agreement, as required by City agencies. The President **ABSTAINED.**

**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:

Chasney & Company, Inc.	\$	4,380,000.00
East Coast Concrete Cutting Co.	\$	4,000,000.00
East Coast Concrete Specialists, Inc.	\$	4,000,000.00
Free Spirited Contractors, Inc.	\$	1,089,000.00
Gibraltar Construction Co., Inc.	\$	46,161,000.00
Glenelg Construction	\$	738,000.00
Harden Group, LLC	\$	25,000,000.00
Midwest Mole, Inc.	\$	39,699,000.00
Norair Engineering Corp	\$	30,591,000.00
Southway Builders, Inc.	\$	8,000,000.00
Strait Steel, Inc.	\$	8,000,000.00
R.F. Warder, Inc.	\$	8,000,000.00
Titan Construction, LLC	\$	3,564,000.00
Welch & Rushe, Inc.	\$	55,356,000.00

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:

Alpha Tau Mechanical Solutions	Engineer
Hydromax USA	Engineer

## MINUTES

Board and Commissions - cont'd

Mercado Consultants, Inc.	Engineer Property Line Survey Survey
RJN Group, Inc.	Engineer
Skarda and Associates, Inc.	Engineer
Urban Engineers, Inc.	Engineer

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

**MINUTES**Department of Audits - Audit Reports and Related Audit Digests

The Board is requested to **NOTE** receipt of the following Audit Reports and Related Audit Digests.

1. Audit of the Wastewater Utility Fund Financial Statements for the Years Ended June 30, 2008 and 2007.
2. Audit of the Parking Facilities Fund Financial Statements for the Year Ended June 30, 2008.
3. Audit of the City of Baltimore Water Utility Fund Financial Statements for the Years Ended June 30, 2008 and 2007.
4. Audit of the City of Baltimore Loan and Guarantee Financial Statements for the Year Ended June 30, 2008.

The Board **NOTED** receipt of the above listed Audit Reports and Related Audit Digests.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Mayor's Office of Employment Development</u>		
1. Karen Sitnick	Workforce Development Council Board Mtg. Louisville, Kentucky April 19 - 21, 2009 (Reg. Fee \$350.00)	\$1,240.40
<u>Health Department</u>		
2. Alexis Mitchell	Animal Care Expo 2009 Las Vegas, NV April 5 - 9, 2009 (Reg. Fee \$250.00)	\$1,487.24
<u>Board of Elections</u>		
3. Kelly Norton	MD Association of Elected Annual Conference Allegany Co, MD June 7 - 10, 2009 (Reg. Fee \$225.00 ea.)	\$ 819.00
4. Sherri' Jackson Aureilia Jones Rochelle Lucas Armstead Jones	Association of Elected Annual Conference Allegany Co, MD June 7 - 10, 2009 (Reg. Fee \$225.00 ea.)	\$ 2,844.10

## MINUTES

TRAVEL REQUESTS - cont'd

5. Cornelius Jones	MD Association of Elected	\$ 3,132.30
Abigail Goldman	Annual Conference	
Shirlene English	Allegany Co, MD	
Maria Johnson	June 7 - 10, 2009	
	(Reg. Fee \$225.00 ea.)	

The subsistence rate for this location is \$109.00 per day. The Department is requesting an additional \$41.00 per day to cover the cost of the hotel and food. The cost of the hotel is \$119.00 per night not including taxes.

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

**MINUTES**

Bureau of Water Wastewater - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a payment to CSX Transportation.

**AMOUNT OF MONEY AND SOURCE:**

\$7,756.80 - 9956-551601-20-663

**BACKGROUND/EXPLANATION:**

In order to install the 24 inch casing for a sewer pipe repair located near the CSX Bridge located on Aisquith St. under Sanitary Contract No. 820, it was necessary for CSX to provide inspection within the limits of their railway.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized a payment to CSX Transportation.

**MINUTES**

Department of Housing and Community - Advance Payment  
Development - Baltimore Homeless  
Services

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**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an advance payment to Govans Ecumenical Development Corporation (GEDCO).

**AMOUNT OF MONEY AND SOURCE:**

\$17,234.00 - 4963-357-901

**BACKGROUND/EXPLANATION:**

In order to avoid eviction proceedings on a subset of Shelter Plus Care clients, Baltimore Homeless Services (BHS), needs to release these funds to GEDCO, one of its payment administrators. These payments are due on the first of each month.

The current contract under which BHS executed these payments expires March 31, 2009 and the funding has been depleted. The new contract and funding were to start April 1, 2009 however due to a delay by the US Department of Housing and Urban Development's (HUD) and the contract approval process within the City, there is not a contract in place. The BHS has an unencumbered balance of \$5,174,635.14 available in fund 4963-357-901.

On March 25, 2009 the Board accepted the HUD award to the BHS for

**MINUTES**

Department of Housing and Community - cont'd  
Development - Baltimore Homeless  
Services

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the federal fiscal year for the Shelter Care Grant. After official notification of the acceptance of the HUD funds to BHS, the 4963-357-901 account will be made whole from the HUD fund.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized an advance payment to Govans Ecumenical Development Corporation.

MINUTES

Department of Housing - Expenditure of Funds  
and Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay Sears Contract Sales, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$1,766.00 - 5859-597-902-00-326

**BACKGROUND/EXPLANATION:**

The Department requests approval to pay for the installation of refrigerators for customers of the Weatherization Assistance Program (WAP). The Baltimore City Weatherization Assistance Program initiated a pilot program in 2007 to install energy efficient refrigerators in the homes of low income customers eligible for the WAP services. The listed invoices were not paid and the Purchase Order No. 210828 has expired.

<u>Invoice</u>	<u>Amount</u>
4446033	\$ 428.00
4521957	470.00
4776097	429.00
4776098	439.00
<b>Total</b>	<b>\$1,766.00</b>

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized an expenditure of funds to pay Sears Contract Sales, Inc.

**MINUTES**

Department of Housing and                    - Grant Agreement  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a grant agreement with the Baltimore International Academy, Inc. (BIA). The period of the agreement is effective upon Board approval for two years.

**AMOUNT OF MONEY AND SOURCE:**

\$25,000.00 - 9910-000000-9588-900000-706047

**BACKGROUND/EXPLANATION:**

In September 2007, Mayor Dixon 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 BIA.

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 agreement. Funds are restricted to capital improvements and cannot be used to support "soft" costs.

The BIA, located at 3501 Taylor Avenue, will use the funds to help provide eight new classrooms to its existing facility.

The BIA is the first language immersion school in Baltimore City, using language immersion instructional techniques that have been used successfully elsewhere for decades, and to apply to become an International Baccalaureate Organization "IB World School".

Students choose French, Russian, or Chinese as their language of instruction, thereby ensuring that each student will have language competency in at least one language other than English.

**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 56617)**

UPON MOTION duly made and seconded, the Board approved the grant agreement with the Baltimore International Academy, Inc. (BIA).

**MINUTES**

Department of Housing and <u>Community Development (DHCD )</u>	- First Amendment to UDAG and Promissory Note and First Amendment to the Purchase Money Promissory <u>Note</u>
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**ACTION REQUESTED OF B/E:**

DEFERRED

The Board is requested to approve and authorize execution of the first amendment to the Church Square Urban Development Action Grant (UDAG) promissory note and the first amendment to the purchase money promissory note.

The Board is also requested to approve and authorize the Commissioner of DHCD to execute any and all legal documents to effectuate this transaction subject to approval by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

No additional funds are requested.

**BACKGROUND/EXPLANATION:**

On December 18, 1985 the Trustees for The City Loan and Guarantee Program acting by and through the Mayor and City Council of Baltimore and the Board of Estimates approved an \$800,000.00 UDAG mortgage and a \$218,000.00 CDBG purchase money mortgage to the Church Square Limited Partnership. The general partners of the limited partnership consist of Eager Bond Properties, Inc. (Carl W. Struever, President) and BDFF, Inc. (Reynolds Smith, Executive Director).

The original project involved the acquisition and redevelopment of a vacant site bounded by Bond Street, Ashland Avenue, Caroline Street and Gay Street into a 45,425 square foot shopping center and parking area with 100 spaces. The original project financing consisted of a construction loan in the amount of \$1,950,000.00 from Equitable Bank, N.A. secured by a first lien; the \$800,000.00 UDAG loan secured by a second lien; the \$218,000.00 CDBG Purchase Money Mortgage secured by a third lien;

## MINUTES

DHCD - cont'd

and equity in the amount of \$457,975.00. The construction loan was reduced to \$1,700,000.00 when it was converted to permanent financing.

The term of the UDAG was 25 years commencing upon project completion. The interest rate to this debt was 3% in years 1-6 of the loan term with interest deferred in years 1 and 2, and becoming payable in year 3. Interest was charged at 6% in years 7-25. Fixed principal and interest payments began in year 7 on a 25 year amortization schedule, with a balloon payment due in year 25.

The term of the CDBG Purchase Money Mortgage was 20 years. No interest or principal payments were due in years 1-5. Commencing in the sixth year, interest accrued at the rate of 2.75% per annum and the loan began amortizing on a 20 year term. A balloon payment was due in year 20. The partnership currently owes approximately \$700,000.00 on the UDAG loan plus accrued interest on an original balance of \$800,000.00 and approximately \$220,000.00 on the CDBG Purchase Money Mortgage.

The superior mortgage (currently held by Sun Trust Bank) has an interest rate of 8%. The loan is amortized on a ten-year amortization schedule with a 7-year call provision and a maturity date of September 1, 2009. The outstanding balance is approximately \$444,876.00.

The developer was not allowed a construction or development fee. However, the budget did contain a deferred development fee, accruing interest at 12% and payable from cash flow. Currently, the deferred development fee is approximately \$254,000.00.

The Church Square Shopping Center has consistently lost money for the owner. Over the years, the owner has made operating loans totaling \$286,895.00 to the project (the "Operating Loans"). Additionally, \$358,299.00 in equity (the "Additional Equity") has been injected into maintenance, as the project itself could not provide the necessary capital. At the same time, the project has had a positive impact on the neighborhood, providing much needed employment and grocery and retail amenities in a greatly underserved neighborhood. Church Square has been an important center of activity and stability in a community beset with challenges.

## MINUTES

DHCD - cont'd

Unfortunately, over the last several years the financial position of the project has worsened. The anchor tenant recently vacated its space and a replacement has been difficult to secure. Staff believes that the project will not be able to sustain on-going payments on the City loans.

Because a foreclosure event would not benefit the City or the neighborhood, the Department believes it would be in the City's best interest to assist the developer in a debt-restructuring plan.

A default or foreclosure would likely cause the project to change hands with the City's second and third position debt at risk. While a sales contract for the project is being negotiated at \$1,750,000.00, a foreclosure price is generally lower than a market price. There is no guaranty that the City's debt would be covered. Furthermore, there is no certainty that the sale will close. Without a sale, the development is likely to reach a crisis point at the beginning of September when the first loan is due.

During a foreclosure period, the management of the project would also suffer. Without an invested owner to assume maintenance and leasing duties, there could be additional tenant losses and infrastructure decline.

The future of the development would be undetermined, with the City losing control of, or influence over, the new owner and use. Further, Mack's Gym, a neighborhood fixture serving the area's youth, has been subsidized by the developer since the project's inception. The developer has invested capital into the gym and charged only a nominal one dollar per year in rent. They are currently negotiating with the potential buyer to extend the lease for 5 years beyond its 2012 expiration date. A foreclosure would put the gym's future in doubt.

A modification to the City debt can only help with a sale and assist with maintaining this valuable community amenity.

The proposed City debt restructuring is as follows:

## MINUTES

DHCD - cont'd

- The City will convert the existing UDAG and CDBG loans to repayment from available cash flow. The balances of these debts will be set at the current outstanding balances of the respective loans. Interest will continue to accrue at the original rates.
- Half the net annual cash flow will be due on the UDAG and CDBG Purchase Money Mortgage loans for a term of 30 years from date of the amendment.
- Any unpaid amounts will be due at the end of the 30-year term. Upon the sale, refinance, transfer, or change in use the City and the owner will share on a 50-50 basis any proceeds remaining after repayment of the existing first loan and reasonable settlement expenses.
- On the earlier of (1) sale, transfer or refinance of the project; or (2) 45 days from the date of approval of this action, the owner/developer will make a one-time payment to the City of \$100,000.00 towards the outstanding balance of the UDAG.
- Net annual cash flow will be defined as all operating income and receipts of the project less debt service on the senior debt (the Sun Trust loan, the "senior debt"), real estate taxes and reasonable operating expenses (including a management fee not to exceed five percent (5%) of operating income) allowable for Federal income tax purposes, excluding reserves for capital improvements, depreciation and other non-cash items.

**THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.**

This item was **DEFERRED** for two weeks.

**MINUTES**

Department of Housing and                    - Contract of Sale  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a contract of sale with the Housing Authority of Baltimore City (HABC). The Board is also requested to approve the acquisition of these properties, subject to municipal liens in the amount of \$75,232.20 and all other municipal liens, interest and penalties that may accrue.

	<u>OWNER</u>		<u>PROPERTY ADDRESS</u>		<u>INT.</u>	<u>AMOUNT</u>
1.	HABC	1400	N. Bethel	St.	FS	\$1.00
2.	HABC	2002	E. Biddle	St.	FS	\$1.00
3.	HABC	2004	E. Biddle	St.	FS	\$1.00
4.	HABC	2028	E. Biddle	St.	FS	\$1.00
5.	HABC	1523	E. Chase	St.	FS	\$1.00
6.	HABC	1816	N. Collington	Ave.	FS	\$1.00
7.	HABC	709	N. Fulton	Ave.	FS	\$1.00
8.	HABC	711	N. Fulton	Ave.	FS	\$1.00
9.	HABC	717	N. Fulton	Ave.	FS	\$1.00
10.	HABC	719	N. Fulton	Ave.	FS	\$1.00
11.	HABC	731	N. Fulton	Ave.	FS	\$1.00
12.	HABC	733	N. Fulton	Ave.	FS	\$1.00
13.	HABC	829	N. Fulton	Ave.	FS	\$1.00
14.	HABC	630	N. Gilmore	St.	FS	\$1.00
15.	HABC	724	N. Gilmore	St.	FS	\$1.00
16.	HABC	812	N. Gilmore	St.	FS	\$1.00
17.	HABC	1604	Harlem	Ave.	FS	\$1.00
18.	HABC	1611	Harlem	Ave.	FS	\$1.00
19.	HABC	1618	Harlem	Ave.	FS	\$1.00
20.	HABC	1622	Harlem	Ave.	FS	\$1.00
21.	HABC	1623	Harlem	Ave.	FS	\$1.00

## MINUTES

DHCD - cont'd

	<u>OWNER</u>		<u>PROPERTY ADDRESS</u>			<u>INT.</u>	<u>AMOUNT</u>
22.	HABC	1625	W.	Lafayette	Ave.	FS	\$1.00
23.	HABC	1719	W.	Lafayette	Ave.	FS	\$1.00
24.	HABC	1601	W.	Lanvale	St.	FS	\$1.00
25.	HABC	1605	W.	Lanvale	St.	FS	\$1.00
26.	HABC	1621	W.	Lanvale	St.	FS	\$1.00
27.	HABC	1634	W.	Lanvale	St.	FS	\$1.00
28.	HABC	1641	W.	Lanvale	St.	FS	\$1.00
29.	HABC	1645	W.	Lanvale	St.	FS	\$1.00
30.	HABC	1706	W.	Lanvale	St.	FS	\$1.00
31.	HABC	1713	W.	Lanvale	St.	FS	\$1.00
32.	HABC	1715	W.	Lanvale	St.	FS	\$1.00
33.	HABC	1716	W.	Lanvale	St.	FS	\$1.00
34.	HABC	1721	W.	Lanvale	St.	FS	\$1.00
35.	HABC	621	N.	Mount	St.	FS	\$1.00
36.	HABC	624	N.	Mount	St.	FS	\$1.00
37.	HABC	629	N.	Mount	St.	FS	\$1.00
38.	HABC	716	N.	Mount	St.	FS	\$1.00
39.	HABC	810	N.	Mount	St.	FS	\$1.00
40.	HABC	822	N.	Mount	St.	FS	\$1.00
41.	HABC	2035	E.	Preston	St.	FS	\$1.00
42.	HABC	931	N.	Stricker	St.	FS	\$1.00

**AMOUNT OF MONEY AND SOURCE:**

\$42.00 - Funds will be transferred prior to settlement into City Bond Funds account no. 9910-588-087-00-440.

**BACKGROUND/EXPLANATION:**

The City is purchasing these properties for resale to third parties through the planning and development efforts of the DHCD.

Pursuant to the provisions of Article 13, § 2-7 of the Baltimore City Code (2000 Edition) and subject to the prior approval of the Board, the DHCD may acquire, for and on behalf of the City, any single-family or multiple-family dwelling unit or other

## MINUTES

DHCD - cont'd

structure or lot within the City, for development and redevelopment. The Commissioner of Housing has made the required determination with regard to these properties.

The HABC Board of Commissioners has approved the disposition of these vacant properties. The U.S. Department of Housing and Urban Development has approved the disposition, in accordance with 24 CFR, Part 970.

An accounting of the liens on each property follows. The HABC is exempt from real estate taxes, therefore no taxes are included in these figures. All of the liens are miscellaneous bills for cleaning, boarding, demolition and/or stabilization. The properties that presently are free of liens are included, in case a lien is posted before a deed can be recorded.

<u>Property</u>	<u>Bill No.</u>	<u>Bill Date</u>	<u>Balance</u>
1400 N. Bethel St.			
2002 E. Biddle St.			
2004 E. Biddle St.			
2028 E. Biddle St.			
1523 E. Chase St.	4053401	03/23/06	\$33.21
1816 N. Collington Ave.			
709 N. Fulton Ave.			
711 N. Fulton Ave.			
717 N. Fulton Ave.			
719 N. Fulton Ave.			
731 N. Fulton Ave.			
733 N. Fulton Ave.			
829 N. Fulton Ave.			
630 N. Gilmor St.			
724 N. Gilmor St.	4265914	10/03/06	\$153.76
812 N. Gilmor St.	4224556	08/17/06	\$138.45
1604 Harlem Ave.			
1611 Harlem Ave.	3740685	08/08/05	\$157.40
1618 Harlem Ave.			
1622 Harlem Ave.			
1623 Harlem Ave.	0076067	06/16/00	\$14,272.92

## MINUTES

DHCD - cont'd

1625	W.	Lafayette	Ave.	0228288	09/14/00	\$16,347.50
1719	W.	Lafayette	Ave.			
1601	W.	Lanvale	St.			
1605	W.	Lanvale	St.			
1621	W.	Lanvale	St.			
1634	W.	Lanvale	St.			
1641	W.	Lanvale	St.	3812997	11/07/05	\$240.06
1645	W.	Lanvale	St.			
1706	W.	Lanvale	St.			
1713	W.	Lanvale	St.			
1715	W.	Lanvale	St.			
1716	W.	Lanvale	St.			
1721	W.	Lanvale	St.			
621	N.	Mount	St.			
624	N.	Mount	St.	4658399	04/05/07	\$94.21
				5673090	12/30/08	\$23,595.36
629	N.	Mount	St.	3731106	07/26/05	\$180.99
716	N.	Mount	St.			
810	N.	Mount	St.			
822	N.	Mount	St.	5309919	06/16/08	\$20,018.34
2035	E.	Preston	St.			
931	N.	Stricker	St.			
					<b>Total</b>	<b>\$75,232.20</b>

**FILE NO.**

UPON MOTION duly made and seconded the Board approved and authorized execution of the contract of sale with the Housing Authority of Baltimore City (HABC). The Board also approved the acquisition of the foregoing properties, subject to municipal liens in the amount of \$75,232.20 and all other municipal liens, interest and penalties that may accrue.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

## 1. CLEAR CHANNEL

OUTDOOR ADVERTISING	\$ 7,200.00	Selected Source
Solicitation No. 06000 - Advertising - Fire Department - Req. No. R520834		

This vendor provides billboard advertising in locations that are best suited to display the Fire Department's message.

## 2. TIME PRINTERS, INC. \$ 5,490.00 Low Bid

Solicitation No. 07000 - Courier Newsletter - Commission on Aging and Retirement Education - Req. No. R515077
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## 3. PITNEY BOWES \$ 8,460.00 Sole Source

Solicitation No. 08000 - Maintenance for Mailing System - Sheriff's Office - Req. No. R517311
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The vendor is the sole provider of service for this proprietary equipment.

## 4. ATLANTIC CONCRETE

PRODUCTS, INC.	\$ 8,536.00	Low Bid
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Solicitation No. 06000 - Concrete Manholes - Department of Public Works - Req. No. R519580
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## 5. MCKESSON \$ 5,462.94 Low Bid

Solicitation No. 07000 - Medical Supplies - Health Department - Req. No. R514573
--

## 6. CITIZENS PHARMACY \$14,396.36 Low Bid

Solicitation No. 07000 - Medical Supplies - Health Department - Req. No. R515868
--

## 7. FOCUS CAMERA \$ 1,337.65

17TH STREET PHOTO SUPPLY	\$ 2,911.45
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SERVICE PHOTO, INC.	\$ 4,235.50	Multiple Awards
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Solicitation No. B50001001 - Photography Equipment - Police Department - Req. No. R519533
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## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
<u>Bureau of Purchases</u>		
8. <u>ADP CONSULTING, LLC</u>	<u>\$10,800.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Fire Training/Incident Command - Fire Department - Req. No. R521097		
9. <u>SUBURBAN SALES</u>	<u>\$10,000.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Fire Tools - Fire Department - Req. No. R518877		
10. <u>AIRGAS-EAST</u>	<u>\$10,000.00</u>	<u>Low Bid</u>
Solicitation No. B50000994 - Compressed Gases - Department of Public Works - Req. No. R516969		
11. <u>MILLENIUM AUTO PARTS, INC.</u>	<u>\$24,000.00</u>	<u>Only Bid</u>
Solicitation No. B50000975 - Used Foreign and Domestic Auto Parts - Department of Public Works - Req. No. R514749		
12. <u>B &amp; B INDUSTRIAL SUPPLIES, INC.</u>	<u>\$24,000.00</u>	<u>Low Bid</u>
Solicitation No. B50000997 - Automotive Hardware/Miscellaneous Fasteners - Department of Public Works - Req. No. R518072		
13. <u>DAS SOLUTIONS, LLC</u>	<u>\$13,950.00</u>	<u>Only Bid</u>
Solicitation No. 07000 - Display Screen - Department of Public Works - Req. No. R518543		
14. <u>GEIGER PUMP AND EQUIPMENT COMPANY</u>	<u>\$21,857.00</u>	<u>Only Bid</u>
Solicitation No. 07000 - Gearchem Pump - Department of Public Works - Req. No. R517964		

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
<u>Bureau of Purchases</u>		
15. ALTY CLEANING SERVICES, INC.	\$ 1,000.00	Ratification/
	11,000.00	Term Order
	<b>\$12,000.00</b>	

Solicitation No. 06000 - Janitorial Services - Department of Housing and Community Development - Req. No. Various

B50000350 expired on February 28, 2009 with 2 two-year renewals remaining. However, the vendor continued to meet the City's needs. It is requested that purchases from March 01, 2009 through March 31, 2009 be ratified in the amount of \$1,000.00, and that a term purchase order in the amount of \$11,000.00 be approved for the period April 01, 2009 through February 28, 2011 under the same terms and conditions as B50000350, including the remaining two-year renewal.

16. G T & S	\$ 4,000.00	Increase
Solicitation No. P503656 - Compressed Gases - Department of Public Works - Req. No. Various		

On August 26, 2008, the initial purchase order was issued in the amount of \$4,900.00. The Board is requested to approve an increase in the amount of \$4,000.00 to continue the supply of compressed gases such as oxygen, acetylene, carbon dioxide and argon, which are used in the hydraulic and welding shops. With this increase, the total contract amount will be \$8,900.00.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
<u>Bureau of Purchases</u>		
17. G T & S	\$14,000.00	Low Bid
Solicitation No. B50000994 - Compressed Gases - Department of Public Works - Req. No. R516969		
18. LORENZ, INC. AND TRU GREEN LANDCARE	\$781,000.00	Renewal
Solicitation No. BP 06133 - Grass Mowing - Department of Recreation and Parks - Req. Nos. Various		
On April 5, 2006, the Board approved the initial award in the amount of \$698,000.00. Subsequent renewals were approved by the Board. The Board is requested to approve the final renewal in the amount of \$781,100.00 for the period of March 29, 2009 through March 28, 2010.		
<u>Lorenz</u>		<u>TruGreen</u>
<b>MBE:</b> Evergreen Lawn Care 12%		<b>MBE:</b> Total Land Care 12%
<b>WBE:</b> Fouts Lawn Care 4%		<b>WBE:</b> Ward Haines 4%

**MWBOO FOUND VENDORS IN COMPLIANCE.**

19. GOTTLIEB & WERTZ, INC. \$ 30,000.00 Renewal  
Solicitation No. 08000 - Maintenance Service for Quest Juvenile Case Management System - Circuit Court for Baltimore City - Req. No. R507847

On July 24, 2008, the Board approved the initial award on a sole source basis in the amount of \$30,000.00. Maintenance for the system is only available from the original vendor. Therefore, the Board is requested to authorize the one-year renewal option available to the City in the amount of \$30,000.00.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

## 20. MULTICORP COMMERCIAL

CLEANING COMPANY	\$589,590.00	Renewal
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Solicitation No. BP 06146 - Janitorial Services Area C  
Department of Public Works, Bureau of General Services - Req.  
No. R504645

On March 22, 2006, the Board approved the initial award in the amount of \$691,476.00. Subsequent increases and renewals were approved by the Board. The Board is requested to approve the third renewal in the amount of \$589,590.00. This amount reflects a 25% reduction in service. The period of the renewal is May 1, 2009 through April 30, 2010.

**MBE GOALS WERE SET AT 17% AND WBE GOALS WERE SET AT 9%.**

<b>MBE:</b> Building One	17%	\$100,230.30
<b>WBE:</b> My Cleaning Services	9%	\$ 53,063.10

**MWBOO FOUND VENDOR IN COMPLIANCE.**

## 21. AMERINATIONAL COMMUNITY

SERVICES, INC.	\$ 16,000.00	Extension
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Solicitation No. 06000 - Provide Loan Servicing - Department of Housing and Community Development - Req. No. N/A

On May 19, 1993, the Board approved the initial award of BP-19093, Provide Loan Servicing in the amount of \$995,046.00. The contract provides for the servicing of various loan programs including Deferred Loans, Rental Rehab Loans, Real Residential and Real Commercial Loans, CHAP Loans, Baltimore Home Program Loans, Settlement Expense Loans and a small number of other similar loans which promote home ownership and businesses in Baltimore. Subsequent renewals and actions have been approved by the Board. In order to allow time to bid this requirement an extension in the amount of \$16,000.00 is necessary making the total award amount \$2,234,844.61.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONSVENDOR          AMOUNT OF AWARD          AWARD BASISBureau of Purchases

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

**ON DECEMBER 5, 2008 IT WAS DETERMINED THAT NO GOALS WOULD BE SET BECAUSE THERE IS NOT AN OPPORTUNITY TO SEGMENT THE CONTRACT.**

**MWBOO GRANTED A WAIVER.**

- |     |   |              |         |
|-----|---|--------------|---------|
| 22. | SAFEWARE, INC.  | \$      0.00 | Renewal |
|     | Solicitation No. BP 07126 - Respirators, Replacement Parts and Fit Test Services - Agencies Various - Req. Nos. Various |              |         |

On March 7, 2007, the Board approved the initial award in the amount of \$196,721.90. Subsequent actions have been approved. Authority is requested to exercise the second and final renewal. No additional funds are needed at this time.

**ON JANUARY 10, 2007 MWBOO DETERMINED THAT NO GOALS WOULD BE SET BECAUSE THERE IS NOT AN OPPORTUNITY TO SEGMENT THE CONTRACT.**

**MWBOO GRANTED A WAIVER.**

- |     |  |              |             |
|-----|--|--------------|-------------|
| 23. | TURF EQUIPMENT &<br>SUPPLY COMPANY   | \$120,000.00 | Sole Source |
|     | Solicitation No. 08000 - OEM Parts and Service for Toro Equipment - Department of Public Works, Fleet Management Division - Req. No. R516970 |              |             |

This is a requirements contract. The vendor is the sole authorized distributor of Toro equipment in Maryland.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

## 24. EFFICIENCY ENTERPRISES

OF MARYLAND, LLC.	\$ 75,000.00	Increase
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Solicitation No. BP 07111 - RV Motor Homes Repair - Department of Public Works, Fleet Management Division - Req. No. R145336:1

On May 30, 2007, the Board approved the initial award to Peter's Spring in the amount of \$75,000.00 and Efficiency Enterprises in the amount of \$75,000.00. On June 11, 2008, the Board approved an increase in the amount of \$300,000.00 to Peter's Spring and \$50,000.00 to Efficiency Enterprises of Maryland, LLC. Due to an increase in demand for the repair services provided by Efficiency Enterprises of Maryland, LLC., authority is requested for an increase in the amount of \$75,000.00, making the total award amount for Efficiency Enterprises of Maryland, LLC. \$200,000.00. No increase is needed at this time for the services provided by the Peter's Spring.

On March 7, 2007, it was determined that goals would not be set because of insufficient certified M/WBE contractors.

## 25. HARBOR TRUCK PARTS AND

SALES COMPANY, D/B/A

BALTIMORE FREIGHTLINER	\$200,000.00	Increase
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Solicitation No. 06000 - Freightliner O.E.M. Heavy Truck Parts and Services - Department of Public Works, Fleet Management Division - Req. No. R145322

On June 14, 2006, the Board approved the initial award, in the amount of \$200,000.00. Subsequent renewals were approved. Due to an increase in the need for freightliner parts and services by the Fleet Management Division, authority is requested to increase the purchase order in the amount of \$200,000.00, making the total contract award \$800,00000.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

**THIS IS A RENEWAL OF AN AGREEMENT UNDER THE SAME TERMS AND CONDITIONS AS THE ORIGINAL AWARD. THE ORIGINAL SELECTED SOURCE AWARD DID NOT HAVE MBE/WBE GOALS APPLIED.**

26.	<u>BANK OF AMERICA, N.A.</u>	<u>\$ 0.00</u>	<u>Extension</u>
	Solicitation No. BP 03047 - Small Purchases Credit Card Program - Department of Finance, Bureau of Purchases - Req. No. N/A		

On January 8, 2003, the Board approved the initial award. Subsequent actions were approved by the Board. Authority is requested to extend the contract to provide time to adequately evaluate the two-step solicitation B50000452, negotiate the Credit Card Agreement, provide a clear transition at the fiscal year end, and provide for a potential transition period should a new vendor be selected. The period of the extension is May 1, 2009 through June 30, 2009.

**ON AUGUST 2, 2002, IT WAS DETERMINED THAT NO MBE/WBE GOALS WOULD BE SET BECAUSE THERE WAS NOT AN OPPORTUNITY TO SEGMENT THE CONTRACT.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
<u>Bureau of Purchases</u>		
27. BALTIMORE GAS & ELECTRIC COMPANY	\$105,807.00 <u>14,397.00</u> <b>\$120,204.00</b>	Agreement/ Sole Source

Solicitation No. 08000 - Relocate and Reinstall Power Cables - Department of Recreation and Parks - Req. Nos. R519739 and R519749

The Board is requested to approve and authorize execution of agreements with the BGE. The agreements are effective upon Board approval, through March 31, 2010.

The Department of Recreation and Parks needs two separate electrical installations done for the Clyburn Arboretum. The BGE is the sole provider of the designated services.

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.

UPON MOTION duly made and seconded the Board approved and authorized the foregoing Informal Awards, Renewals, Increases to Contracts and Extensions. The Comptroller ABSTAINED on items nos. 20 and 25.

## 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:

67 - 70

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 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 no. 4.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation

1. TR 09018, Citywide M. Luis Construction \$ 283,909.50  
Curb Repairs Co., Inc.

**MBE:** Fallsway Construction \$ 26,000.00 9.16%  
Co., LLC  
Carter Paving & Excavating, 20,000.00 7.04%  
Inc. \$ 46,000.00 16.20%

**WBE:** Rowen Concrete, Inc. \$ 10,000.00 3.52%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 326,495.93	9950-509-465	
MVR	Constr. Res. -	
	Curb Repair	
	9950-902-465-9509	
		9950-903600-9508
\$ 283,909.50	-----	9950-508-600-6
		Structure & Improv.
28,390.95	-----	9950-508-600-5
		Inspections
14,195.48	-----	9950-508-600-2
<u>\$ 326,495.93</u>		Contingencies -
		Citywide Curb
		Repairs

This transfer will provide to cover the cost associated with the award of TR 09018 to M. Luis Construction Co., Inc.

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:**Bureau of General Services

3. PB 08826, Structural      Mirabile Construction      \$ 71,250.00  
 Garage Slab Repairs      Co., Inc.  
 to the Police  
 Department  
 Headquarters Bldg.

**MBE:** T & M Paving                      \$21,000.00              29.47%  
**WBE:** McCall Trucking, Inc.      \$ 5,000.00              7.02%

**MWBO FOUND VENDOR IN COMPLIANCE.**

Bureau of Purchases

4. B50000963, Air              Total Filtration  
 Filter Replacement      Services  
 Service for the              GDP Enterprises, Inc.  
 City of Baltimore    \$997,117.55

**MWBO SET GOALS OF 7% MBE AND 2% WBE. THREE BIDS WERE RECEIVED.**

In order to meet the City's needs, two vendors are recommended for award.

**MWBO FOUND ALL THREE VENDORS IN NON-COMPLIANCE.**

**BOTH OF THE RECOMMENDED BIDDERS HAVE AGREED TO REMEDY THE TECHNICAL ERRORS IN THEIR SUBMISSIONS AND COME INTO COMPLIANCE WITHIN 10 DAYS OF THIS AWARD. THIS IS A REQUIREMENTS CONTRACT SO DOLLAR AMOUNTS WILL VARY.**

## MINUTES

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

The vendor was found non-compliant because a change on a required form was not initialed by the subcontractor. The allowable percentage for M/WBE suppliers was incorrectly calculated.

<b>MBE:</b>	L & J Construction Service	7.00%
	Molecular Systems	1.75%

<b>WBE:</b>	Eagle Express, Inc.	4.00%
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GDP Enterprises, Inc.

The vendor was found non-compliant because a signature from a required document was omitted.

<b>WBE:</b>	AWA Mechanical, Inc.	7.00%
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<b>WBE:</b>	Acorn Supply & Distributing	.50%
	All Pro Placement Services	1.50%

- |    |  |   |              |
|----|--|---|--------------|
| 5. | B50000924, Transportation Service for the Sandtown-Winchester & Oliver Senior Centers 2009 | Higher Ground Transportation Services, Inc. | \$167,665.00 |
|----|--|---|--------------|

**MWBOO GRANTED A WAIVER.**

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

- |    |  |                                      |              |
|----|--|--------------------------------------|--------------|
| 6. | B50000947, Utility<br>Body Pickup Trucks | Chas. S. Winner d/b/a<br>Winner Ford | \$159,936.00 |
|----|--|--------------------------------------|--------------|

**MWBOO GRANTED A WAIVER.**

- |    |  |                                |              |
|----|--|--------------------------------|--------------|
| 7. | B50000970, Refri-<br>gerated Van Body<br>Truck | Beltway International<br>Truck | \$170,895.00 |
|----|--|--------------------------------|--------------|

**MWBOO GRANTED A WAIVER.**

- |    |                     |  |  |
|----|---------------------|--|--|
| 8. | B50000957, Forklift | <b>REJECTION</b> - Vendors were solicited by posting on CitiBuy and in local newspapers. The two bids received were opened on March 11, 2009 and the lowest bid exceeded the budget amount for this purchase. It is recommended that all bids be rejected as not being in the best interest of the City. The specifications will be revised and this requirement will be re-bid at a later date. |  |
|----|---------------------|--|--|

**MINUTES**

Bureau of Purchases - Termination of B50000675

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the termination of the award of B50000675, Liquid Chloride for City of Baltimore to JCI Jones Chemical, Inc. The termination is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

N/A

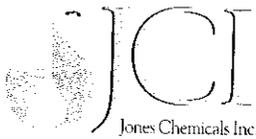
**BACKGROUND/EXPLANATION:**

The contractor was found in default of paragraph GC32 of the contract and the performance of the contractor is unacceptable.

**APPROVED FOR FUNDS BY FINANCE**

**A LETTER OF PROTEST HAS BEEN RECEIVED FROM JONES CHEMICALS, INC.**

This item was **DEFERRED** until April 15, 2009.



March 30, 2009

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

Re: Letter of Protest - Solicitation Number B50000675 – Liquid Chlorine for City of Baltimore

To Whom It May Concern:

It has been brought to our attention that the Baltimore City Bureau of Purchases will be recommending at the Board of Estimates meeting on Wednesday, April 1<sup>st</sup>, 2009 that the current contract for liquid chlorine between JCI Jones Chemicals, Inc. and the City of Baltimore be terminated. To date, we have neither been notified in writing of the City's intent to terminate the contract nor of any alleged reasons justifying the City's decision to terminate the contract and the purpose of this letter is to present a formal 'Letter of Protest' with the City of Baltimore regarding the recommendation referenced above.

JCI Jones Chemicals, Inc. has appreciated and respected the opportunity to supply the City of Baltimore's two facilities; i.e., the Montebello Filtration Plant and the Patapsco Wastewater Treatment Plant with liquid chlorine, not only during the current contract period but throughout the past several years. As the leading repackager of chlorine in the United States, we take our responsibilities for providing our customers with the highest quality and safest product possible extremely seriously.

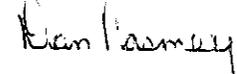
We pride ourselves on our ability to provide the quality product our customers have the right to expect and our commitment to working with customers should issues of concern be raised pertaining either to the package and or service provided. Throughout the past several months, several attempts have been made not only to meet personally with key members of the Water System Department to discuss alleged issues of concern but also to provide Chlorine Safety Training Seminars to both facilities. It is no small coincidence that the Patapsco Wastewater Treatment Plant was provided with a Chlorine Safety Training Seminar on June 13<sup>th</sup>, 2008 and has reported no problems with either the product and or service. At the same time, our numerous attempts to offer the same training for the employees at the Montebello Filtration Plant have met with resistance and the issues raised during the past three months have originated at this facility alone.

We are respectfully requesting that the City of Baltimore rescind the intent to terminate the contract at least until JCI Jones Chemicals, Inc. has been afforded the opportunity to

present all of the facts surrounding the City's stated concerns. The impact of the termination of this contract with the City of Baltimore would have a near devastating impact on not only our facility in Milford, Virginia in terms of the jobs lost but with respect to the contracts we maintain with our suppliers. It is possible that we may be found in breach of the contracts we've entered into with our suppliers as we have made a commitment to purchase a fixed volume of product from them. Lastly, the termination of this contract will clearly have a negative impact on the goodwill and reputation that JCI Jones Chemicals, Inc. has worked hard to develop and maintain during our nearly 80 year history. At a minimum, we would request that any action taken be postponed until a meeting has taken place between both the City of Baltimore's Water System Department and representatives of JCI Jones Chemicals, Inc..

We look forward to the opportunity to work with the City of Baltimore on this extremely important issue and trust that you understand our reasons for requesting that any effort to terminate the current contract for liquid chlorine be suspended until all of the facts are presented and reviewed. It is our intent to be present at the upcoming Board of Estimates meeting on April 1<sup>st</sup> to discuss this serious issue. Should you have any questions regarding this, please contact me at 1-330-825-4521.

Thank you,  
JCI JONES CHEMICALS INC.



DAN CASMEY  
Executive VP of Safety, Security & Regulatory Compliance

**MINUTES**

Department of Transportation - 2009 Towing Rates Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the 2009 Towing Rates Agreement with the Baltimore Towers' Association. The period of the agreement is effective upon Board approval for two years, with an automatic one year renewal, unless written notice is provided by either party.

**AMOUNT OF MONEY AND SOURCE:**

\$300,000.00 - 3001-195-002-00-366

**BACKGROUND/EXPLANATION:**

On January 28, 2009, the Board approved a six month Towing Rates Agreement with the Baltimore Towers' Association. In order to enforce the City's parking regulations and scofflaw laws as they apply to motorists and their vehicles, the City through the Department of Transportation and the Police Department utilizes a group of Medallion Towers to augment City resources in these efforts. This includes the towing of vehicles that are in violation of parking laws in identified tow zones, vehicles towed in response to police action, and vehicles owned by persons.

The vehicles are towed to the Fallsway Impound Lot or to the Pulaski Highway Storage Facility where they are held until all fines and fees have been satisfied.

The change in rates is necessary to keep up with the rising fuel utility and operational costs.

MINUTES

Dept. of Transportation - cont'd

RATES AND CHARGES

ACTUAL  
FEE/RATE

1.	LICENSING	DEFERRED	
	Application Fee		\$250.00
	License Fee		\$100.00
	Renewal License Fee		\$250.00
	Certified Copies		\$ 10.00
2.	<u>TOWING SERVICES AND STORAGE</u>		
	A) Towing vehicles and/or motorcycles		\$160.00
	from scene of accident location of		
	owner's choice within a three mile radius		
	of accident scene		
	A-1) Towing charge per mile beyond the		\$ 5.00
	three mile radius of accident scene		
	and/or garage of tower		
	A-2) Furnish a dolly (this price includes		\$ 90.00
	placing on dolly), go jacks or rollback		
	truck when dolly will not suffice.		

## MINUTES

Department of Transportation - cont'dRATES AND CHARGES

	<u>ACTUAL FEE/RATE</u>
B) Towing dual wheel vehicles from accident scene to location of owners choice or impound lot.  West of Charles	\$315.00
East of Charles	\$305.00
B-1) Towing charge to location of owners choice per mile beyond three mile scene (Does not apply to vehicles towed to impound lot)	\$ 6.00
C) Towing tractor trailer or combo vehicles with 10 or more wheels.	\$440.00
D) Charge for hooking up air in order to release West Coast Air Brakes	\$ 85.00 (flat rate)
E) Charge for manual release of West Coast Air Brakes	\$ 90.00 (flat rate)
F) Dropping drive shaft and/or pulling axles-replacing same at City Impound Facility, each axle (compulsory).	\$ 95.00
G) Loading charges for towing of auto parts, clips, engines, Miscellaneous pieces with or without VIN numbers	\$ 75.00

## MINUTES

Dept. of Transportation - cont'dRATES AND CHARGESACTUAL  
FEE/RATE

- DEFERRED
- |   |          |
|---|----------|
| G-1) Second truck; pro-rated after first hour (subject to need determination at tower's discretion)   | \$ 95.00 |
| G-2) Pro-rated charge in 15 minute increments.  | \$ 25.00 |
| H) Towing from street to area designated by City during unusual conditions (automobiles, motorcycles, and Trucks up to 1 ton included), hourly rate | \$ 85.00 |
| I) Storage charge per day (charge must be written on signed agreement)  | \$ 38.00 |
| J) Admin Fee  | \$ 44.00 |

3. WINCHING SERVICES

- |   |          |
|---|----------|
| A) Does not apply to normal winching associated with loading a vehicle, a "rollback" tow truck.<br><br>Passenger vehicles and trucks up to and including two tons | \$250.00 |
|---|----------|

## MINUTES

Dept. of Transportation - cont'dRATES AND CHARGESACTUAL  
FEE/RATE

Winching service at the scene of an accident, such as HD upsets, wooded areas, down embankments, inside building, stolen vehicles, etc (hourly rate)	\$125.00
	Standard & Rollback
A-1) Second truck; pro-rated after first hour in 15 minute increments	\$ 95.00
B) Trucks 2 tons and over (Hourly Rate)	\$250.00
C) Vehicles in Harbor (only towers with Heavy Duty, Twin Winch or Rotator Truck shall remove said vehicles) (Hourly Rate)	\$300.00
C-1) Second Heavy Duty truck; prorated after first hour (subject to need B determination at tower's discretion) (Hourly Rate)	\$300.00
D) To right/rectify overturned vehicles (flat rate)	\$ 75.00

MINUTES

Dept. of Transportation - cont'd

RATES AND CHARGES

ACTUAL  
FEE/RATE

4. TOWING FOR BALTIMORE POLICE DEPARTMENT

A) Towing from accidents, crime scenes, etc. for police  
\$ 71.00

Security to various police districts or units (at police  
discretion)

Zone rate shall be charged if vehicles is later towed to the City  
Storage Facility at Pulaski Highway.

Towing for other law enforcement agencies shall be priced

pursuant to private contracts.

5. Zone Charges

Baltimore City

A) Zone 1 \$130.00

B) Zone 2 \$140.00

Counties

A) County tows (chases, stolen, etc.) \$ 5.00

per county mile

- Plus appropriate zone charges from point of entry into city

## MINUTES

Dept. of Transportation - cont'd

RATES AND CHARGES

ACTUAL  
FEE/RATE

6. MISCELLANEOUS

A) Transmission pins, City's \$ 6.00

compensation to tower for pulling  
and replacing

1) City's charge to tower \$ 10.00

for failure to replace Transmission

Pins shall only be pulled for

towing. Towers shall carry tools

necessary to pull and replace pins.

Pins are to be replaced at the City

Impound Facility.

B) City's charge for investigating tow bill upon a determination that \$ 75.00

bill has previously been paid.

DEFERRED

MINUTES

- |                                     |                  |
|-------------------------------------|------------------|
| C) Supply Tractor-2 hr. minimum     | \$250.00 Per hr. |
| D) Supply Trailer-2 hr. minimum     | \$250.00 Per hr. |
| E) Supply Lowboy- 2 hr. Minimum     | \$250.00 Per hr. |
| F) Supply Bull Dozer- 2 hr. minimum | \$250.00 Per hr. |
| G) Supply Fork Lift- 2 hr. minimum  | \$250.00 Per hr. |

This item was **DEFERRED** until April 15, 2009.

**MINUTES**

Department of Recreation and Parks - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds to pay the American Red Cross (ARC).

**AMOUNT OF MONEY AND SOURCE:**

\$4,900.25 - 1001-600000-4800-371802-604051

**BACKGROUND/EXPLANATION:**

The ARC provides various goods and services to the Aquatics Division, in conjunction with the training and certification of lifeguards and other personnel.

As these invoices were past due, the Bureau of Purchases instructed the Department to obtain Board of Estimates approval for the outstanding invoices.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay the American Red Cross.

**MINUTES**

Police Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay Tactical & Survival Specialties, Inc. by Expenditure Authorization.

**AMOUNT OF MONEY AND SOURCE:**

\$5,086.88 - 1001-200-007-00-430

**BACKGROUND/EXPLANATION:**

The Department requests the Board to approve the payment to Tactical & Survival Specialties, Inc. by Expenditure Authorization and to ratify the purchase for a second order of simunition that was inadvertently shipped by the vendor. The Department utilized the simunition, but did not have sufficient funds in the existing Purchase Order to cover the cost of the shipment.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly noted and seconded, the Board approved and authorized an expenditure of funds to pay Tactical & Survival Specialties, Inc. by Expenditure Authorization.

**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 09016, Resurfacing Highways at Various Locations - JOC HH  
**BIDS TO BE RECV'D: 05/06/2009**  
**BIDS TO BE OPENED: 05/06/2009**

Department of Transportation - TR 09013, Resurfacing Highways at Various Locations Northeast - JOC EE.  
**BIDS TO BE RECV'D: 05/06/2009**  
**BIDS TO BE OPENED: 05/06/2009**

## MINUTES

ACKNOWLEDGEMENT

President: "I would like to welcome the students here from Geschwister School. I know the Schule part. I know five more words beside that. They are here from our Friendship City of Bremerhaven, Germany, and they are accompanied by three faculty members. Wave, faculty members as teachers and six students. They are staying with host families and attending Poly for the week, and as part of the Sister Cities Program, we certainly hope that as a classroom Poly will have an opportunity to visit Germany as well, and I certainly hope that you have enjoyed your stay. I also wish that I would have retained more of my German so that that I could have made these remarks in German. But, you are here for a reason, and it is not to learn German. So, I want to welcome Kathrin Bellinghausen, Enya Sommerfeld, Mika Suemasa, Marissa Kueck, Rieke Baer, Nicola Koster. So, thank you so much for joining us, and I really hope that you enjoy your time in the States and in Baltimore. Thank you for joining us.

(Applause)

Am I supposed to make another announcement about Taxpayer's Night?"

MINUTES

Mayor: "Just a reminder."

President: "A reminder. Taxpayers Night tomorrow, War Memorial Building, 6:30 p.m. I believe."

Comptroller: "6:00 p.m."

President: "6:00 p.m. We get a little grace period, 6:00 p.m., 6:30 p.m."

Deputy Comptroller: "6:00 p.m."

President: "Okay, 6:00 p.m. Let me slide to the back. Are there any other announcements? As there is no more business before the Board. The meeting will recess until bid opening at 12:00 noon. Thank you."

\* \* \* \* \*

**MINUTES**

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

**BIDS, PROPOSALS AND CONTRACT AWARDS**

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

Department of Transportation -

TR 00045, Rehabilitation of Orleans Street, from Central Avenue to Wolfe Street.

**BIDS TO BE RECV'D: 04/08/2009**

**BIDS TO BE OPENED: 04/08/2009**

MINUTES

Thereafter, UPON MOTION duly made and seconded, the Board received, opened and referred the following bids to the respective department for tabulation.

Department of Transportation - TR 09010R, Resurfacing Highways at Various Locations  
Citywide-Emergency - JOC

Machado Construction  
M. Luis Construction Co., Inc.  
P. Flanigan & Sons, Inc.

\* \* \* \* \*

**MINUTES**

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, April 8, 2009.

JOAN M. PRATT

Secretary