

**MINUTES****REGULAR MEETING**

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

The meeting was called to order by the President.

**ANNOUNCEMENT**

Clerk: "The Board of Estimates will be in recess on August 5, 2009. The Board will not receive or open bids on August 5, 2009. The Board of Estimates will reconvene on August 12, 2009, 9:00 a.m."

## MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

A&A Plumbing, Inc.	\$	1,500,000.00
Bristol Environmental, Inc.	\$	8,000,000.00
H.A. Winchester Enterprises, Inc.	\$	234,000.00
Herbert Electric Company, Inc.	\$	1,500,000.00
Hercules Fence of Maryland, LLC.	\$	3,159,000.00
His Way Electric, LLC	\$	945,000.00
Horton Mechanical Contractors, Inc.	\$	8,000,000.00
JLG Architectural Products, LLC	\$	4,077,000.00
Kokosing Construction Company, Inc.	\$	274,230,000.00
Livingston Fire Protection, Inc.	\$	8,000,000.00
M&N Professional Concrete Contractors, Inc.	\$	8,000,000.00
Mid-Atlantic Utilities, Inc.	\$	8,000,000.00
Nasdi, LLC	\$	7,893,000.00
Omega Demolition Corp.	\$	5,090,000.00
Safety Grooving & Grinding, L.P.	\$	56,223,000.00
Warwick Supply & Equipment, Co., Inc.	\$	8,000,000.00

## MINUTES

BOARDS AND COMMISSIONS2. Prequalification of Architects and Engineers

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

Aerosol Monitoring & Analysis, Inc.	Engineer
Alexander Design Studio, P.C.	Architect
ARM Group, Inc.	Engineer Survey
Collins Engineers, Inc.	Engineer
JDG Incorporated	Engineer
PBS & J	Architect Engineer
The RBA Group	Architect Landscape Architect Engineer Property Line Survey Survey
Tuhin Basu & Associates, Inc.	Engineer
Whitman, Requardt & Associates, LLP	Architect Engineer Land Survey Property Line Survey

There being no objections, the Board, UPON MOTION duly made and seconded, approved the foregoing and Architects and Engineers. The Comptroller **ABSTAINED** on item no. 1.

MINUTES

PERSONNEL MATTERS

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UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

2793 - 2800

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

Item nos. 15, 16, and 21a-e are

**DEFERRED** until August 12, 2009.

## MINUTES

PERSONNELHealth Department

	<u>Hourly Rate</u>	<u>Amount</u>
1. ELAINE V. HENRY	\$12.74	<b>\$14,524.00</b>
2. TAMEKA RUSSELL	\$11.04	<b>\$12,586.00</b>
3. LINDA GASKINS	\$12.74	<b>\$17,743.00</b>

Account: 6000-624910-3100-297101-601009

These individuals will work as School Health Aides. They will be responsible for acting as advocates in obtaining services for students and their families, assisting with logging and triaging all students entering the health suite and assisting with school screening procedures including physical examinations. The period of the agreement is August 1, 2009 through June 30, 2010.

4. ONDRA L. WALKER	\$27.15	<b>\$20,363.00</b>
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Account: 6000-624910-3100-297101-601009

Ms. Walker will work as a School Nurse for the School Health Program. She will be responsible for providing nursing services to the children in Baltimore City, and serving as a resource and consultant to the staff. She will also be responsible for assisting students and families to achieve optimal levels of wellness. The period of the agreement is August 1, 2009 through June 30, 2010.

5. MAUREEN ROCHELLE	\$41.82	<b>\$42,322.00</b>
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Account: 6000-624910-3100-297101-601009

Ms. Rochelle will work as a Nurse Practitioner. She will be responsible for providing comprehensive primary health care services to all enrolled students, assuring that all medical records are accurate, legible and completed for computer data. The period of the agreement is August 1, 2009 through June 30, 2010.

## MINUTES

PERSONNELHealth Department

	<u>Hourly Rate</u>	<u>Amount</u>
6. DONALD E. BROWN, JR.	\$16.83	<b>\$16,156.80</b>

Mr. Brown will perform community risk reduction services for the Needle Exchange Program. He will be responsible for syringe exchange services, HIV/AIDS counseling, testing and referral including phlebotomy, wound care assistance, and referrals for drug treatment. The period of the agreement is August 1, 2009 through June 30, 2010.

7. ERIN WALSH	\$10.00	<b>\$ 1,440.00</b>
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Ms. Walsh will perform community risk reduction services for the Needle Exchange-Day Program. She will implement a special pilot site targeting transgender persons. This site will offer services such as syringe exchange, wound care assistance, and referrals for drug treatment. The period of the agreement is August 1, 2009 through June 30, 2010.

Account: 1001-000000-3040-274000-601009

8. Create the following classified position:

81423 - Liaison Officer Safe Streets  
 Grade 113 (\$46,700.00 - \$65,500.00)  
 Job No. to be assigned by BBMR

Costs: \$65,793.00 - 4000-4000000-3160-308300-601001

## MINUTES

PERSONNELDepartment of Law

	<u>Hourly Rate</u>	<u>Amount</u>
9. <b>HERSH STEIN</b>	\$33.00	<b>\$39,600.00</b>

Account: 2089-000000-5820-408900-601009

Mr. Stein, retiree, will work as a Special Assistant City Solicitor. His duties will include but not be limited to reviewing title reports in connection with the City's acquisition of interests in real property, searching the Land Records of Baltimore and other public records to obtain title information, rendering legal advice to City agencies concerning acquisition of real property interests and issues of Real Property Law. The period of the agreement is August 25, 2009 through August 24, 2010.

10. <b>HERBERT BURGUNDER, JR.</b>	\$42.18	<b>\$50,616.00</b>
Accounts: 1001-000000-1750-175200-601009		\$25,308.00
6000-604010-1520-169800-601009		\$12,654.00
6000-604110-1540-171400-601009		\$12,654.00

Mr. Burgunder, retiree, will continue to work as a Special Chief Solicitor. His duties will include but not be limited to reviewing worker's compensation (WC) claims filed against the City with Key Risk, or any successor City WC claims representative, to determine the value of the claim, and determine in conjunction with a Key Risk representative and/or supervisor, appropriate action to be taken by the City. The period of the agreement is August 1, 2009 through July 31, 2010.

## MINUTES

PERSONNELDepartment of Law - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
11. <b>MICHAEL S. ELDER</b>	\$52.00	<b>\$95,000.00</b>

Account: 1001-000000-1750-175200-601009

Mr. Elder will continue to assist the Chief Solicitor of the Litigation Practice Group Division. He has extensive experience in the practice areas of complicated tort litigation, contract litigation, constitutional law and land use. The period of the agreement is September 3, 2009 through September 3, 2010.

12. <b>ANDREW G. BAILEY</b>	\$77.50	<b>\$93,000.00</b>
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Accounts: 1001-000000-1750-175200-601009  
1001-000000-5850-417500-601009

Mr. Bailey, retiree, will continue to work as a Special Assistant Solicitor. Mr. Bailey will assist the Law Department in critical and time-sensitive condemnation proceedings. The period of the agreement is August 14, 2009 for one-year.

**THE LAW DEPARTMENT IS REQUESTING A WAIVER OF AM 212-1 SALARY CAP.**

13. <b>C. LAURENCE JENKINS, JR.</b>	\$55.42	<b>\$97,000.00</b>
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Accounts: 1001-000000-1750-175200-601009	\$64,666.67
1001-000000-5850-417500-601009	\$32,333.33

Mr. Jenkins will continue to work as a Special Chief Solicitor in the Department/Corporate Real Estate Group. He will be responsible for assisting in drafting and reviewing difficult and sophisticated documents for the Baltimore Development Corporation. The period of the agreement is August 4, 2009 through August 3, 2010.

MINUTES

PERSONNEL

Department of Housing and Community Development

14. Create the following six positions:

75332 - Energy Program Technician I  
Grade 552 (\$27,507.00 - \$29,513.00)  
Job Nos. to be assigned by BBMR

Costs: \$258,032.00 - 5000-500000-1840-581500-601001

Baltimore City Police Department

	<u>Hourly Rate</u>	<u>Amount</u>
15. <b>BARBARA DARGAN</b>	\$14.42	<b>\$30,000.00</b>

Account: 5000-567909-2020-218400-601009

Ms. Dargan, retiree, will continue to work as a Contract Services Specialist for the Cease Fire-Gun Violence Reduction Project. She will be responsible for utilizing a computer terminal to record routine data for processing by a computer. The period of the agreement is effective upon Board approval through June 30, 2010.

16. <b>LAWRENCE B. JOHNSON</b>	\$14.42	<b>\$30,000.00</b>
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Account: 5000-567909-2020-218400-601009

Mr. Johnson, retiree, will continue to work as a Contract Services Specialist I for the Fire-Gun Violence Reduction Project. He will be responsible for the inventory of incoming firearms evidence submissions and test fires suitable non-evidence firearms for entry on the IBIS computer system. The period of the agreement is effective upon Board approval through June 30, 2010.

**MINUTES****PERSONNEL**Department of General Services17. Create the following classified position:

52114 - Automotive Lead Mechanic  
 Grade 437 (\$37,313.00 - \$49,397.00)  
 Job No. to be assigned by BBMR

Costs: \$54,577.00 - 2030-000000-1890-189400-60100

18. Reclassify the following classified position:

From: 33233 - Secretary III  
 Grade 084 (\$32,853.00 - \$39,210.00)

To: 10063 - Special Assistant  
 Grade 089 (\$39,745.00 - \$48,257.00)

Costs: \$3,634.00 - 3001-000000-1910-192300-603001

19. Reclassify the following vacant position:

From: 52637 - General Superintendent of Electrical  
 Services  
 Grade 117 (\$56,000.00 - \$79,400.00)

To: 53335 - General Superintendent of Transportation  
 Maintenance  
 Grade 116 (\$53,900.00 - \$76,000.00)

Costs: (\$2,483.00) - 3001-000000-5010-382300-601001

MINUTES

PERSONNEL

20. Reclassify the following classified position:

From: 72712 - Engineer Associate II  
Grade 089 (\$39,745.00 - \$48,257.00)  
Jon No. 5480-21642

To: 72713 - Engineer Associate III  
Grade 092 (\$45,090.00 - \$54,906.00)

Costs: \$6,320.00 - 2024-000000-5480-395600-601001

Employees' and Elected Official's Retirement Systems

21. Create the following class:

a. 33627 - Records and Payroll Manager  
Grade 111 (\$41,700.00 - \$60,500.00)

Retitle the following three classes:

b. From: 10077 - General Counsel Public Housing

To: General Counsel

c. From: 10075 - Senior Counsel Public Housing

To: Senior Counsel

d. From: 34146 - Accounting Manager I

To: Accounting Manager

DEFERRED

MINUTES

**PERSONNEL:**

Employees' and Elected Official's Retirement Systems - cont'd

Reclassify the following position:

Job No. 1520-48274 (vacant)

e. From: 33188 - Document Imaging Manager  
Grade 089 (\$39,745.00 - \$48,257.00)

To: 33627 - Records and Payroll Manager  
Grade 111 (\$41,700.00 - \$60,500.00)

Costs: \$12,455.00 - 6000-604008-1520-169600-601001

## MINUTES

Health Department - Agreements, Sub-Award Agreement,  
and Inter-governmental Agreement

**ACTION REQUESTED OF B/E:**

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

**AGREEMENTS**

1. **BALTIMORE HEALTH CARE ACCESS, INC.** **\$ 6,679.00**

Account: 1001-000000-3040-274020-603051

Baltimore Health Care Access, Inc. will provide a part-time advocate to provide outreach services to clients. The advocate will staff the Needle Exchange Program van on the Block weekly to assist clients with applying for public benefits and obtaining required documents for health insurance enrollment. The period of the agreement is July 1, 2009 through June 30, 2010.

2. **MARYLAND STATE DEPARTMENT OF EDUCATION (MSDE) OFFICE OF CHILD CARE** **\$148,581.00**

Account: 5000-524710-3020-271000-600000

The Department's, Environmental Health Division, as contractor will be reimbursed for 100% of salary and fringe benefits for the equivalent of two Environmental Sanitarians and one part-time Office Assistant to support the inspection requests of routine and compliant inspections.

Environmental Sanitarians assigned under this agreement to the Office of Child Care will perform inspections, which include but are not limited to: safety and environmental inspection of child care centers and family child care

## MINUTES

Health Department - cont'd

facilities in the City that are subject to MSDE licensing or approval and compliant inspections of child care centers and family child care facilities in the City. They will also conduct lead paint screening via independent inspection reports of new child care centers and review of independent inspection reports for family childcare facilities as required in the City. The Office Assistant will maintain and update the databases used for child care centers and family care facilities, photocopy and compile all inspection documentation for submission to the Office of Child Care, and receive and assign cases to Environmental Sanitarians. The Department will inspect all buildings planned as new childcare centers and new family child care facilities. Annually, BCHD will inspect all child care centers. The period of the agreement is July 1, 2009 through June 30, 2010.

(FILE NO. 57056)

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| 3. ST. VINCENT DE PAUL OF<br>BALTIMORE, INC. | \$1,555.00 |
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Account: 4000-428409-3050-283300-603051

St Vincent De Paul of Baltimore, Inc. will assist the Department's Lead, Asthma, and Injury Prevention Bureau in the implementation of a Lead and Healthy Homes Promotes Program @ Adelante Familia. The goal of the Promotes Program is to raise awareness, increase prevention and reduce incidence, of lead poisoning among the City's Latino population. The period of the agreement is April 1, 2009 through August 30, 2009.

The Agreement is being presented at this time because it was just finalized.

## MINUTES

Health Department - cont'd

**4. TRAINING RESOURCE NETWORK, INC. (TRN) \$257,137.00**

Account: 4000-427709-3040-278115-603051

The TRN will provide support services as outlined in the work plan in support of the Ryan White Program's administration and Clinical Quality Management (CQM) programs, as required under the Ryan White HIV/AIDS Treatment Modernization Act of 2006.

TRN will conduct monthly written progress reports on key tasks and deliverables, along with required monthly financial reporting. The period of the agreement is March 1, 2009 through February 28, 2010.

The agreement is being presented at this time because funds were awarded late in the grant year.

**5. BON SECOURS BALTIMORE HEALTH CORPORATION (BSHC) \$ 93,000.00**

Account: 4000-422010-3030-273121-603051

The Bon Secours Health Corporation will provide services in the area of Expanded HIV Testing. The organization will provide 1,860 rapid HIV tests, provide services in the Emergency Department at Bon Secours Hospital, and attend at least three collaborative grant meetings with the project monitors. All HIV testing counselors will attend required trainings, participate in annual competencies and proficiency testing programs, and provide all proposed conference abstracts and publications to the Department and the Maryland AIDS Administration. The BSHC will accept technical assistance and recommendations provided by project monitors and implement changes when required. The period of the agreement is July 1, 2009 through June 30, 2010.

**MWBOO GRANTED A WAIVER**



## MINUTES

Health Department - cont'd

The Department's Maternal and Infant Program (M & I) nurse will provide 3 prenatal DOVE sessions as part of the regularly scheduled M & I visit after the baby is born to women who have agreed to participate in the DOVE Research Study. The period of the subaward agreement is December 1, 2008 through November 30, 2009.

The subaward agreement is being presented at this time because it was just received.

INTER-GOVERNMENTAL AGREEMENT

8. **MARYLAND STATE DEPARTMENT OF HUMAN RESOURCES, BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES (BCDSS)** **\$979,799.00**

Account: 5000-519009-3050-283300-400000

The BCDSS will acquire services from the Health Department's Division for Healthy Homes. It will provide home health inspections and lead dust analysis to determine if prospective resource homes meet the health and sanitary standards for them to be licensed to care for a BCDSS child entering care in the City.

Approximately 1800 homes (50 per month) are anticipated to be referred to the Department's Division of Healthy Homes during the term of this agreement. The home health inspections are to ensure homes meet the health and safety requirements as specified in COMAR 07.02.25.05.G and the lead risk assessments are needed for recommended lead hazard reduction in accordance with COMAR 26.16.01.16. The

**MINUTES**

Health Department - cont'd

period of the inter-governmental agreement is September 1, 2008 through August 31, 2011.

The inter-governmental agreement is being presented at this time because it was just finalized.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED (EXCEPT ITEM NO. 8) AND HAD NO OBJECTIONS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements, sub-award agreement, and inter-governmental agreement. The Comptroller **ABSTAINED** on item no. 6.

## MINUTES

Health Department - Grant Agreements

The Board is requested to approve and authorize execution of the grant agreements for the Lead Abatement Action Program.

1. **HP WEST BALTIMORE, LLC** **\$ 6,405.00**

The property is located at 1512 W. Baltimore Street.

2. **PROGRESSIVE PROPERTY, INC.** **\$15,000.00**

The property is located at 2909 Riggs Avenue.

Account: 4000-428008-3050-282900-603026

The City has received grant funds from the Department of Housing and Urban Development for certain lead hazard reduction activities, as outlined in the regulations for the Federal Lead Hazard Reduction Program.

The grantees have applied to the City for a grant to undertake the lead hazard reduction work on the above-listed properties.

The grantee or its certified contractor will perform the services and provide materials for the project on the properties. The grantee agrees that the project will be subject to occupancy and rental covenants and restrictions in the form required by the City for a three-year period from the time the lead hazard reduction work is completed.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreements for the Lead Abatement Action Program with HP West Baltimore, LLC and the Progressive Property, Inc.

**MINUTES**

Health Department - Revision to the Grant Notification

**ACTION REQUESTED OF B/E:**

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

**AMOUNT OF MONEY AND SOURCE:**

\$57,758.00 - 4000-422109-3030-272400-404001

**BACKGROUND/EXPLANATION:**

On February 18, 2009, the Board approved the initial grant award in the amount of \$519,828.00. This revised notification will increase the grant award by \$57,758.00 and make the total amount \$577,586.00.

The revision of the grant award is late because it was recently received from grantor.

**APPROVED FOR FUNDS BY FINANCE**

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

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

**MINUTES**

Health Department - First Amendment to a Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution to the first amendment to the Memorandum of Understanding (MOU) with the Housing Authority of Baltimore City (HABC).

**AMOUNT OF MONEY AND SOURCE:**

There are no funds involved with this transaction.

**BACKGROUND/EXPLANATION:**

On September 26, 2007, the Board approved the MOU with the HABC to set-aside 75 Housing Choice Vouchers for permanent relocation of eligible families who have been mutually approved by the Department and the Coalition to End Childhood Lead Poisoning.

This MOU will allow the HABC to increase the number of Housing Choice vouchers set aside for permanent relocation of eligible families from 75 to 200. All other terms and conditions of the MOU will remain unchanged.

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 57112)**

UPON MOTION duly made and seconded, the Board approved and authorized execution to the first amendment to the Memorandum of Understanding with the Housing Authority of Baltimore City.

**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expenditure of funds to pay Ms. Marni N. Seyyid, Consultant. The invoice is for the period June 24-30, 2009.

**AMOUNT OF MONEY AND SOURCE:**

\$1,716.00 - 5000-518609-3160-308600-603018 \$33.00/hour

**BACKGROUND/EXPLANATION:**

On September 3, 2008, the Board approved the agreement with the consultant to provide services to the Operation Safe Kids Program. The period of the agreement was August 1, 2008 through June 30, 2009.

The program was understaffed and the consultant provided 52 additional hours of services during the contract term. However the agreements were not amended in time and expired on June 30, 2009.

**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 Ms. Marni N. Seyyid, Consultant.

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

2812 - 2815

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds were approved

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The Mayor **ABSTAINED** on item no. 9-10.

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water & Wastewater

1. EWO #013, \$51,890.36 - S.C. 847, Lower Stony Run Waste-water Pumping Station and Force Main  


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 \$15,876,763.00 \$ 226,744.01 Whiting-Turner 0 95%  
 Contracting Co.  
 Inc.
  
2. EWO #023, \$88,200.14 - S.C. 833R, Improvements to Greenmount Branch (JGA) Interceptor, Phase II  


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 \$18,210,320.00 \$1,635,856.42 Northeast/Remsco 0 99.5%  
 Construction, Inc.

Department of Transportation

3. EWO #004, \$106,341.00 - TR 06018, Pennsylvania Avenue Beautification  


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 \$945,923.95 \$ 787.50 LAI Construction - -  
 Services, Inc.

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$106,341.00	9950-906139-9528	9950-905139-9527-2
MVR	Pennsylvania Ave. Main St. Improv.	Contingencies Pennsylvania Ave. Beautification

This transfer will fund costs associated with Change Order No. 4, Project TR 06018 to LAI Construction Services, Inc.

5. EWO #005, \$64,000.00 - TR 06018, Pennsylvania Avenue Beautification  


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 \$945,923.95 \$107,128.50 LAI Construction - -  
 Services, Inc.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 64,000.00	9950-906139-9528	9950-905139-9527-2
MVR	Pennsylvania Ave. Main St. Improv.	Contingencies Pennsylvania Ave. Beautification

This transfer will funds costs associated with Change Order No. 5, TR 06018 to LAI Construction Services, Inc.

7. EWO 016, \$605,000.00 - TR 03316, Rehabilitation and Street-scape of Eastern Avenue from Lehigh Street to City Line  


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 \$ 6,225,353.25 \$ 758,582.13 M. Luis Construc- - -  
 tion Co., Inc.

8. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$542,092.76	9950-904900-9507	9950-902596-9514-2
Federal	Constr. Res. Federal Aid Resurf./Reconstr.	Contingencies Eastern Avenue - Lehigh St. to City Line

This transfer will cover the costs associated with Change Order No. 16 on Contract TR 03316 to M. Luis construction Co., Inc.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

9. EWO #035, \$554,440.97 - TR 06012R, New East Baltimore  
Community Phase 1A/1B

\$13,665,417.99	\$3,096,533.92	Monumental Paving	90	-
		& Excavating, Inc.	CCD	

10. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$554,440.97	9950-906800-9514	9950-905326-9527-2
State Constr. Loan	Bond Fund	Contingencies - Inner Harbor East - Parcel D

This transfer will fund costs associated with the roadway and streetscape improvements of Parcel D through Change Order No. 35 on Project TR 06012R to complete the work in time for the grand opening of the new Legg Mason Building (Tower II).

**(FILE NO. 54921)**

11. EWO #037, \$46,744.15 - TR 06012R, New East Baltimore  
Community Phase 1A/1B

\$13,665,417.99	\$3,672,758.29	Monumental Paving	-	-
		& Excavating, Inc.		

12. EWO #003, \$511,855.40 - TR 03309, Reconstruction of  
Chesapeake Avenue, Phase II: from West of Sun Street to  
Patapsco River

\$ 6,627,399.36	\$ 119,442.00	Monumental Paving	-	-
		& Excavating, Inc.		

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

13. EWO #001, \$342,540.53 - Project 1040, Reconstruction of the Annapolis Road Bridge over the Baltimore/Washington Parkway  
 \$999,821.38 - T.Y. Lin Inter- - -  
 national

14. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$342,542.53	9950-903416-9507	9950-908516-6506-3
MVR	Constr. Res.	Design & Studies
	Hawkins Point Rd.	Reconstruction of
	Bridge	Annapolis Rd. Bridge

This transfer will fund costs associated with Change Order No. 1 on Project No. 1040 to T.Y. Lin International. The funds will include the design of the two adjacent bridges: Russell Street Bridge over CSXT and Monroe Street Ramp, as part of the replacement of the Annapolis Road Bridge over the Baltimore/Washington Parkway.

(FILE NO. 56136)

15. EWO #003, \$26,476.44 - Project No. 1004, Resurfacing of Lombard Street from President Street to Martin Luther King Boulevard  
 \$136,795.23 \$ 67,832.64 Urban Engineers, - -  
 Inc.

**MINUTES**

Bureau of Solid Waste - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve task assignment no. 012 to EA Engineering, Science and Technology under On-Call Project S.W.C. 1053, Provide Engineering Support, Environmental Monitoring and Construction Management Services.

**AMOUNT OF MONEY AND SOURCE:**

\$265,235.65 - 9948-904047-9517-900000-703031

**BACKGROUND/EXPLANATION:**

Under Task No. 012, the consultant will provide engineering support, environmental monitoring and construction management services for the Bureau of Solid Waste projects. The service is required to provide prompt responses for emergencies.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved task assignment no. 012 to EA Engineering, Science and Technology under On-Call Project S.W.C. 1053, Provide Engineering Support, Environmental Monitoring and Construction Management Services.

The Comptroller **ABSTAINED.**

**MINUTES**

Mayor's Office of Employment - Agreements and Memorandum  
Development (MOED) of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the following Agreement and Memorandum of Understanding (MOU).

**AGREEMENTS**

**8. HEALTHY TEEN NETWORK, INC. \$ 463.00**

Account: 4000-895309-6310-532605-603051

This agreement authorizes the Healthy Teen Network, Inc., to provide forty hours of training for three incumbent employees of the Healthy Teen Network, Inc. through an initiative known as Maryland BusinessWorks.

The incumbent employees will receive training in Business Writing and Grammar Skill Made Easy, How to Become a Better Communicator, and Event Planning.

The amount of the agreement will not exceed \$463.00 of Federal funds. The cost represents 50% of the total cost of the training. The period of the agreement is July 1, 2009 through October 4, 2009.

The agreement is late due to the late receipt of the CityDynamics system 26-digit account number.

**9. GITECH, INC., THE CREDIT UNION FOUNDATION OF MARYLAND AND THE DISTRICT OF COLUMBIA, INC. \$38,847.00**

Account: 8975-631-491-05-351  
 8967-631-491-05-351  
 6815-639-491-05-351  
 8964-631-491-05-351

MOED will arrange for training provided by GITECH, Inc. for 11 eligible participants. Those receiving Teller Training,

## MINUTES

MOED - cont'd

upon successful completion, will be employed by the Credit Union Foundation of Maryland and The District of Columbia, Inc. acting on behalf of member credit unions. The money will be drawn from four different accounts. The accounts and the amounts drawn from those accounts cannot be determined until the participants are registered.

The amount of this Agreement shall not exceed \$38,847.00 of Federal funds. The period of the agreement is April 20, 2009 through July 3, 2009.

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

MEMORANDUM OF UNDERSTANDING

- |     |   |                    |
|-----|---|--------------------|
| 10. | <b>MARYLAND JOB CORPS-CAREER<br/>DEVELOPMENT SERVICES (JOB CORPS)</b> | <b>\$16,618.00</b> |
|-----|---|--------------------|

Account: 4000-806710-6310-458505-603013

Baltimore City Workforce Investment, the City and Job Corps are entering into this MOU for the purpose of defining the parameters within which the Baltimore City One-Stop system will provide services to job seekers, employers, employees, and other interested parties within the local Workforce

**MINUTES**

MOED - cont'd

Investment Area. The mutual objectives of all parameters to this MOU will provide these services in the most efficient manner possible. The period of the MOU is July 1, 2009 through June 30, 2011.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTIONS.**

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

**MINUTES**

Baltimore Police Department (BPD) - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the memorandum of understanding (MOU) with the Kids on the Hill. The MOU is for the period July 1, 2009 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$35,000.00 - 6000-648010-2010-657100-600000

**BACKGROUND/EXPLANATION:**

The Kids on the Hill awarded sub-funds to the BPD from the Andrus Family Fund for their participation in the program "FT3-from Training to Transition".

The Baltimore youth and police officers will collaboratively work to understand the history of the institution of policing, its impact today to design and implement video training sessions, and communicate this new understanding to transform the behavior and attitudes of each group toward each other.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the Kids on the Hill.

## MINUTES

Baltimore Police Department (BPD) - Grant Agreement, Grant Awards, and Appropriation Adjustment Order

The Board is requested to approve and authorize execution of the grant agreement. The Board is also requested to approve acceptance of grant awards and an appropriation adjustment transfer.

GRANT AGREEMENT

1. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP)** **\$181,439.00**

Account: 5000-515710-2010-657300-600000

The GOCCP has awarded grant funds to the BPD for the Sex Offender and Compliance Enforcement in Maryland Initiative project "Monitoring Support". The project ensures compliance of sex offenders that are required to register/re-register with the Maryland Sex Offender Registry. These funds will provide overtime pay for sworn personnel. The grant award is for the July 1, 2009 through June 30, 2010.

GRANT AWARDS/APPROPRIATION ADJUSTMENT ORDER

2. **BUREAU OF JUSTICE ASSISTANCE (BJA)** **\$ 59,361.00**

Accounts: 1001-000000-2040-220100-604003 \$ 29,680.50  
4000-410809-2010-591600-604003 \$ 29,680.50

On October 28, 2008, the BJA awarded grant funds in the amount of \$29,680.50 to BPD for the Bulletproof Vest Program. A City's cash match is required making the total amount \$59,361.00. The period of the grant award is April 1, 2008 through September 30, 2010.

This request is late because the BPD recently received the grant award from the grantor.

## MINUTES

BPD - cont'd

3. GOVERNOR'S OFFICE OF CRIME \$ 94,395.00  
CONTROL AND PREVENTION (GOCCP)

From Account: 4000-400009-2010-548000-400000

To Account: 5000-567910-2020-218400-600000

On June 19, 2009, the GOCCP awarded grant funds in the amount of \$94,395.00 to the BPD, under the Gun Violence Reduction Grant for the "Gun Trafficking Task Force" program. The BPD is also requesting an Appropriation Adjustment Order to transfer the funds from program no. 2010 to program 2020. The funds will be used to support hiring of two contractual personnel to be assigned in the Crime Laboratory, equipment, and police officer overtime. The period of the agreement is July 1, 2009 through June 30, 2010.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement. The Board also approved acceptance of grant awards and the appropriation adjustment transfer.

## MINUTES

Department of Housing and Community - Agreements  
Development/Baltimore Homeless Services

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

1. **HEALTH CARE FOR THE HOMELESS, INC.** **\$243,906.00**

Account: 4000-496208-3570-333735-603051

Health Care for the Homeless, Inc. will provide a licensed Certified Social Worker, Team Leader, and a Case Manager for outreach and case management serving the homeless population in Baltimore City. The period of the agreement is October 1, 2007 through September 30, 2009.

The agreement is late due to a delay at the administrative and provider level. While the contract was originally supposed to start on October 1, 2007, it was not until late May 2009 that the provider furnished a working budget, which would allow for the development of the contract.

2. **DAYSPRING PROGRAMS, INC.** **\$660,393.00**

Account: 4000-496309-3570-591206-603051

The organization will provide housing in conjunction with supportive services to 45 clients. All residents will be verified as homeless and disabled due to Chronic Substance Abuse. The period of the agreement is April 1, 2009 through March 31, 2010.

## MINUTES

DHCD/Homeless Services

3. **JOBS, HOUSING AND RECOVERY, INC.** **\$477,016.00**  
**(JHR)**

Account: 4000-496209-3570-591415-603051

The JHR will operate Carrington House, a transitional housing facility that provides 24-hour transitional housing, employment assistance and other support services for 34 homeless men with substance abuse problems. The period of the agreement is March 1, 2009 through February 28, 2010.

The agreements are late because of a delay at the administrative level.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

## MINUTES

Department of Housing and Community - Grant Agreement  
Development/Baltimore Homeless Services

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with the U.S. Department of Housing and Urban Development (HUD). The period of the agreement is July 14, 2009 through July 14, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$9,523,896.00 - 4000-485910-5750-643400-404001

**BACKGROUND/EXPLANATION:**

The funds will be utilized for the Homelessness Prevention and Rapid Re-Housing Program.

On July 14, 2009, HUD announced the award to Baltimore Homeless Services pursuant to the provisions under the Homelessness Prevention Fund heading of Division A, Title XII of the American Recovery and Reinvestment Act of 2009 Grant No. S09-MY-24-001.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the U.S. Department of Housing and Urban Development.

## MINUTES

Department of Housing and - Local Government Resolutions  
Community Development

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

The following organizations are applying to the State of Maryland's Community Legacy Program (CLP) or the Community Investment Tax Credit Program (CITCP). A local government resolution of support is required by the State for all applications to these programs for funding.

<u>Organization</u>	<u>Amount</u>
1. <b>UNITY PROPERTIES, INC./OPERATION REACHOUT SOUTHWEST (OROSW)</b>	<b>\$150,000.00 (CLP)</b>

Unity Properties, Inc./Operation ReachOut SouthWest will continue to implement an energy-efficient focused home improvement program in Southwest Baltimore, which will continue to contribute to the reinvestment and revitalization in the area that is home to the West Baltimore MARC Train Station and along the route of the proposed Red Line Transit project. In addition, the project will also target energy-efficiency related home improvement grants to low-income homeowners in the community.

**(FILE NO. 56013)**

2. <b>JUNIOR ACHIEVEMENT OF CENTRAL MARYLAND</b>	<b>\$ 50,000.00 (CITCP)</b>
--	---------------------------------

The Junior Achievement of Central Maryland proposes the JA BizTown Program Project, which will provide 2,000 Baltimore City upper elementary school students the opportunity to learn how to earn and manage money, credit, and debt through the JA BizTown in-school curriculum. Upon completion students will participate in a daylong visit to run JA BizTown, a 10,000 square foot miniature town with 14 shops and businesses and 120 jobs.

**(FILE NO. 56643)**

## MINUTES

DHCD - cont'd

3. **JUBILEE BALTIMORE, INC.** **\$200,000.00**  
(CLP)

The Jubilee Baltimore, Inc., proposes the Greenmount West Community Center - School 32 Project. In the summer of 2008, Baltimore City committed the vacant 15,000 square foot School 32 to the Greenmount West Community Association.

The funds will be used for the renovation of this building into a community center, which is a critical project in the revitalization of the Greenmount West neighborhood in Central Baltimore.

4. **TELESIS CORPORATION** **\$360,000.00**  
(CLP)

The Telesis Corporation proposes the 2200 North Calvert Street Project, which is part of the first phase of a four-phase redevelopment plan for the Barclay/Midway/Old Goucher neighborhood in Central Baltimore. This project will rehabilitate six homeownership units in six dilapidated row houses 2202, 2204, 2230, 2222, 2224 and 2228 N. Calvert Street and will be coordinated with a 72-unit affordable rental housing project including an additional eight units on that block.

**(FILE NO. 57099)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing local government resolutions.

## MINUTES

Department of Housing and Community Development (DHCD) - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a memorandum of understanding with the Baltimore City Health Department, Bureau of Vector Control. The period of the MOU is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$114,000.00 - 2089-208910-5930-431426-603051

**BACKGROUND/EXPLANATION:**

Pursuant to guidance from the Department of Housing and Urban Development, this MOU will be executed for the utilization of Community Block Grant funds to support other City agencies. These funds will be used to subsidize the salaries, other personnel costs, and operating expenses of the Rat Rub Out Program.

The Health Department has taken a comprehensive approach to rat reduction and control specifically targeting low- and moderate-income areas in the City.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the Baltimore City Health Department, Bureau of Vector Control.

**MINUTES**

Department of Housing and Community Development - Quarterly Report of Loan Subordination Agreement for Homeowners

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** receipt of the quarterly report of loan subordination agreements for the period April 2009 through June 2009.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On February 23, 2005, the Board approved a Loan Subordination Policy. Under the policy, the DHCD was given authority to execute subordination agreements for homeowners seeking to refinance first mortgages provided the owner received no cash out from the refinance. The DHCD's Finance Review Committee has reviewed and approved the submitted 18 subordination agreements, during the quarter April 2009 through June 2009. The agreements allow the City second lien position to be unchanged. All other requests from homeowners for equity withdrawal when financing, are presented to the Board of Estimates and Director of Finance for approval, as per the policy.

**(FILE NO. 57054)**

The Board **NOTED** receipt of the quarterly report of loan subordination agreements for the period April 2009 through June 2009.

## MINUTES

Department of Housing and - Agreements  
Community Development

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

1. **ASSOCIATION OF BALTIMORE AREA GRANTMAKERS, INC.** **\$ 10,894.00**

Account: 1001-000000-5820-409499-603051

The organization will administer eight comprehensive orientation mortgage foreclosure workshop events to targeted neighborhoods in cooperation with Belair Edison Neighborhoods and the Community Law Center. The organization will also launch "Mortgage Matters-on-Line" to be accessed by the general public. Through both one-on-one sessions and on-line services, the grantee will continue to educate and inform housing counselors and the general public on the best principles and practices associated with helping existing and future homeowners on mortgage terminology and the foreclosure process. The period of the agreement is May 1, 2009 through April 30, 2010.

**MBE/WBE PARTICIPATION:**

N/A

On May 13, 2009, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2009 Annual Action Plan for the following formula programs:

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



MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2833 - 2838

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
1. \$ 60,000.00 25 <sup>th</sup> Series Rec. & Parks	9938-904793-9475 Reserve - Rec. & Parks City Park Maintenance	9938-904793-9474 Active - City Park Maintenance
This transfer will provide funds to cover the costs associated with the replacement of the fire damaged playground equipment at Elmley Playground.		
2. \$ 12,000.00 Rec. & Parks 25 <sup>th</sup> Series	9938-904793-9475 Reserve - Rec. & Parks Park Maintenance	9938-904793-9474 Active - City Park Maintenance
This transfer will provide funds to cover the costs associated with wall repairs at Druid Hill Park Maintenance Yard.		
3. \$ 10,000.00 Gen. Funds	9938-901752-9475 Reserve - Various Parks Improvements	9938-903701-9474 Active - Park Master Plans
This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1065, Task #12 to Mahan Rykiel Associates, Inc.		
4. \$ 16,000.00 Rec. & Parks 25 <sup>th</sup> Series	9938-904793-9475 Reserve - Rec. & Parks City Park Maintenance	9938-904793-9474 Active - City Park Maintenance
This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1065 Task #13, to Mahan Rykiel Associates, Inc.		

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
5. <b>\$ 12,000.00</b> Rec. & Parks 25 <sup>th</sup> Series	9938-903795-9475 Reserve - Community Parks Community	9938-903795-9474 Active - Community Parks and Play- grounds

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1065, Task #14 to Mahan Rykiel Associates, Inc.

6. <b>\$ 20,000.00</b> State	9938-901001-9475 Reserve - Unallotted	9938-905805-9474 Active - Park Heights Jack Paulsen Park Renovation
---------------------------------	---	---

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1065, Task #15 to Mahan Rykiel Associates, Inc.

Baltimore Development Corporation (BDC)

7. <b>\$ 8,000.00</b> 21 <sup>st</sup> EDF	9910-902483-9600 Construction Reserve S. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
---	---	--

This transfer will provide funds to cover the expenses and payments related to the partial street closing of Worchester, Eutaw and Oler Streets on Carroll Camden. The streets are being closed as part of the Video Lottery Terminal development.

**(FILE NO. 57012)**

## MINUTES

TRANSFERS OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BDC</u> - cont'd			
8.	\$ 753.68 21 <sup>st</sup> EDF	9911-903859-9600 Construction Reserve BDC Economic Development	9910-905573-9601 Fayette/Lombard St. Corridor
This transfer will provide funds to cover the quarterly water meter charge for 1107-1131 East Fayette Street for July, 2009 by the Department of Public Works.			
9.	\$463,108.00 M&CC	9911-903859-9600 Construction Reserve BDC Economic Development	9910-905875-9601 Business & Tech. Initiatives
	12,200.00 19 <sup>th</sup> EDF	9910-902875-9600 Construction Reserve Business & Tech Development	9910-903875-9601 Business & Tech. Initiatives
	<u>\$475,308.00</u>		

This transfer will provide funds to cover program substitutes and capital expenditures for renovations to the Emerging Technology Centers at the Eastern Incubator and the Canton Incubator for Fiscal Year 2010. The Emerging Technology Centers are a part of the Baltimore Development Corporation.

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BDC</u> - cont'd		
10. \$ 25,500.02 M&CC	9911-903859-9600 Construction Reserve BDC Economic Development	9910-905852-9601 Economic Dev. Incentives
700.00 M&CC	9910-902483-9600 Construction Reserve S. Balto. Ind. & Coml. Dev.	9910-903483-9601 S. Balto. Ind. & Coml. Dev.
2,712.66 M&CC	9910-903354-9600 Construction Reserve W Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
2,437.70 M&CC	9910-904115-9600 Construction Reserve West Side Initiative	9910-905825-9603 West Side Downtown
535.04 M&CC	9910-904982-9600 Construction Reserve Coml. Revitali- zation Program	9910-902879-9601 Coml. Revitali- zation
1,673.25 M&CC	9910-905575-9600 Construction Reserve E. Balto. Ind. & Coml. Dev.	9910-906575-9601 E. Balto. Ind. & Coml. Dev.

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
BDC - cont'd		
2,208.00 19 <sup>th</sup> EDF	9910-904115-9600 Construction Reserve West Side Initiative	9910-905825-9603 West Side Downtown
20,933.53 20 <sup>th</sup> EDF	9910-901880-9600 Construction Reserve Open Public Space	9910-903824-9603 Downtown Public/ Open Space
10,450.00 21 <sup>st</sup> EDF	9910-902483-9600 Construction Reserve S. Balto. Ind & Coml. Dev.	9910-902879-9601 Coml. Revitali- zation
780.00 21 <sup>st</sup> EDF	9910-902873-9600 Construction Reserve Brownsfield Incentive Fund	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
7,750.00 21 <sup>st</sup> EDF	9910-904115-9600 Construction Reserve West Side Initiative	9910-905825-9603 West Side Downtown
<u>\$75,680.20</u>		

The transfer of funds will provide funds to reimburse Baltimore Development Corporation for eligible capital expenses for the month ending May 31, 2009.

MINUTES

Bureau of Water and Waste Water

TRANSFERS OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
11.	\$183,000.00	9960-558-001	
	Revenue	Construction	
	Bonds	Reserve	
		Unallocated	
	117,000.00	9960-558-300	
	Counties	Water Facilities	
		Reserve	
	<u>\$300,000.00</u>	-----	9960-904684-557-5
			Inspection

The funds will cover the cost of electrical inspection work for contract WC 1189 and other related studies.

Department of Transportation

12.	<b>\$ 65,847.03</b>	9950-905175-9528	9950-904175-9527-3
	MVR	Construction	Design & Studies
		Reserve	Bicycle Network
		Bicycle Network	Strategy
		Strategy	

The transfer will fund the costs associated with the award of task # 4 on the project 1080 (B/D #08056) assigned to Toole Design Group, LLC for a traffic study to create improved conditions for bicyclists on Guilford Ave northeast from Mt. Royal Ave to University Parkway.

13.	<b>\$ 99,971.92</b>	9950-904054-9512	9950-903061-9512-3
	MVR	Traffic Signal	Design & Studies
		Maintenance	Traffic Engineering
		Equip.	On-call

The transfer will fund the costs associated with Project 1074, Task Assignment No. 9 (B/D # 08043) to McCormick, assigned to Taylor & Associates for on-site traffic engineering support for the Traffic Division.

**MINUTES**

Office of the Mayor - Disbursement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a disbursement to the Mount Vernon Place Conservancy, Inc. (Conservancy).

**AMOUNT OF MONEY AND SOURCE:**

\$35,000.00 - 1001-122-021

**BACKGROUND/EXPLANATION:**

The Mount Vernon Place Conservancy, Inc. is a 501(c)(3) organization created to restore and manage Mount Vernon Place. The goals of the Conservancy are to fully restore the historic features of the park, to upgrade the park systems and to provide extensive disabled access in every area possible. Included in the restoration will be the upgrading of all electric and water service, restoration of highly deteriorated and damaged marble, increasing access for the disabled and enhancing much of the current landscaping.

The Conservancy is expected to assume management of the parks during refurbishment and after completion, which is targeted for the 2015 bicentennial of the laying of the Washington Monument cornerstone. The work in the parks is anticipated to cost \$7,000,000.00 to \$8,000,000.00, which will be raised by the Conservancy from a combination of federal, state, local and private funds.

The \$35,000.00 grant was committed annually for five years as part of the March 25, 2009 Memorandum of Understanding between the City of Baltimore and Mount Vernon Belvedere Association.

The funds will be used by the Conservancy to pay for some landscaping and maintenance of the park.

**MINUTES**

Office of the Mayor - cont'd

**MBE/WBE PARTICIPATION:**

The Conservancy has agreed to comply with Article 5, Subtitle 28 of the Baltimore City Code (2000 Edition) regarding participation by Minority Business Enterprises (MBE) and Women's Business Enterprises (WBE) in its development of the project.

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 57042)**

UPON MOTION duly made and seconded, the Board approved and authorized a disbursement in the amount of \$35,000.00 to the Mount Vernon Place Conservancy, Inc. The Mayor **ABSTAINED.**

## 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:

2842 - 2889

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Transfer of Funds was approved

SUBJECT to receipt of favorable a 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. 5.

Item No. 6 was **WITHDRAWN**.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1. TR 09002, Recon- M. Luis Construction \$ 831,514.00  
 struction of Co., Inc.  
 Footways Citywide

**MBE:** A J O Concrete Construc- \$225,000.00 27.06%  
 tion, Inc.

**WBE:** Fallsway Construction \$ 83,300.00 10.01%  
 Co., LLC

**MWBOO FOUND VENDOR IN COMPLIANCE.**

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNTS/</u>
\$ 505,770.00	9950-903300-9504	
MVR	Constr. Res.	
	Tree Roots	
180,451.10	9950-904100-9504	
MVR	Constr. Res.	
	Footways	
270,020.00	9950-904100-9504	
<u>Others</u>	Constr. Res.	
	Footways	
<b>\$ 956,241.10</b>		
\$ 831,514.00	-----	9950-906432-9504-6
		Struc. & Improv.
83,151.40	-----	9950-906432-9504-5
		Inspection
41,575.70	-----	9950-906432-9504-2
<u>\$ 956,241.10</u>		Contingencies
		Reconstruction of
		Footways - Citywide

This transfer will cover the costs associated with the award of Project TR 09002 to M. Luis Construction Co., Inc.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Water & Wastewater

3.	WC 1189, Replace- ment of Wash Water Pumps at Montebello Filtration Plant No. 2	EMH Environmental, Inc.	\$	284,700.00
	<b>MBE:</b>	Arriba Mechanical, Inc.	\$	42,000.00
				14.75%
	<b>WBE:</b>	A2Z Environmental Group, LLC	\$	11,000.00
		Robnet, Inc.		3,500.00
				<u>1.23%</u>
			\$	<u>14,500.00</u>
				5.09%

**MWBOO FOUND VENDOR IN COMPLIANCE.**Bureau of Purchases

4.	B50001083, Gasoline and Diesel Fuel	<u>1<sup>st</sup></u> Call: ISO Bunkers, LLC	\$40,000,000.00
		<u>2<sup>nd</sup></u> Call: OMO Science, Energy & Technology	18,000,000.00
		<u>3<sup>rd</sup></u> Call Skylights Petroleum Corp.	<u>10,750,000.00</u>
			<b>\$68,750,000.00</b>

**MWBOO SET GOALS OF 15% MBE AND 0% WBE.**ISO Bunkers, LLC**MBE:** JJ Adams Fuel Oil Co. 3.75%OMO Science, Energy & Technology**MBE:** JJ Adams Fuel Oil Co. 15.00%Skylights Petroleum Corp.**MBE:** JJ Adams Fuel Oil Co. 15.00%**MWBOO FOUND VENDORS IN COMPLIANCE.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

5. B50001026, Provide Temporary Personnel **\$5,000,000.00**

<u>Vendor</u>	<u>1<sup>st</sup> Call Item Nos.</u>	<u>2<sup>nd</sup> Call Item Nos.</u>	<u>3<sup>rd</sup> Call Item Nos.</u>
1 <sup>st</sup> Choice Staffing Agency, LLC	8, 9, 18, 19	10	None
Abacus	None	5, 6	None
America on Demand of MD, Inc.	1, 2, 3, 4, 7	None	None
NEC Staffing Services	5, 6, 10, 11, 20	1, 2, 3, 4, 7, 12	None
Obverse, Inc.	15	14, 19	None
Townsend Careers, LLC	12, 13, 17	11, 16, 18, 20	None
Trustworthy Staffing Solutions	14, 16	13, 15, 17	None
Excel Staffing & Personnel Services	None	8, 17	16

**MWBOO SET GOALS OF 15% MBE AND 15% WBE.**1<sup>st</sup> Choice Staffing Agency, LLC:

**MBE:** Magnificus Corp. 15%  
**WBE:** Beacon Staffing Alternatives, Inc. 15%

Abacus:

**MBE:** Proper Staffing, Inc. 15%  
**WBE:** SYM, Inc. 15%

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'dAmerica on Demand of MD, Inc.:

<b>MBE:</b> Proper Staffing, Inc.	15%
<b>WBE:</b> Beacon Staffing Alternatives, Inc.	15%

NEC Staffing Services, Inc.:

<b>MBE:</b> Win-Win Placements, LLC	15%
<b>WBE:</b> Mary Kraft & Associates, Inc.	15%

Obverse, Inc.:

<b>MBE:</b> Diversity Intelligence Services, LLC	15%
<b>WBE:</b> Trustworthy Staffing Solutions, LLC	15%

Townsend Careers, LLC:

<b>MBE:</b> SYM, Inc.	15%
<b>WBE:</b> Dockside Solutions, Inc.	15%

Trustworthy Staffing Solutions

<b>MBE:</b> Lacey's Professional Nursing Services, Inc.	15%
<b>WBE:</b> All Staffing, Inc.	15%

Excel Staffing & Personnel Services

<b>MBE:</b> Trustworthy Staffing Solutions	15%
<b>WBE:</b> Kennedy Personnel Services	15%

**MWBOO FOUND VENDORS IN COMPLIANCE.**

**A LETTER OF PROTEST WAS RECEIVED FROM CARE RESOURCES, INC. AND KENNEDY PERSONNEL SERVICES.**



120 E. Baltimore St.  
Suite 1700  
Baltimore, Maryland  
21202-6701  
Tel: 410 962-1030  
Fax: 410 385-0869  
www.browngold.com

Stuart O. Simms  
sos@browngold.com

July 28, 2009

**VIA HAND-DELIVERY**

The Honorable Stephanie Rawlings Blake, President City Council  
The Honorable Sheila Dixon, Mayor  
The Honorable Joan M. Pratt, Comptroller  
The Honorable George A. Nilson, Esquire, City Solicitor  
The Honorable David Scott, Director Department of  
Public Works  
City Hall  
100 North Holliday Street  
Baltimore, Maryland 21202

Re: Solicitation Title: Providing Temporary Personnel Services  
Solicitation Number: B50001026  
Bureau of Purchases-Buyers  
Protesting Party: Care Resources, Inc.  
1026 Cromwell Bridge Road  
Baltimore, Maryland 21286

Dear Members of the Board of Estimates:

The undersigned counsel represents Care Resources, Inc. ("Care Resources") that submitted a bid in response to an Invitation to Bid and Contract #B500001026 for: Providing Temporary Services. Appendix B.pdf and expand the qualifications for registered nurses placed within the Baltimore City Public School System. The purpose of this letter is to supplement Care First's earlier letter July 21, 2009 from Judi Lockett of Care resources protesting this specific bid.

Care Resources believes that a recommendation will be made to this Board to award contracts to firms which did not submit a "lowest responsible bid." Therefore, Care Resources respectfully requests that this Board not accept the recommendation and not award the contract to the firms without the lowest responsible competitive bid. Instead, Care Resources respectfully requests that the Board include Care Resources among the firms selected to perform the contract or alternatively rebid the contract. Care Resources further requests an opportunity to present its reasons at an appropriate hearing or meeting prior to the Board's final decision.

**BROWN, GOLDSTEIN & LEVY, LLP**

The Honorable Stephanie Rawlings Blake, President City Council

The Honorable Sheila Dixon, Mayor

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The Honorable David Scott, Director Department of  
Public Works

July 28, 2009

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As reasons for the protest, Care Resources submits the following:

A. Background

Care Resources is an education and health staffing and management solutions firm for public and non-public school districts, infant and toddler programs, and health agencies. For more than 15 years, Care Resources has partnered with the Baltimore City Health Department to provide health staffing needs to Baltimore City Public Schools. The firm has provided nursing professionals to address the needs of over 70 schools in the Baltimore City Public School System. The need is significant. There are 160 schools in Baltimore City involving more than 70,000 students who require nursing coverage. According to the National Association of School Nurses, 16% of public schools students have a serious medical condition that requires a skilled medical professional.<sup>1</sup>

Although there is no specific delineation in the bid documents, it appears that a new approach for nursing services is being implemented through the contract associated with the bid. The “new” approach requires school principals to select the level of health coverage desired and to supplement the difference from their respect budgets. Putting aside the management issues related to such an approach,<sup>2</sup> there is the challenge of whether this method will result in any savings to the City of Baltimore, the school system or the tax payers.<sup>3</sup>

On or about March 31, 2009, the Nursing Director of Care Resources learned that the Bureau of Purchases on behalf of the City of Baltimore may be seeking nursing services as part of a larger clerical and administrative support bid proposal. That Director spoke with the procurement officer who advised that she was preparing a bid document for issuance. However, the bid was not issued as in the past. A bid came out in early April 2009 with a pre-bid date of 4/14/09 and due date of 4/29/09 with a small non-school based nursing component. There was no pre-bid meeting for the school health work. The bid request for nursing services was inserted into the existing bid on 5/18 with the due date changed to 5/27, some 7 business days later. See Exhibit 1. There was no pre-bid meeting for school based nursing services.

As stated above, on or about May 15, 2009, Solicitation B50001026 was modified and an attachment consisting of the nursing services described in Exhibit #2, an excerpt from the solicitation. The due date for the bid was changed from May 20 to May 27, 2009. The method

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<sup>1</sup> *School Health Alert*, “The Impact of the School Nurse Shortage,” October 2008.

<sup>2</sup> If implemented, principals will make medical decisions based on what they afford and select from companies with limited or no experience.

<sup>3</sup> See, Section B below.

BROWN, GOLDSTEIN & LEVY, LLP  
The Honorable Stephanie Rawlings Blake, President City Council  
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The Honorable David Scott, Director Department of  
Public Works  
July 28, 2009  
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of award was modified to read:

- “A. The award will be made to the lowest responsible and responsive bidder(s) meeting specifications.
- B. The City will award to one or as many vendors as necessary to meet its needs.”

Care Resources submitted a timely bid but was not the lowest bidder as to price for either category of nursing professional, RN or LPN. A list of six (6) firms was selected as possible awardees for the Board of Estimates meeting of July 22, 2009. Care Resources submitted a timely protest to this Board. That agenda item containing bid proposal #B500001026 was re-scheduled for July 29, 2009.

B. Argument

The Contract Award should be made to Care Resources on the Basis of its Responsible Bid

Under Baltimore the City Charter a legislative policy for the Board of Estimates involving bid awards charges that this body with awarding contracts for City purchasing and City projects to the lowest responsible bidder.

“The Board of Estimates after opening bids, shall award a contract as an entity to the lowest responsible bidder . . .”

Article VI § 7 Baltimore City Charter.

The concept of “lowest responsible bidder” applies to the bid submitted by Care Resources. The law is settled that this Board has wide discretion with respect to determining responsibility absent fraud, collusion, arbitrary or capricious exercise of authority. Mayor and City Council of Baltimore v. DeLuca-Davis Co., 210 Md. 518 (1956); City of Baltimore v. Jerry’s Rides, Inc., 226 Md. 161 (1961); 49 Opinions of the City Solicitor 282 (1954); 56 Opinions of the City Solicitor 307 (1964). The Board is charged with considering whether the City will get the best service at the best price. There must be evidence concerning the responsibility of the bidder as would cause fair minded and reasonable persons to believe that it is not in the best interests of the City to award the contract to the bidder. 49 Opinions of the City

**BROWN, GOLDSTEIN & LEVY, LLP**

The Honorable Stephanie Rawlings Blake, President City Council

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Public Works

July 28, 2009

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Solicitor 282 (1954).

In the present case, Care Resources submitted a responsible bid for the best interests of the taxpayers of the City of Baltimore.

In this case, as a “responsible” low bidder, Care Resources’ bid took into account the following:

1. Quality

For over 15 years, Care Resources has demonstrated a level of quality and consistency. It does not just hire a “body” for assignments. It fully trains nurses according to COMAR to be school nurses. The nurses hired are dedicated to the schools and their profession. The majority of Care Resources’ nurse employees has school nursing as their only job and are not in night school or working all day. The nurses are Care Resource employees, with all taxes, insurances, etc., paid by Care Resources and none are independent contractors. Care Resources covers liability.

100% of the returned QA Principal surveys have requested that Care Resource nurses return for the following year. Exhibit 3 reflects five (5) letters representing the recognized quality of nursing care that has been provided by Care Resources.

2. Risk

Because of the standards of nursing care achieved by Care Resources, it has a continuity of management that enables oversight and reduction of risk. Although basic insurance needs for the bidders were outlined in the bid document, nowhere in the bid document or the bids is there any data to reflect reduction of liability. With the submitted bid by Care Resources, the City schools would be retaining a partner with the scope and depth of experience to mitigate health emergencies. The combination of a new selection methodology for nursing services by the principals and the entry of entirely new nursing service providers increase the potential of financial liability as well as difficulty in managing the multiplicity of providers. Balanced against those risks, the price submission by Care Resources is therefore is “responsible” and competitive. For the past 15 years, Care resources had over 3,750,000 student nursing encounters without a single finding of legal liability.

3. Price

BROWN, GOLDSTEIN & LEVY, LLP

The Honorable Stephanie Rawlings Blake, President City Council

The Honorable Sheila Dixon, Mayor

The Honorable Joan M. Pratt, Comptroller

The Honorable George A. Nilson, Esquire, City Solicitor

The Honorable David Scott, Director Department of

Public Works

July 28, 2009

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Although Care Resources is not the absolutely lowest price bidder, the price difference between the recommended awardees, that have no similar experience in school health nursing and Care Resources' trained nursing staff is 1% of the total price paid last year. Moreover, while the national increase in rates for nursing services has been 2.7%, average for Care Resources has been 1.2 to 2.2 %. (See, Exhibit 4). Finally, Care Resources does not bill for additional support services.

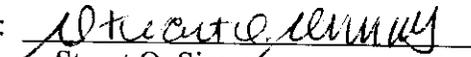
In every respect, Care Resources submitted a bid which complied with and affirmed its obligations to meet stipulated qualifications and levels of anticipated performance in the contract. In its bid protest letters, the firm reiterated both its qualifications and capabilities and identified how its bid is responsible and responsive as a low bidder.

C. CONCLUSION

For all of the above reasons, Care Resources respectfully requests that this Board not accept the recommendations for #B50001026 and select Care Resources to perform the contract or rebid the contract.

Respectfully submitted,

BROWN, GOLDSTEIN & LEVY, LLP

By:   
Stuart O. Simms

SOS/ch

Enclosures

cc: City Purchasing Agent  
231 E. Baltimore Street  
Client

1

**City of Baltimore  
Department of Finance  
Bureau of Purchases**



**Request for Bids  
for  
Providing Temporary Personnel Services**

Solicitation Number: **B50001026**

Due Date: **May 26, 2009 at 11:00 A.M.**

Note: There will be a non-mandatory pre-bid meeting at 10:00 a.m. on Tuesday, April 14, 2009. It will be held at the Bureau of Purchases, 231 E. Baltimore Street, Second Floor Conference Room, Baltimore, MD 21202. See SW's herein.

Any questions concerning this solicitation should be directed immediately to the buyer named below.

Jada Jean Fletcher, Buyer  
Phone: (410) 396-5720  
Fax: (410) 396-1822  
Email: [jada.fletcher@baltimorecity.gov](mailto:jada.fletcher@baltimorecity.gov)

time out of any money due or becoming due to the Offeror. The City Purchasing Agent shall have the power to continue the employment of said superintendent or inspector until Final Completion and Acceptance of all work under the contract or to take any other legal remedies under the contract.

GC41. AUTHORITY OF THE CITY PURCHASING AGENT

A. The parties to this contract agree that the City Purchasing Agent is hereby vested with the power and authority to determine the amount and quantity, quality and acceptability of the work, materials, supplies and services provided under this contract. The City Purchasing Agent shall decide any and all questions that may arise regarding the Offeror's obligations and the fulfillment of the contract terms.

B. The City Purchasing Agent shall act as the Referee if any dispute arises between the Offeror and the City regarding this contract. The determination of the City Purchasing Agent may be appealed to Board of Estimates in writing. The Offeror may appeal any adverse determination of the City Purchasing Agent in writing within ten (10) days of the determination, or it is forever waived. Final payment by the City will not be made unless and until all issues in dispute(s) have been fully and finally settled and/or adjudicated.

GC42. SUBCONTRACTOR BONDING

A. No prime Offeror shall require a Performance Bond from any subcontractor unless prior approval authorizing the prime Offeror to require such a bond has been granted in writing by the City Purchasing Agent, and in connection with contracts subject to MBE and WBE requirements, concurred in by the Chief of the Minority and Business Opportunity Office (MWBOO).

B. All requests by a prime Offeror for prior approval to allow the prime Offeror to require a Performance Bond from a subcontractor shall be made in writing to the Contracting Officer. In such a request, the prime Offeror shall particularize the reasons supporting the request and shall explain why there are not options other than requiring the Performance Bond to protect its interests.

C. The City Purchasing Agent, and if concurrence is required, the Chief of the Minority and Women's Business Opportunity Office (MWBOO) have the sole discretion to determine whether a request by a prime Offeror for prior approval to authorize the prime Offeror to require a Performance Bond from a subcontractor will be granted and concurred in, and their decisions shall be final.

GC43. DEBRIEFING OF UNSUCCESSFUL OFFEROR

A. When a contract is to be awarded on some basis other than price alone, unsuccessful Offerors shall be debriefed upon written request submitted to the City Purchasing Agent within a reasonable time. Debriefings shall be provided at the earliest feasible time after contract award and shall be conducted by a procurement official familiar with the rationale for the selection decision and contract award.

B. Debriefing will

(1) Be limited to discussion of the unsuccessful Offeror's proposal and may not include specific discussion of a competing Offeror's proposal;

(2) Be factual and consistent with the evaluation or the unsuccessful Offeror's proposal; and/or

(3) Provide information on areas in which the unsuccessful Offeror's technical proposal was deemed weak or deficient.

C. Debriefing will not include discussion or dissemination of the notes or rankings of individual members of an evaluation committee, but may include a summary of the procurement officer's rationale for the selection decision and recommended contract award.

D. A summary of the debriefing shall be made a part of the contract file.

GC44. PROTESTS

A. The City's Board of Estimates approves all contracts over \$5,000 in value and is the final contracting authority for the City of Baltimore. Any interested party may protest the City Purchasing Agent's recommendation of award to the Board of Estimates. All protests must be in writing and filed with the Office of the Comptroller, Room 204 City Hall, 100 North Holliday Street, Baltimore, Maryland 21202, no later than noon on the Tuesday preceding the Wednesday meeting of the Board of Estimates. A copy of the protest letter must be forwarded to the City Purchasing Agent, 231 East Baltimore Street, Suite 300, Baltimore, Maryland 21202. Parties protesting shall contact the Comptroller's Office to determine the date when the contract will be placed on the Agenda of the Board of Estimates.

B. The written protest should include the following information:

(1) Name, address and telephone number of the business entity protesting;

(2) Identification of the contract number, the City agency for whom the contract is being solicited and the name of the Bureau of Purchases' Buyer;

**B50001026 – Providing Temporary Personnel Services – Due: 5/20/09**

(3) A detailed statement of the factual grounds of the protest; and/or

(4) The form of relief requested.

**GC45. NOTICE**

A. Except as specified otherwise by another provision of the bid documents or any ensuing contract, any notice to the Offeror required or permitted hereunder shall be in writing and shall be deemed to have been given upon being properly stamped, addressed and posted via first class mail to the Offeror at the address designated in the bid or contract documents.

B. In case of emergency, which shall be determined at the sole discretion of the City, notice may be transmitted by hand delivery with receipt obtained therefore, or by telephone or facsimile followed by written confirmation by first class mail.

**GC46. GENDER.** Words of gender used in these bid documents and any ensuing contract may be construed to include any gender, and words in the singular may include plural, and words in the plural, singular.

**GC47. COMPLIANCE WITH LAW.** The Offeror shall comply with all federal, state, local laws, ordinances, rules and regulations applicable to the services to be provided or performed under the contract.

**GC48. GOVERNING LAW.** The contract and all documents related thereto shall be governed by and construed under the laws of the State of Maryland.

**GC49. APPROPRIATION OF FUNDS.** This contract is contingent upon the proper appropriation of funds by the Baltimore City Council in accordance with the Baltimore City Charter and Code. If the terms of this contract exceed a budget as adopted by the Baltimore City Council, then that portion of this contract which exceeds a properly adopted budget shall be contingent upon further appropriation by the City. In the event of such non-appropriation of funds at any time during the term of the contract as would prevent the City from making payment under the terms and conditions of the contract, the City may terminate the contract without the assessment of any termination charges or financial penalties against the City by providing written notice of intent to terminate to the contractor. If the City terminates a contract due to the non-appropriation of funds, the City will pay contractor for work currently in progress, and contractor shall not begin any additional work on the effected contract upon receipt of notification of intent to terminate by the City.

**GC50. FORCE MAJEURE.** Neither party will be liable for its non-performance or delayed performance if caused by a "Force Majeure" which means an event, circumstance, or act of a third party that is beyond a party's reasonable control, such as an act of God, an act of the public enemy, an act of a government entity,

strikes or other labor disturbances, hurricanes, earthquakes, fires, floods, epidemics, embargoes, war, riots, or any other similar cause. Each party will notify the other if it becomes aware of any Force Majeure that will significantly delay performance. The notifying party will give such notice promptly (but in no event later than fifteen days) after it discovers the Force Majeure. If a Force Majeure occurs, the City, at its sole discretion, will execute a change order to extend the Performance Schedule for a time period that is reasonable under the circumstances.

**GC51. BOARD OF ESTIMATES RESOLUTIONS.** Certain resolutions of the Board of Estimates shall apply to City contracts as follows.

A. **WORKER-SPONSORED BENEFITS.** For contracts for non-professional services, the Contractor shall provide a system permitting those workers employed pursuant to the instant contract to enroll in a worker-sponsored benefits plan through voluntary payroll deduction, if authorized in writing by the employee.

**B. FAIR LABOR PRACTICES**

(1) Contractors, subcontractors, and their agents and employees may not engage in unfair labor practices as defined under The National Labor Relations Act and applicable federal regulations and state laws.

(2) Contractors, subcontractors, and their agents may not threaten, harass, intimidate, or in any way impede persons employed by them who on their own time exercise their rights to associate, speak, organize, or petition governmental officials with their grievances.

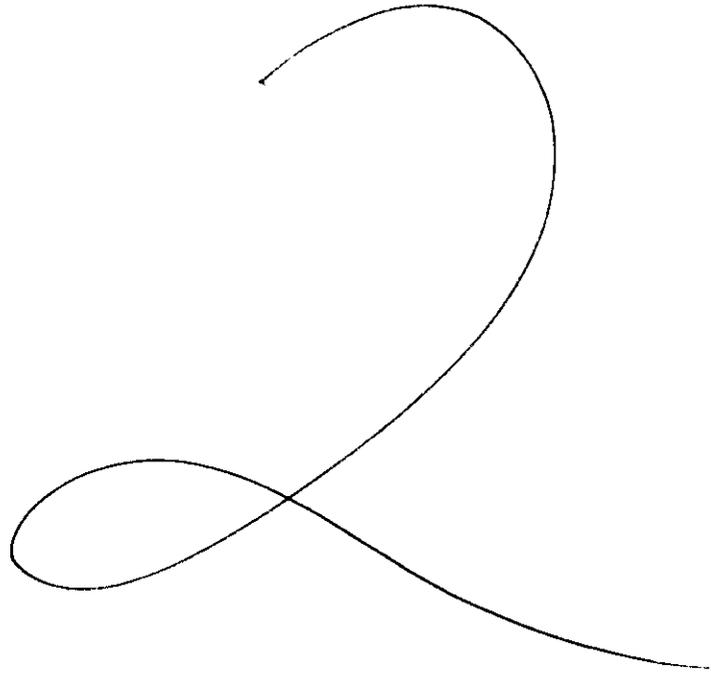
(3) If the Board of Estimates determines that a contractor, subcontractor, or their agents have violated the policy set forth in this Resolution said contractor, or subcontractor will be disqualified from bidding on City contracts, and if they are currently completing contracts, they will be found in default of their contracts

**GC52. CITY COUNCIL RESOLUTIONS.** Certain resolutions of the Baltimore City Council shall apply to City contracts as follows.

A. **WORKER-SPONSORED BENEFITS PLAN.** The Contractor shall provide a system permitting those workers employed pursuant to the instant contract to enroll in a worker-sponsored benefits plan through voluntary payroll deduction, if authorized in writing by the employee.

**B. UNLAWFUL EMPLOYMENT PRACTICES**

(1) Except where a particular occupation or position reasonably requires, as an essential qualifi-



CITY OF BALTIMORE

STEPH A. DIXON, Mayor



DEPARTMENT OF FINANCE

BUREAU OF PURCHASES  
231 E. Baltimore Street, Suite 300  
Baltimore, Maryland 21202

May 15, 2009

To: Prospective Bidders

Solicitation Title: Providing Temporary Personnel Services

Solicitation Number: B50001026

Previous Bid Due and Opening Date: May 20, 2009

New Bid Due and Opening Date: May 27, 2009

Addendum Number: 3

As a point of clarification, concerning the solicitation noted above, the following changes have been made:

1. The bid opening and due date has changed from May 20, 2009 to May 27, 2009.
2. An attachment with the file name "B50001026.Providing Temporary Services Appendix B.pdf" has been added to expand the qualifications for registered nurses placed within the Baltimore City Public School system.
3. SW14 METHOD OF AWARD now reads:
  - A. Multiple awards will be made to no more than three (3) of the lowest responsive and responsible Bidder(s) based on the line item bid price for each type of temporary service worker requested. This may result in multiple vendors.

It should read:

- A. The award will be made to the lowest responsive and responsive bidder(s) meeting specifications.
- B. The City will award to one or as many vendors as necessary to meets its needs.

All other terms and conditions remain unchanged.

Vendors who have already submitted their bid shall pick it up at City Hall, Room 204, 100 North Holliday Street, Baltimore, MD 21202, and resubmit their bid with all signed addenda on the Bid Due Date before 11:00 A.M.

FAILURE TO ACKNOWLEDGE THIS ADDENDUM MAY RESULT IN REJECTION OF BID.

Note: A signed copy of this Addendum must be attached to your bid.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Cecil S. Moore  
Cecil S. Moore, CPPO, C.P.M.  
City Purchasing Agent

## Qualifications for Nurses

It is the intention of the Baltimore City Health Department to hire nursing staff on an as-needed basis, both long term and short term for the Baltimore City Public School System. The nurses may be assigned to school health suite management, medication administration or supervision of the school health aides for the School Health Program.

The nurses are most likely to be needed in shifts from 4 to 8 hours Monday through Friday during school hours. School Health Services are delivered during the normal school day between the hours of 7:30 a.m. and 4:30 p.m. based upon individual school bell schedules. The School Health Services office observes and closes based on the school calendar schedule.

For routine needs, the Contractor will be notified of staffing needs on a weekly basis approximately one week in advance. Emergency needs will arise therefore multiple vendors may be selected to address those needs.

The projected total dollar amount for one year only for nursing services is \$1,500,000.00.

1. **CERTIFICATIONS-** Besides the certifications listed under DS2, P and Q, the nurses must be certified in Cardiopulmonary Resuscitation, (CPR) Adult and Child Basic Life Support, and be able to document at least one year of current experience as an RN or LPN in a health care setting.

There will be assignments for a Registered Nurse who has completed the 14 hour Registered Nurse Case Manager/Delegating Nurse course in School Health as required by the Maryland Board of Nursing. There will also be assignments for a Registered Nurse who has not completed the course, but has the other listed qualifications herein besides the assignments available for Licensed Practical Nurses (LPN).

2. **GENERAL RESPONSIBILITIES** and duties of all nurses provided will include some or all of the following:

Performs skilled nursing services for children with special health needs, e.g. blood glucose monitoring, including carbohydrate counting, insulin administration, catheterization, tube feeding, nebulizer treatments, tracheotomy care, and special services as ordered by a medical health care provider.

Serves as a resource person and consultant to the school staff and students.

Assists students and families to achieve optimal levels of wellness through health education.

Advocates for the rights of the students.

Provides basic health assessment of children by the use of the nursing process and the application of relevant theories of practice.

Provides necessary information to the teachers and support personnel regarding health care plans for individual students as deemed appropriate.

Functions as a liaison between school, students, parents, health care providers, and the community.

Coordinates the on-site provision of health care with other providers and participates in follow-up care.

Promotes and assists in the control of communicable diseases through preventive immunization, early detection, surveillance, and reporting of contagious diseases.

Maintains expertise by participating in professional development.

Serves as a positive role model by exhibiting healthy attitudes and behaviors in the school setting.

Completes daily and monthly reports as required for the Baltimore City Health Department School Health Programs. See samples beginning on page 3 of this Exhibit.  
Performs other duties as may be assigned by a Supervisor.

### 3. BIDDER REQUIREMENTS:

In addition to the requirements in the Scope of Work and Detailed Specifications, the bidder who bids on the nursing positions must have and maintain current licensure as a Nurse Staffing Agency by the Maryland Office of Health Care Quality Assurance.

The Contractor shall provide Registered Nurses who will be used as Nursing Supervisors. The Nursing Supervisor will be responsible for the supervision and the performance of contractual staff assigned to fulfill this contract. The Nursing Supervisor will coordinate all contractual services with the appropriate Community Health Nurse Supervisor I in the School Health Program.

All nursing positions from the Bidder's staff are expected to perform nursing duties in accordance with established school health protocols, procedures, and policies.

The successful Bidder will ensure direct line contact to the Nursing Supervisor from 6:00 a.m. to 7:00 p.m. with a response time within 10 minutes.

The Bidder shall ensure that all employees, agents, subcontractors and volunteers of the Bidder who will have contact with children shall comply with Title 5, Subtitle 5, Part VI, of the Family Law Article of the Maryland Code. All costs thereof shall be borne by the Bidder. In any case where a criminal record is reported, the Bidder shall be responsible for taking immediate and appropriate action to protect the safety and welfare of any and all children having contact with that individual.

### 4. BALTIMORE CITY HEALTH DEPARTMENT WILL:

Provide an overview and orientation of the school health program to the Nursing Supervisor of the Contractor.

Provide reimbursement for orientation for the proposed newly assigned nursing staff for a maximum of 21 hours at half of the agreed upon hourly rate bid.

Provide and maintain a logbook, which each Contractor staff member will provide a signature and enter the time reported for duty, and the time the duty shift is ended.

A separate Post Award Meeting will be held for the winning bidders of the nursing positions for review of procedures, including the Contractor's.

3

CITY OF BALTIMORE

SHEILA DIXON, Mayor



HEALTH DEPARTMENT

JOSHUA M. SHARFSTEIN, M.D., Commissioner  
210 Guilford Avenue  
Baltimore, MD 21202

June 13, 2008

Judi Lockett, Nurse Supervisor  
Care Resources  
1026 Cromwell Road  
Baltimore, Maryland 21286

Dear Ms. Lockett:

We want you to know how pleased we are with the outstanding nursing services Care Resources provides to the Baltimore City Health Department School Health Programs, and has done so since 1994. As you know, children are any community's most precious resource, and as such, they should be nurtured and handled with care. That is exactly the way nurses from Care Resources have treated the school children assigned to them over the years. It is the caring and creativity your nurses display, along with excellent nursing and interpersonal skills, that make them so special.

As an administrator, I know that nurses sent to us from Care Resources will be reliable, responsible, and caring individuals. In addition, it is a pleasure working with you personally. You always quickly respond to our requests for skilled nurses, and quickly address any concerns we have.

I would without any hesitation strongly recommend Care Resources to anyone who needs quality, reliable, and compassionate skilled nurses. I know that anyone employing Care Resources will be as pleased with the services your agency provides as we are.

Sincerely,

Sandra C.M. Haskett, M.S., R.N., L.N.C.  
Director, School Health Programs  
Baltimore City Health Department  
210 Guilford Avenue, 2<sup>nd</sup> Floor  
Baltimore, Maryland 21202-3621  
410.396.3185 (Office)  
410.545.6636 (Fax)  
sandra.Haskett@baltimorecity.gov

# BALTIMORE CITY PUBLIC SCHOOLS

Andrés A. Alonso, Ed.D.  
Chief Executive Officer

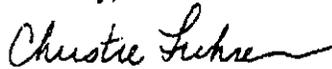
Brian Morris  
Chair, Baltimore City Board of School Commissioners

March 25, 2009

To Whom It May Concern:

Care Resources has provided one to one nursing services to students in Baltimore City Public Schools for many years. Over the years they have worked with students with many different diagnoses and difficult family situations.. They have always been responsive to our requests for services and have worked diligently in providing quality care to our students. They are easily accessed which allows for good communication between the agency and the school system. It is with pleasure that I recommend the Care Resources nursing services.

Sincerely,



Christie Fuhrer, Staff Associate  
Interagency Support Services





# Baltimore Polytechnic Institute

*A Blue Ribbon School of Excellence*

1400 West Cold Spring Lane  
Baltimore, Maryland 21209  
(410) 396-7026  
Fax: (410)235-5027



June 11, 2008

Ms. Judi Lockett  
Care Resources Inc.  
1026 Cromwell Bridge Road  
Baltimore, Maryland 21286

Dear Ms. Lockett:

It is a pleasure to write this letter of commendation regarding the services that the nurses, Mrs. Abramson and Mrs. Calwell of Care Resources, Inc. have provided to our school for the past three and a half years. The students and staff have received superior services. The nurses have gone beyond the call of duty in their care and meeting the individual needs of each student serviced. There is also consistent collaboration with the parents, counselors and teachers to gain information that will assist in making decisions.

There are several things that impress me about Mrs. Abramson and Mrs. Calwell. One thing that stands out is their patience. They always find time to listen to get all the facts when dealing with a situation. Another is their professionalism. They treat others with respect and dignity at all times and they are treated with the same respect and dignity. It is obvious the impact that their presence has made in our school when you see the number of students who rely on the Health Suite services. Mrs. Abramson and Mrs. Calwell also make themselves available for the needs of the staff. The nurses are very knowledgeable of current health issues and have been most helpful in providing valuable information. They are also very thoughtful and compassionate. Mrs. Abramson and Mrs. Calwell are always willing to go that extra mile to help those in need. They will always follow-up to make sure the appropriate interventions were taken.

In my thirty years as an educator, I have never seen a team of woman with the cohesiveness, devotion and dedication to the nursing profession. They should be recognized for their unselfishness and commitment to the students and staff of the Baltimore City Public Schools. The Baltimore Polytechnic Institute is very fortunate to have their expertise on the staff.

Sincerely,

*Brenda E. Wilson*

Mrs. Brenda E. Wilson,  
School Counselor



## Baltimore Polytechnic Institute

*A Blue Ribbon School of Excellence*

1400 West Cold Spring Lane  
Baltimore, Maryland 21209

(410) 396-7026

Fax: (410)235-5027



June 11, 2008

Care Resources Incorporated  
1026 Cromwell Bridge Road  
Baltimore, MD 21286

Director of Nursing:

My name is Matthew Woolston and I am an Assistant Principal at the Baltimore Polytechnic Institute which is a high school in the Baltimore City Public School System. I am writing to you today to articulate our approval of the service provided by Ms. Sandra Abramson and Ms. Nancy Calwell, the nurses assigned to our school by your company. Their constant professionalism and genuine concern for the students has led to a kinder, happier, and safer school environment.

Over the past 3 ½ years your nurses have consistently gone above the call of duty to serve this school. There have been occasions when a student has had an emergency near the end of the school day, and Ms. Abramson and Ms. Calwell have stayed to care for the student well after their contractual time has elapsed. Both nurses have spent time with me to explain basic emergency medical care to ensure the safety of our students should an emergency arise after the school day. Ms. Abramson and Ms. Calwell can also be called on to supply vital information on a student because they take the time to talk to students, not just about their injuries and illnesses, but also about their hopes and dreams.

**THE MORRELL PARK ELEMENTARY MIDDLE SCHOOL #220**  
2601 Tolley Street Baltimore, MD 21230

**"Inspiring Excellence in Education Through Hard Work, Dedication and Perseverance"**

Principal: Sean L. Conley

---

To: Care Resources <sup>SLC</sup>  
From: Sean Conley, Principal Morrell Park Elementary Middle School  
Subject: Letter of Recognition - Karen Prue  
Date: July 27, 2009

I am writing this letter to recognize the stellar work that Ms. Karen Prue has done here at Morrell Park Elementary Middle school and specifically the work Ms. Prue did while a student was having a seizure during the school day.

Ms. Prue has faithfully provided the students and family of Morrell Park with appropriate school health care during my two years at Morrell Park. She has worked relentlessly to help provide a safe and healthy environment for our students. She has been extremely proactive in thwarting minor epidemics with lice and scabies by continuously communicating with the parents, staff and administration.

However, Ms. Prue's finest moment came when one of our 6<sup>th</sup> grade students suffered from a seizure during class. As we waited for the paramedics to arrive, our student stopped breathing twice. Both times, Ms. Prue stayed calm and quickly administered CPR so our student could resume breathing. Without Ms. Prue, I am sure that Morrell Park Elementary would have lost one of its students. Ms. Prue should feel very proud of the level of comfort she provides to our school community each and every day of the school year.

4

Care Resources  
 Baltimore City Health Dept  
 Nursing Historical Pricing

RN		
Pricing	% Total Incr	Yearly Breakdown

LPN		
Pricing	% Total Incr	Yearly Breakdown

National Avg - COL
--------------------

1994	\$34.00			\$32.75			2.61%
1995	\$34.00			\$32.75			2.81%
1996	\$34.00			\$32.75			2.93%
1997	\$34.00			\$32.75			2.34%
1998	\$34.00			\$32.75			1.55%
1999	\$34.00			\$32.75			2.19%
2000	\$34.00			\$35.00	6.87%	1.37%	3.38%
2001	\$37.50	10.29%	10.29%	\$35.00		1.37%	2.83%
2002	\$40.00	6.67%	2.22%	\$35.00		1.37%	1.59%
2003	\$40.00		2.22%	\$35.00		1.37%	2.27%
2004	\$40.00		2.22%	\$35.00		1.37%	2.68%
2005	\$43.00	7.50%	3.75%	\$37.00	5.71%	2.86%	3.39%
2006	\$43.00		3.75%	\$37.00		2.86%	3.24%
2007	\$46.00	6.98%	2.33%	\$39.00	5.41%	1.80%	2.85%
2008	\$46.00		2.33%	\$39.00		1.80%	3.85%
2009	\$46.00		2.33%	\$39.00		1.80%	NA

Total increase from inception      35.29%      2.21%      19.08%      1.27%      40.51%  
 2.70%



Board of Estimates of Baltimore City  
City Hall - Room 204-Attn: Clerk  
100 N. Holliday Street  
Baltimore, MD 21202  
July 21, 2009

Honorable President and Members of the Board,

My name is Judi Lockett, Nursing Director of Care Resources, a licensed nursing staffing agency. For 15 years Care Resources has partnered with the Baltimore City Health Department to meet the critical staffing needs of the city schools. Care Resources has been both reliable and responsive to the needs of the Baltimore City Health Department in their provision of school nurses to cover the 200 school health suites throughout the city.

This letter of protest is in response to the exclusion of Care Resources as a vendor in bid #B50001026. The purpose of this protest is to highlight the potential liability to Baltimore City by limiting the number of vendors to only 2 nursing companies.

Since school health coverage was mandated by COMAR in the 1990's, school nursing has become a highly specialized field. The medical needs of students attending Baltimore City Public Schools today present a serious challenge. Any given school might have students with life-threatening illnesses or injuries. Many students attending school today have serious cardiac problems and seizure disorders. In addition, the rate of students with diabetes and asthma has increased to record levels in recent years. Severe food allergies have skyrocketed and have at times been fatal. Thus it is crucial to have an experienced school health professional on site. The Maryland Board of Nursing, recognizing the increased health needs of students, requires an additional 14 hour Case Manager/Delegating Nurse training for all RNs working in school health. Nurses who are not appropriately trained present a huge liability risk to the students, the City and the Health Department.

Bid # B50001026, Addendum 3 states "The City will award to one or as many vendors as necessary to meet its needs". The selected two vendors have not provided school health suite coverage in Baltimore City. My concern is that they may not have sufficient time to be fully prepared or equipped to meet the contract needs when school convenes in 5 weeks. Therefore, I am asking that the Board consider naming Care Resources as an

1026 Cromwell Bridge Road ■ Baltimore, Maryland 21286  
410-583-1515 ■ 1-877-ASK-CARE  
Fax 410-583-2491

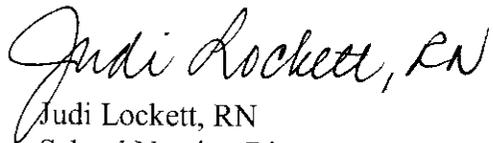
*A Subsidiary of Care Rehab Inc.*

additional vendor should the recommended vendors be unable to meet the needs within the timeframe.

In closing, please consider the safety of the students of Baltimore City and add an incumbent provider to ensure the continuity of care and decrease liability.

Thank you for your time and consideration. If you should have any questions or need additional information please feel free to contact me at 410-583-1515.

Sincerely,

A handwritten signature in cursive script that reads "Judi Lockett, RN". The signature is written in black ink and is positioned above the typed name and title.

Judi Lockett, RN  
School Nursing Director

**kennedy**  
personnel services

CONSULTING CUSTOMIZED TRAINING

ADDRESS: 829 EAST BALTIMORE STREET  
BALTIMORE, MARYLAND 21207

410 659 5300 TELEPHONE

**FACSIMILE TRANSMITTAL SHEET**

TO: Clerk to the Board of Estimates FROM: Elaine Kennedy

COMPANY: Board of Estimates for City of Balto DATE: July 21, 2009

FAX NUMBER: 410 685-4416 TOTAL NO. OF PAGES INCLUDING COVER: 4

NOTES/COMMENTS:

Dear Clerk to the Board of Estimates,

Please find attached Kennedy Personnel Services' letter of protest.

Thank you in advance for your attention to the matter.

Elaine Kennedy  
Kennedy Personnel Services

**kennedy**

PERSONNEL SERVICES

COMPLETE CUSTOMIZED STAFFING

ADDRESS

819 EAST BALTIMORE STREET  
BALTIMORE, MARYLAND 21201

410 659 5555 TELEPHONE

July 21, 2009

VIA TELEFAX 410-655-4416

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

RE: Protest of City of Baltimore Solicitation No: B50001026  
 Providing Temporary Personnel Services

Dear Clerk to the Board of Estimates:

This is a protest relative to the RFB B50001026, from Kennedy Personnel Services for the acquisition of "TEMPORARY PERSONNEL HELP".

I have become aware that this protest should have been filed by noon today; however the results of the bid were not sent our office until late Friday afternoon. We received the email on Monday morning 7/20/09, we called Mr. Cecil Moore, the Director of Procurement, but were not able to reach him until this morning and he gave us an 11 AM appointment to discuss why we were not included in the list of eligible bidders even though some of our prices were very low. Mr. Moore responded that our bid was thrown out due to our bid being "Non Compliant" relative to the minority participation form. The questions regarding minority participation were very vague. We have previously administered this contract using one MBE and one WBE. However we found that in many cases our single minority contractor was unable to fulfill the City's needs. For that reason we decided to list three minority contractors in each category. Ms. Colles Corprew contacted us for clarification and requested that we send a letter of explanation. We did so, Ms. Corprew said that "the letter was great" and would resolve

WWW.KENNEDYSTAFFING.COM WEBSITE

410 659 5555 TELEPHONE

# kennedy

COMPLETE CUSTOMIZED STAFFING

PERSONNEL SERVICES

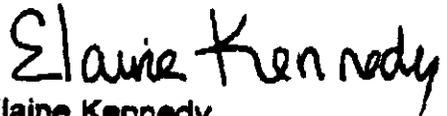
ADDRESS

829 EAST BALTIMORE STREET  
BALTIMORE, MARYLAND 21202

410 658 5555 TELEPHONE

the problem. Ms. Corprew states that she forwarded the letter to Ms. Shirley Williams. Ms. Williams states that she never received the letter. Mr. Moore directed us to consult Ms. Shirley Williams, who is the Director of Minority Affairs for The City of Baltimore. Ms. Williams saw us at 2:30 PM this afternoon. Ms. Williams told us that because we listed 15% minority participation next to each minority contractor which would be 45%. She then threw out the bid as non compliant because, in her words **"NO BUSINESS PERSON WOULD GIVE AWAY 45%"**. Additionally we have found that 10 other vendors were thrown out as "Non-Compliant" on this same issue. That is 1/3 of all responding bidders. Because there are many other confusing elements about this bid proposal, we request that the Board of Estimates not approve this RFB and remand to Bureau of Purchases and ask them create a new RFB that is less confusing to the vendors.

Very truly yours,



Elaine Kennedy  
Kennedy Personnel Services

CC: Mr. David Cohen, Esq.  
Cohen and Forman, LLC

JUL 21 2009 3:02 PM LITSERVET 110  
F.7

**kennedy**

COMPLETE CUSTOMER SERVICE

PERSONNEL SERVICE

ATTENTION

819 EAST BALTIMORE STREET  
BALTIMORE, MARYLAND 21202

410 659 5500 TELEPHONE

**STATEMENT OF CLARIFICATION REGARDING RFP B50001026  
PART C: MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT**

It is our intent to share a minimum of 15% of the total dollar value of the contract with our MBE partners and a minimum of 15% of the total dollar value of the contract with our WBE partners.

Having serviced this contract before, we found it challenging to meet the required sub goals by only identifying one minority partner. For this reason, we have listed several partners so that we may effectively service the contract and meet the required set-asides.

Because we have not partnered with some of these companies in the past, we are unable to anticipate their ability to meet the needs of the contract and thus cannot anticipate the percentage of business each one will receive. However, the total percentage goals and sub goals will be met.

In closing, it is our intent to fully comply with the City of Baltimore minority requirements. By identifying and listing multiple partners, we feel we are well prepared to do so.

WWW.KENNEDYTAPPING.COM WEBSITE

410 659 5551 FAXPHONE

LPN Bidders

<b>VENDOR</b>	<b>LPN</b>	<b>Notes</b>
GTBS, Inc.	\$22.18	MWBOO N/C
NEC Staffing Services	\$25.60	Not on state list.
Careers USA	\$26.98	MWBOO N/C
Mary Kraft Staffing & HR Solutions	\$28.95	MWBOO N/C
Dependable Nursing Services, LLC	\$33.00	MWBOO N/C; on state list.
Trustworthy Staffing Solutions	\$33.00	Compliant; on state list.
St. Helena Healthcare Staffing	\$36.00	MWBOO N/C; on state list.
Obverse	\$37.50	Compliant; not on state list.
Townsend Careers, LLC	\$37.77	Compliant; on state list.
Excel Staffing & Personnel Services, Inc.	\$38.00	Compliant; on state list.
Community Care Nursing Services	\$38.00	MWBOO N/C; on state list.
Care Resources	\$39.00	On state list.
Premier Staffing Sources, Inc.	\$39.00	Not on state list.
Sigman & Summerfield Assoc., Inc.	\$39.00	Not on state list.
C2 Medical Professionals	\$40.00	On state list.
Kennedy Personnel Services	\$44.97	MWBOO N/C
Kahak, Inc.	\$45.00	MWBOO N/C
Abacus	\$47.50	Not on state list.

## MINUTES

Bureau of Purchases - B50001026 - cont'd

President: "We have two protests. I would ask the protestants to come up to the front, the administration representatives to come up to the front, and remember not because we don't know who you are, but just for the purposes of recording, before you testify to state your full name and affiliation. Pages 53 to 54. This is the Temporary Personnel Contract. We are looking for Care Resources and Kennedy Personnel Services. I think we received Care Resources first. Correct? By time and date Madam Deputy Comptroller, so, we will work in that order."

Mr. Stuart Simms: "Thank you, good morning."

President: "Good morning to you."

Mr. Simms: "On behalf of Care Resources. Good morning Madam Chair, Mayor, distinguished members of the Board of Estimates. Thank you for having us. First, let me compliment this City because its Purchasing Department has been responsive and attentive as they are with all citizenry. Certainly, our protest is in no way a reflection with respect to the professionalism of that particular department which has been absolutely superb. This protest is registered simply because

## MINUTES

Bureau of Purchases - B50001026 - cont'd

of some significant substantive concerns by Care Resources, which admittedly is the incumbent vendor on this particular contract. In this particular setting, the bid is not the lowest responsible, because we believe the process is such that the bids that were received are unrealistic and unreliable and therefore, not a responsive, responsible bids. The reason being is that in this case, Purchasing was servicing a different customer, rather than servicing the Health Department, they were servicing the Department of Education, which admittedly is attempting to control costs and address health concerns in the City of Baltimore in a different way; an extraordinarily noble goal. The problem was, this addition, or this addendum and this bid came through a broader contract with respect to temporary services. With all due respect, to clerical to providing nursing care, and this is the source of our concern; the nursing care provision of this particular contract is not like delivering widgets. Nursing concerns to more than 70,000 kids in the City of Baltimore is certainly a considerable concern.

## MINUTES

Bureau of Purchases - B50001026 - cont'd

The City School Department wanted to reconfigure and control costs -- again, a noble goal -- and have each principal make a determination with respect to controlling their costs. This was not reflected in the bid document and also there was no opportunity for a bid conference. Although, there was a larger bid conference on the broader temporary services contract in April, the addendum did not come out until May, and so there was no opportunity to really tailor the costs with respect to this new model and deliver a responsive price with respect to that. The second reason for concern is the fact that, the cost as reflected not only do not take into account the model, which is premised on really nursing care by individuals prepared to deliver six hours of care per day. Not eight hours, but six hours at multiple schools. But, the second item of concern deals with there was no assessment of risk with respect to this entire matter. Again, without the opportunity with respect to a bid contract, it leaves the professionalism of the Purchasing Department really focused as it must by law on the absolute

## MINUTES

Bureau of Purchases - B50001026 - cont'd

lowest bidder, but not realistically with respect to any assessment of risk, and the second aspect did not reflect that there was no input with respect to this bid process about the role of risk with respect to kids. Now, in a society where we are facing a flu epidemic coming this fall and nurses are treating more than just compresses for broken bones and swellings, they have to deliver critical care each day to people with asthma conditions, diabetes and other concerns, and for those reasons, because of the lack of any assessment or assumption of risk, because of the fact that there was not an adequate bid conference, or was with respect to the broader temporary services contract but not with respect to the specialized care required for nursing, we are suggesting that the bid was simply inadequate and should be redone. The alternative obviously is to add a company like Care Resources to those companies that are prepared to deliver services, so that in the event of an absolute catastrophe, this fine firm, which

## MINUTES

Bureau of Purchases - B50001026 - cont'd

provided services in the past at reasonable costs, can do so in accordance with this new model. We will be happy to answer any questions. With me today, is Ms. Lockett, who is Vice President for Nursing Services for Care Resources."

President: "Thank you very much."

Mr. Cecil Moore, City Purchasing Agent: "Madam President, members of the Board, we did hold a pre-bid conference. The pre-bid conference did not address positions, period. This is a temporary staffing service position, so the pre-bid conference did not address any single particular position. It would not have been -- the nursing services would not have been particularly addressed. Any questions that they had perhaps would have been. But, those questions could have been asked at any time during the solicitation process, prior to the bids being submitted. In talking about risks, the risk that we are talking about, there is always a certain amount of risk, when you change bidders. But, the City Charter requires it, the City

## MINUTES

Bureau of Purchases - B50001026 - cont'd

Charter recognizes that risks exist and that is why it requires bidding. So, that risk is there. We are concerned about that. We are so concerned that when the issue was raised by Care that we added another vendor. If you notice, when you look at what we are recommending today, it is three vendors instead of two that we are recommending next week. Care had an opportunity to ask us questions at any time during the bid process, prior to the bids being submitted. That is not the question. The question is not whether they had time to ask questions, the real question here is about money. This was a bid. This was about who could provide us the value at the lowest cost. We can assume that other bidders can't perform. We can assume that other bidders cannot meet our requirements, and bidders who don't win often time make that assertion. But, we have to give other bidders a chance, because they provided the City with the best value. In the event that they cannot provide that, we will certainly go to the next lowest bidder, until we find a bidder

## MINUTES

Bureau of Purchases - B50001026 - cont'd

that can provide that service. We are recommending to the Board today, that the Board approves the award, as recommended."

Mayor: "At the pre-bid meeting, was the Health Department at that meeting?"

Mr. Moore: "No, they were not."

Mayor: "Because I know that the Health Department is the one who created this?"

Mr. Simms: "Madam Mayor, in my letter there is an attachment 2, but at the pre-bid meeting, the nursing issue or the issue of nursing services was not even an issue. So, the Health Department could not have been there. The addendum itself, did not come out until May, and in a letter dated May 15<sup>th</sup>, and the pre-bid conference was in April."

Mr. Moore: "That Health Department was not there. That is correct."

City Solicitor: "It is correct, just so that the record is clear, that the addition of nursing services to this contract

## MINUTES

Bureau of Purchases - B50001026 - cont'd

became effective in the bid process on the 20<sup>th</sup> of May. Is that right? And the bids were due on the 27<sup>th</sup>?"

Mr. Moore: "That is correct."

City Solicitor: "There was not a pre-bid conference during that period, but I guess it is also true that Care did not raise any questions or issues or seek any clarifications during that time period in May, when the nursing services were clearly part of the procurement. Is that right?"

Mr. Moore: "I would concede that."

President: "We have another protestant on this issue."

Mr. Stephen Kennedy: "Good morning. I am representing Kennedy Personnel Services. This is my wife, Elaine Kennedy. She is the owner of Kennedy Personnel Services. Just a little background about us, we have been in the staffing business for 30 years. We were asked by Mayor Schaefer when we were in the County many years ago, 25 years ago, if we would come downtown to the Jonestown area, that he was trying to reinvigorate and

## MINUTES

Bureau of Purchases - B50001026 - cont'd

install our office down there. One purpose, he wanted business there and another was possibly of the neighborhood had such a high unemployment that we could help with that. In 1982, we came down, took a building, rehabbed it and we have been working there ever since. We have been on the contract with the City of Baltimore. We have letters from the various Departments talking about our excellent service, and that's it. So, when we got the RFB, we responded and gave our prices. The understanding from the instructions in the RFB was as usual that they would give the contract to the lowest bidders. So, we were not the lowest bidders on everything, but we were the lowest bidder on one item. We were told after the fact that they were going to take just the first and the second bidders. In other words, in order to be on the contract you would have to have a first lowest bid and you would have to have a second lowest bid. It did not make any sense to me but that is the way it was. I don't see as I said to Mr. Moore -- first let me reiterate what Mr. Simms said,

## MINUTES

Bureau of Purchases - B50001026 - cont'd

and dealing with Mr. Moore, I have really been impressed by the fact that everything that he tells me is straight on. He has nothing to hide. Everything is transparent. But his position is, it is the way it is and my position is the way I think is. So we -- in addition to that, when I first talked to Mr. Moore, he didn't have any of the prices exactly at the time and he said that my bid was thrown out because of non-compliance. The non-compliance was about the minority issue. Now there is a form on here, if you could pick that up honey, the form that shows the 15%. There is a form that says you must give 15% MBE and 15% WBE. We had previously had one minority contractor and we had a problem during the years with the fact that that contractor could not always service what the City needed. So, we would have to come back and get permission to use another company to do it. So, we decided we would get a little smart this time and instead of making one minority contractor, we made three minority contractors. That way if one could not do it, the other one could. Where our mistake was, according to the Minor-

## MINUTES

Bureau of Purchases - B50001026 - cont'd

ity Office, was we didn't want to lose that -- to show of 15% so, when we named the three others, we just put 15%, 15%, 15%. They say that we should have put 8% for one, 5% for another, 3% for another. Which is impossible, because we don't know what the percentages are going to be. We don't know who is going to have what we want, when we want it and we didn't want to give the impression that it was going to be anything less than what the City wanted. So, in every case, we put 15%. Now the Minority Office has determined that because we put 45%, instead of 30%, we are going to be non-compliant. So, I don't understand that. In fact it says in the contract at least 15%, and Ms. Williams comment to me was, I don't think any business person is going to give away 45% of their contract to a minority contractor. Which she is entitled to her opinion, and it was a mistake on our part. That is not what we meant. But I don't think we should be penalized for putting more on there than we actually should have."

## MINUTES

Bureau of Purchases - B50001026 - cont'd

City Solicitor: "Are you saying that what you meant in each instance on Exhibit C was that 15% would be given collectively to these three MBE's and 15% collectively to these three WBE's?"

Mr. Kennedy: "Yes."

City Solicitor: "And that is what you intended, but that is not what the form clearly indicated?"

Mr. Kennedy: "We wrote a letter, we were contacted about it by Ms. Colles Corprew. Excuse me. What did you say honey?"

President: "You have to state your name and speak into the microphone."

Mrs. Elaine Kennedy: "Good morning everyone, my name is Elaine Kennedy, Kennedy Personnel Services."

Mayor: "You can bring it down."

Mr. Kennedy: "My next wife is going to be 5' 11"."

Mrs. Kennedy: "I was, he has just beaten me down, (laughter) sorry, darling, and I am nervous. The MBE forms, there are two parts to it. There is Part B that you stipulate how you are going to use the contract, and so we filled out Part B, and we

## MINUTES

Bureau of Purchases - B50001026 - cont'd

listed that we were using three MBE's and three WBE's, and we said that sharing at least 15% of the contract. Okay. Then you fill in the Part C, which normally like in other contracts you do not submit Part C until you are told that you have an award. The reason being that there were 33 people that bid on this contract, so we conceivably had to get at least 66 MBE partners and if you are not going to get a bid, then you throw out all of this paperwork and you go through all of this. We also administer to the State of Maryland. The State of Maryland has you do Part B, they notify you that you are going to be awarded a contract and if you need they give you a period of time to get Part C in. But that is not it. But on Part C, we again having serviced the contract, I found that I kept having to change my MBE. I could not get my numbers, so I would have to go to Ms. Corprew and say I need to add an additional MBE so that I can keep the 17% that I am supposed to keep. So, I would then in turn fill out another form and send it to her and say 17%. So,

## MINUTES

Bureau of Purchases - B50001026 - cont'd

I had filed with her three different MBE's stating that I was giving 17% to three different minority partners at one point. So it never occurred to me that when I tell them that I am going to give them 15%, hoping that was going to be an issue for me. I just was trying to be certain that they would understand that my goal as it was in the previous contract is to meet the stipulations of the City of Baltimore and give you the minority participation that you asked for."

Mr. Kennedy: "So in the current contract, we have 17%, 17%, 17%."

President: "This is Mr. Kennedy."

Mr. Kennedy: "Pardon."

Mrs. Kennedy: "You have to identify yourself."

President: "I did it for you. That is okay."

Mr. Kennedy: "I thought I did before when I came up here."

Mrs. Kennedy: "Each time."

## MINUTES

Bureau of Purchases - B50001026 - cont'd

Mr. Kennedy: "I am sorry. Forgive me. Stephen Kennedy with Kennedy Personnel Services. So, on the current contract we have 17%, 17% and 17%. Which nobody had any problem with and --."

President: "Current contract with the State?"

Mr. Kennedy: "The City."

Mrs. Kennedy: "The City of Baltimore."

Mr. Kennedy: "The current contract that we have. Because we were having so many problems, we kept adding more people and we kept putting 17%, 17% and 17%. So, that is what that is. I just don't understand -- oh and Ms. Colles Corprew contacted us about it before the bid and said -- or maybe after the bid and said you know, can you explain this to me? Some of the bidders are having problems with this question. I see you did, can you explain it. So, we explained it to her and she said, oh I understand, the same thing I told you and then she said would you send me a letter to that effect. We sent her a letter and explained it. We were going to do whatever the City wanted as

## MINUTES

Bureau of Purchases - B50001026 - cont'd

far as minority participation is concerned; it was just a way of reading the question. We did not want anything to appear on that contract that said that 5% or 4% or 9%."

President: "Do you have a copy of the contract that you have now. The bid that you submitted that says, 17%, 17% and 17%?"

Mrs. Kennedy: "Yes. I have those pages."

Mayor: "And the letter they sent to us. Do you have that?"

Mrs. Kennedy: "Actually, these are the forms that I sent the contract 05 to 09."

Mayor: "So, this is a previous."

Mrs. Kennedy: "That is the first page where you list it and subsequent to that are the papers that I had given to the City. The 9% is for the woman owned. There is two 9% again, so that would be the 18%, and again the 12 and 9%. Then there are three that say 17%, which again just so you know, Ms. Williams was not the administrator of that contract at that time. There was a man named Mr. Corey, I think it was. Is that correct?"

## MINUTES

Bureau of Purchases - B50001026 - cont'd

Mayor: "Yes. Tom Corey."

Mrs. Kennedy: "Yes."

President: "Do you want to see?"

Mayor: "Do you have the letter you sent to --?"

Mrs. Kennedy: "Yes I do have a copy of that. I will give it to you."

Mayor: "How much was their bid?"

President: "So what we are doing now, is we are going to get the letter from Mrs. Kennedy and then we are going to go over to the administration for a response. Do you have the letter?"

Mr. Shirley Williams, Chief MWBOO: "Yes."

Is this the letter that you sent as an explanation?"

Mrs. Kennedy: "No. I can't see that close, sorry."

President: "Yes. This is it. Okay, we are going to work backwards I think, it is probably easiest in my mind. This is we are doing, I guess, there are nine parts of the contract. Nine different unit pricing."

## MINUTES

Bureau of Purchases - B50001026 - cont'd

Mr. Moore: "There are actually about 19."

President: "Nineteen, sorry. Alright, out of those 20 or 19 Kennedy was the lowest on how many?"

Mr. Moore: "They were low on one area, the Receptionist."

President: "In one area?"

Mr. Moore: "Yes."

President: "So, that being said, let's say that they were -- that there was no misunderstanding with respect to their commitment to the MBE/WBE goals, being lowest in only one area would they have been selected as one of the top two or three vendors for this contract?"

Mr. Moore: "No, they would not."

City Solicitor: "They would not have been selected had they been determined to be M/WBE compliant?"

Mr. Moore: "In one area. I mean we would end up with 20 vendors possibly if we just awarded to each individual vendor for each area. So, one of the things we clearly did not want 20 vendors,

## MINUTES

Bureau of Purchases - B50001026 - cont'd

because one your administrative costs go up considerably, and your cost for managing the contract goes up considerably. So, we thought that two vendors could serve our needs and if they were only lowest in one area, we probably I don't want to say definitely because we have not looked at the entire picture, but more than likely we would not have recommended them for the award."

City Solicitor: "Were there other vendors who were low in only one area and selected in only one area?"

Mr. Moore: "No."

President: "Okay. So now we understand."

Mr. Kennedy: "Can I rebut that?"

President: "Yes, Mr. Kennedy."

Mr. Kennedy: "We are one and third on one area. Right. We are first and third. First of all, no one mentioned anything prior to this bid about first second, first third anything. All it said was lowest responsible bidder. So there is no way to gear

## MINUTES

Bureau of Purchases - B50001026 - cont'd

ourselves to say that we have got to be first and second, or first and third, because that wasn't anything that we have ever dealt with before. In this contract, there was 31 bidders and 11 I believe were thrown out for non-compliance."

President: "Eleven were thrown out because they weren't the lowest in anything."

Mr. Kennedy: "No, they were non-compliant, they did not get into the ball game. They were non-compliant."

President: "That is not what we heard. Is that correct?"

Ms. Shirley Williams, Chief MWBOO: "We found 12 in non-compliance, I think."

President: "Twelve in non-compliance, and how many were tossed out because -- and this is Ms. Williams responding. I am asking you questions don't worry about it. So 12 non-compliant, how many were tossed out because they weren't low on anything. Do we have a response for that Mr. Moore?"

Mr. Moore: "There were 14 vendors who were not low in any area,

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and because they were not low, we moved them from consideration immediately, and did not send them for MWBOO compliance or any of the other pre-screening things that we typically do."

President: "Mr. Kennedy."

Mr. Kennedy: "Isn't it true that they were non-compliant before they ever got to your office or that you never considered them because they were non-compliant?"

President: "Mr. Moore."

Mr. Moore: "We didn't consider them because they were not low in any area. Because they were not low in any area, 14 vendors, we knew that we had 19 left that were low, so one of the first things that we were looking at was trying to contain cost. So, we knew that by eliminating those and just sticking our review to those who were low and in the second phase we would look at the MWBOO compliance. So, the initial 14 who were not low in any area, we did not consider them we would move them immediately did not look any further. We did not send them over for MWBOO review because we knew that it would increase our re-

## MINUTES

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view because we knew that it would increase our costs if we ended up doing business with them. In the event that those who were low in some areas they had issues we could have been forced to go down and look at those, but we were not in that situation here, so we only looked at those initial 19 that were in compliance."

City Solicitor: "But Kennedy was low in one area and so you did refer them for evaluation of their MWBOO compliance, right?"

Mr. Moore: "We did not. Yes we did. I am sorry, Mr. Solicitor, yes we did."

City Solicitor: "So they were under consideration until they went over to the MWBOO office and were determined to be non-compliant?"

Mr. Moore: "Yes. Let me just clarify that Mr. Nilson. They were certainly still in consideration at that point. In looking at these bids, you never know how things are going to shake out. You never know who is going to be found compliant, or who is going to be found non-compliant. If all of the vendors that we

## MINUTES

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sent over were compliant, it is still questionable. Highly questionable, whether we would have recommended an award to Kennedy because they were only low in one area."

Mr. Kennedy: "Mr. Moore, excuse me when I came over --."

President: "Mr. Kennedy."

Mr. Moore: "When I came over to your office and met with you and Joe on the 21<sup>st</sup> of July, I asked if I could see the tabulations which were not yet -- pardon me."

President: "You address the Board, not Mr. Moore."

Mr. Kennedy: "I am sorry. When I went over to -- at the time I went over to see Mr. Moore on the 21<sup>st</sup> of July, it was the first time that the sheets came out listing the current bidder. We were never notified we are not on it. But we got a copy of the bid that showed that the showed the bidders that were on it. I think there were seven. So, I went over to see Mr. Moore to find out why, and what we had done wrong. At that first time,

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he said he didn't have my prices because I was thrown out because I was non-compliant and then he went somewhere and got the file. I wasn't on the -- he showed a bid spread sheet of all the bidders except the non-compliant ones -- and I was not on that sheet. Mr. Mazza had to go and get the file and go down and read the prices off the file because it was not in the --."

President: "But once that information was made clear, once you were put into that spread sheet, you were lowest."

Mr. Kennedy: "I was never the lowest bidder."

President: "Well, once your information was considered you were lowest in only two areas. Right? One area. You are saying two, they are saying one, at the end of the day --."

Mr. Kennedy: "We were first and third, first and second."

President: "Okay. So, to sort of sum it up, I was trying to get you over the biggest hurdle, which was let's just say that you are correct with respect to your compliance. If that were to be the case, would you have missed out on an opportunity and

## MINUTES

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the answer seems to be no. Because there are 20 items that are being considered and because the administration finds you the lowest in one; the only way that you would be part of this bid if there were some extraordinary circumstance in those other compliant bidders that would require them to go all the way down to your acceptable bid. They are saying that you didn't get over that hurdle right?"

Mr. Kennedy: "I didn't want them to go all the way down to get me at any point. I wanted them to give me a contract because I had what has always traditionally been a low bid on a category, and when they told me about one and two, that was completely new. No one knew that until after the bid. Now, we were sent, where is that addendum, honey?"

President: "But, you understand that even though that you are saying that you expected to be given the bid based on your one lowest price, the administration I think reasonably is saying when you have 20 different items under one contract, they could

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have 20 different vendors, which then eliminates the advantage for the City of this whole Purchasing process. I mean the Purchasing process is to get the services that the City needs at the best possible price and if managing 20 different vendors adds to the administration cost, adds to I don't whatever else you would need to add, then that increases the City's overall costs. So, you might be the lowest bidder, but in order to have 20 different vendors, we are getting a good price, but the total package price makes it unreasonable for the City."

Mr. Kennedy: "That would be true Ms. Rawlings. I don't mean to interrupt you, I thought you had made your point."

President: "I am done."

Mr. Kennedy: "But, there is no one in my understanding and watching this contract that can supply everyone that is wanted. What is going to help the City is to have as many vendors as they can, the prices are going to get higher, but when you find

## MINUTES

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out that we have orders recently for a Nurse Lactation, a Lactation Nurse, they are very hard to find. It probably took us three weeks to fill that order, because it is not something defined. Now if they wanted it and would not want to wait three weeks, there was no one else for them to go to. There should be three or four people on there that can supply a nursing."

President: "I think your point is well taken. The City originally planned to accept two vendors for this contract. But because of considerations I think that you have made clear, they have gone to three. The difference is -- I am sorry for the nursing. So, at the end of the day, I think that the City understands that they need to have sort of more than less to make sure that they are meeting the needs. We are just not getting up to the number of vendors that would include you in the group."

Mr. Moore: "Madam President, let me just state that in the instance that the vendors that we are recommending can not meet

## MINUTES

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our needs or meet the requirements of the City, certainly we will look at the next vendors on the list. That is standard purchasing protocol all over America. So, we think that what we are recommending can meet our needs right now. It is easy for incumbent vendors to suggest that new vendors cannot meet their needs. But, the fact of the matter is and what was stated earlier there is some risks associated with changing vendors, but it is a risk that the Charter recognizes, the City Charter and the City Charter has agreed to accept. We think that the vendors that we have recommended can meet all of our needs, but in the event that they do not, we certainly will add to the pool and get additional vendors if necessary, if needed."

City Solicitor: "Question, Mr. Moore, this particular vendor was taken out of the mix not because they were low on only one item, but because they were found to be MWBOO non-compliant, is that correct?"

## MINUTES

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Mr. Moore: "No, Sir. Initially, they were low on only one item and because they were low, and again you never know how these things are going to shake out, we sent them over for MWBOO review, again. So, we knew that we really did not want a vendor who could only provide one area. However, just to make sure, we kept them in the game, we kept them under consideration and we sent them over for MWBOO, because we did not know what we were going to find once the MWBOO compliance review was conducted. So, we kept them in as long as we could."

City Solicitor: "I understand that. But when you took them out of the game, it was based on their MWBOO non-compliance, correct?"

Mr. Moore: "Yes, Sir."

City Solicitor: "So, it seems to me in fairness that is what we should be dealing with now. We should not be wondering whether they would have dropped out of the game back then, because they were only low in one area. We should be dealing with the MWBOO compliance issue."

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Bureau of Purchases - B50001026 - cont'd

President: "We should be dealing with the issues at hand, and they have two issues. It is whether they should be considered and the MWBOO issue. To me the most salient point, was that they were not really meeting the needs of the contract. The confused point is whether or not their MWBOO was submitted in an acceptable way. I think the fact that they do not meet the needs is the biggest and I guess the clearest point, since they are currently in the contract showing forms that are showing 17, 17 and 17. At least what they are saying to me is the confusing issue in this particular protest and I don't think we need to get to that question, because even if they were compliant they would not have been considered."

Mr. Kennedy: "Well, we are between a rock and a hard place here. If we were not compliant, we would not be looked at and if we were not looked at and were not compliant it did not make any difference. It did not make any difference anyway. The other concern that I have is we have people there currently, if we

## MINUTES

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don't have a contract, we cannot get paid. The City currently owes us about \$300,000.00, going back to 2007."

President: "That is another issue not related to this protest."

Mr. Moore: "We know there are some invoices out there."

Mr. Kennedy: "Well, it is an issue to consider because --."

President: "It is an issue for you as a business."

Mr. Moore: "We know the submission of this Madam President."

President: "That is not before the Board."

Mr. Kennedy: "I am using that and the point that if there are some of these new bidders coming in that are not financially capable of carrying the City for two or three years, they are going to go out of business. The people who are here are going to be walking off the job because they are not getting paid."

Comptroller: "Then you would go to the next lowest bidder right, which would be?"

Mayor: "Right now you have three."

Mr. Kennedy: "But the bidders are limited, they are only going to have two bidders."

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Mr. Moore: "Madam President --"

President: "Can we go to Ms. Williams for the MBE/WBE issue?"

Ms. Shirley Williams, Chief, MWBOO: "Do you want me to start with the current or go back to the one where you just received all of these documents?"

President: "Either or, however you feel you can best clearly make --."

Ms. Williams: "Let me go back to 2005. In 2005, when some of these documents were submitted, Kennedy was found in non-compliance. But the contract was awarded subject to condition upon coming into compliance. These documents were added so that the company could come into compliance. That is why you have some documents here that are dated February they were found in non-compliance in March, that was about the time the contract was awarded. You have some others dated in May, that was when they actually came into compliance. So, they were not adding anybody. They were coming into compliance for the award that they had received."

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Bureau of Purchases - B50001026 - cont'd

President: "So you are saying that at the time of the 2005, they did not submit --."

Ms. Williams: "They were not in compliance."

President: "But their point is that they submitted at the time of the award a bid that included 17%, 17%, 17% and that was acceptable."

Ms. Williams: "No, no, no. They submitted one firm for 17%, Swift Staffing. They submitted a WBE firm that was not certified by the City. The contract was awarded subject to them coming into compliance. So, you have documents here that were a part of the original bid that was determined to be in non-compliance, and what you have are the documents that they submitted to the office to come into compliance. They do not have 17%, 17%, 17%."

President: "On the original bid?"

Ms. Williams: "Exactly. That is not what is existing here. Now, on the current bid, on Form B, they are correct, for the WBE

## MINUTES

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and the MBE, they indicate that three firms will be sharing 15% of the contract. The goal is 15%. That is acceptable. That is Form B. However, on Form C, and you have to keep in mind that this is the form that is signed by the prime and the sub and this is the form that we use to determine what the contract will be. On each of the six Form C's, the indication is that the firm will receive 15, plus 15%, 30% of the contract. This aberration about me rejecting them because of 45% there is no 45%. On one document it says, three firms will get 15%, that represents the MBE participation. Three firms will get WBE 15% that represents the WBE participation."

President: "And that was acceptable?"

Ms. Williams: "That is acceptable. On each individual form, it says that the firms will receive 30%. Therein lies the problem."

City Solicitor "So just to -- you are confronted with the situation where Form B's which turn out to be consistent with

## MINUTES

Bureau of Purchases - B50001026 - cont'd

the letter; the clarification letter that they later submitted, Form B was fine. Forms C created the problem, because they basically if you read them literally, they were giving away 180%, so they presented an impossible outcome."

Ms. Williams: "Absolutely."

City Solicitor: "One that was clearly an error."

Ms. Williams: "Clearly an error."

City Solicitor: "Or a mistake, or whatever word you want to use. So, I guess my question is, in that situation where you have an inconsistency between the Form B's which are logical and appropriate and the Form C's which created an impossible situation, why wouldn't you simply go with Form B's or seek a clarification and accept it when they conformed the impossible group of Form C's would be correct collection of Form B's?"

Ms. Williams: "Their clarification that was submitted says that the bidders will receive or will share 15% of the contract."

## MINUTES

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City Solicitor: "Right. Which is essentially what Form B said."

Ms. Williams: "That the subcontractor did not --."

City Solicitor: "They did not sign that."

Ms. Williams: "That they agreed to 30% of the contract."

City Solicitor: "They signed a document that indicated that each of six of them was going to get 30%."

Ms. Williams: "And I can not decide who is going to get what."

Mrs. Kennedy: "May I address that?"

President: "Ms. Kennedy."

Mrs. Kennedy: "Kennedy Personnel. The line that Ms. Williams is referring to reads 'the subcontract percentage of total contract'. On that line we typed 15% plus 15% equals 30%. Meaning, 15% for a WBE. As the form on the top says, it is a WBE/MBE form. Meaning the total amount to be given away in this contract is 30%. That was our understanding of that line. That is what it says. Then subsequent to that, if it was a women

## MINUTES

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owned business we typed in women owned business 15%, and if it was an African American we typed in 15% so stipulated. That was our understanding of this form. That is what we assumed it would be. It says subcontract percentage of total contract. The total contract asks for 15% minority and 15% woman, and that is how we addressed that line."

President: "Ms. Williams."

Ms. Williams: "But realistically, why would you ask a particular company -- and keep in mind that Form C is company specific -- why would you put anything on that form that does not apply to that company?"

President: "Ms. Kennedy."

Mrs. Kennedy: "In answer to the question - everyone that was administering that I sent a form to also put in a primary bid. So, they were aware of the 15% 15% requirement too. Again, I simply thought that was the question they were asking, subcontract percentage of total contract. I didn't write 30%, I

## MINUTES

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wrote 15% plus 15% equals 30%. Meaning 30% of the total contract."

President: "So, let us just wind down. I saw it. It seems like, in summing up, it seems like you did what you thought was best to be clear."

Mrs. Kennedy: "Yes."

President: "And in doing so, made an error. Because it confused your bid. It put the burden on Purchasing and MWBOO to make a determination of how much each of the subcontractors was to be given. Something that they don't do. That being said, even if they were to interpret it, it still would not be to your benefit as far as being a part of this contract. I do not know if we are going to do the -- I guess we should address the -- I do not know if we should do the motion on the individual protest or together. But it seems as if in this case, but it seems as if in this case even in the light most favorable to you, if this was acceptable, an acceptable way to submit a contract it still does not help you."

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Mr. Kennedy: "Well, may I say one more thing?"

President: "Yes, Mr. Kennedy."

Mr. Kennedy: "If we as Ms. Williams stated did it incorrectly, the last contract where we were non-compliant because of the 17%, 17% whatever that was allowed to be corrected. Otherwise we would have been thrown off the contract."

President: "Well, we were in a different situation then. Allowing for correction is the exception to the rule. Not the rule. Today, we are looking at 33 people that put in a bid for this contract. I am sure that is not the only time we allow for correction is if there is you know one contract or two contracts and the savings to the City is so great that we allow the one that we find least problematic to correct. We are not in that situation now. We have, how many were compliant?"

Mr. Moore: "Nine."

President: "Nine compliant bidders."

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Mr. Kennedy: "We had nine people, what was it 11 or 12? Twelve people non-compliant."

President: "How ever many, we have non-compliant. We have nine that are. So, we are not in a situation where we would, the City would be in the position to offer a correction."

Mr. Kennedy: "But I mean --."

President: "Regardless of what happened the last time. We are dealing with today."

Mr. Kennedy: "But, it is obvious what our intent was, and Ms. Corprew asked us to send a letter to explain that. We did. She said that was fine. That was it. It was resolved."

President: "Well, even if it was acceptable; let's just say for the sake of argument that it was acceptable. It still does not get you the contract, because you are only the lowest bidder on one item and the City has no interest in allowing enough vendors to get down to we are going to use you on this one item."

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Mr. Kennedy: "Well that brings me to my next point. The point about the fact that they decided after the contract with no other vendors knowing that they were only going to take the one low bidder; a bidder who has one low bid and two low bids. They came out with a list of names, seven names I believe it was and said these are the people."

President: "We have heard that argument too, and I don't think that there is anyone on the Board --."

Mr. Kennedy: "But, now they told me that I could not do it because I did not have a second bid. Now, they have added a bidder who does not have a first bid or a second bid, but has a third bid. They have added a whole new column with a third. Just in a week."

Mayor: "Can you explain that one?"

President: "Mr. Moore."

Mr. Moore: "We did add a third vendor on here for nursing services when there was some capacity concerns about the first

## MINUTES

Bureau of Purchases - B50001026 - cont'd

two vendors, and to ensure that the City's requirements are being met, we added the third vendor in that area. Because we think there might be some capacity issues and because of that, we added the third vendor."

President: "So, hopefully, what we can do is get some -- you can work with our MWBOO office to make sure that the mistake does not happen in the future. Is there a Motion on the Kennedy protest?"

Mr. Kennedy: "What happens to our money that is owed to us? Can we get paid even though we do not have a contract?"

President: "Yes."

Mr. Moore: "Any money owed the vendor, they will be paid, of course."

President: "Okay. Is there a Motion on the Kennedy Protest? Anybody. On the Kennedy protest, I think we should do them separately. Make a Motion to reject the protest from Kennedy Personnel Services."

MINUTES

Bureau of Purchases - B50001026 - cont'd

Mayor: "Second."

President: "All those in favor say AYE. Opposed NAY. Motion carries. Second protest letter is from Care Resources. I think we have heard from you. Are there any questions for Care Resources? Are there any --."

City Solicitor: "Motion to reject the protest and approve the proposed award from the Department."

Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. Motion carries. Both protests have been rejected and the award stands. Thank you very much."

\* \* \* \* \*

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

6. B50001067, Street Carroll Tree Service, Inc. \$ 57,930.00  
Tree and Stump  
Removal: Group II

**MWBO SET GOALS OF 27% MBE AND 0% WBE.**

**MBE:** L. Johnson Tree                      \$ 15,642.00      27.00%  
          Service, LLC

**MINUTES**

Circuit Court for Baltimore City - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Baltimore Mental Health Systems, Inc. The period of the agreement is July 1, 2009 through June 30, 2010 with a renewal option for three additional terms of one-year.

**AMOUNT OF MONEY AND SOURCE:**

\$729,636.00 - 5000-500710-1100-117400-405001

**BACKGROUND/EXPLANATION:**

The Competency and Responsibility Evaluation contract provides for court ordered competency and responsibility evaluations that occur as a result of actions before the Circuit and District Courts in Maryland. With the exception of Baltimore City, these evaluations are conducted by evaluators who reside or have offices within their local jurisdiction. A principal function of this program is to divert those persons who would normally be hospitalized at Clifton T. Perkins Hospital Center or various other regional facilities within the state, into community resources or resources within the local detention centers. In approximately 60% of all referrals, defendants who would be hospitalized anywhere from 30-60 days are diverted into community resources. The pre-sentence evaluation provides evaluations after verdicts that provide proper use of outpatient facilities.

**APPROVED FOR FUNDS BY FINANCE.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreement with the Baltimore Mental Health Systems, Inc.

**MINUTES**

Circuit Court for Baltimore City - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Baltimore Mental Health Systems, Inc. The period of the agreement is July 1, 2009 through June 30, 2010 with a renewal option for three additional terms of one-year.

**AMOUNT OF MONEY AND SOURCE:**

\$128,450.00 - 5000-544510-1100-116800-405001

**BACKGROUND/EXPLANATION:**

This Court Medical Evaluation Team (CMET) agreement provides for the Circuit Court for Baltimore City, Medical Services Division, to provide certain post-adjudicatory mental health evaluations of children and youth who are under the supervision of the Maryland Department of Juvenile Services (DJS). These evaluations provide information to assist the Juvenile Court Judiciary in making decisions on mental health and other treatment needs. This information is essential to DJS Case Managers for planning purposes. All evaluations are court ordered or requested by DJS Case Managers, and will take place on site at the Juvenile Justice Center. All evaluations will be performed by licensed mental health professionals hired for this purpose by the Circuit Court for Baltimore City, Medical Services Division. The Medical Services Division staff will provide administration and clinical supervision of the CMET staff.

The contract is fully funded 100% by the Baltimore Mental Health Systems, Inc., pursuant to a Memorandum of Understanding with the

## MINUTES

Circuit Court for Baltimore City - cont'd

Maryland State Department of Juvenile Services. No City match is required. No City General Funds are required.

**APPROVED FOR FUNDS BY FINANCE.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreement with Baltimore Mental Health Systems, Inc.

**MINUTES**

Circuit Court for Baltimore City - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Baltimore Mental Health Systems, Inc. The period of the agreement is July 1, 2009 through June 30, 2010 with a renewal option for three additional terms of one-year.

**AMOUNT OF MONEY AND SOURCE:**

\$453,969.00 - 4000-400510-1100-117300-404001

**BACKGROUND/EXPLANATION:**

This program provides for the mental health evaluation of seriously mentally ill citizens in Baltimore who have been arrested for minor crimes and are placed in either the Baltimore City Detention Center, or the Central Booking Facility. The Program arranges with the Court to have the defendant transferred to a mental health facility as an inpatient or directed to an appropriate outpatient facility. A follow-up over a six-month period by the program is mandatory.

The program will continue to divert this population from incarceration and the criminal justice system to the appropriate mental health treatment resources. By providing such a service, the population of mentally ill that are incarcerated has decreased. In addition, approximately 72% of the individuals who are evaluated and referred by the program do not return to the criminal justice system within a two-year period. This program directly contributes to a reduction in trial dockets along with the more humane placement and treatment of the mentally ill.

The Baltimore Mental Health Systems, Inc., a private non-profit organization provides these funds through a block grant given to the corporation from the Maryland State Department of Health and Mental Hygiene. This program is funded 100% by Baltimore Mental Health Systems, Inc. No City match is required.

MINUTES

Circuit Court for Baltimore City - cont'd

APPROVED FOR FUNDS BY FINANCE.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreement with the Baltimore Mental Health Systems, Inc.

## MINUTES

Circuit Court - TRANSFER OF LIFE-TO-DATE  
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Mrs. Melissa Montroy.

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

	<u>NAME</u>	<u>DAYS</u>
1.	Kathleen M. Smith	5
2.	Debbie Taylor	5
3.	Darlene A. Chavez	<u>2</u>
		<b>12</b>

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the above listed City employees to the designated employee, Mrs. Melissa Montroy.

## 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. C&D MUNICIPAL SALES, INC.   | \$10,000.00 | Sole Source |
| Solicitation No. 08000 - Variable Frequency Pump Drives -<br>Department of Public Works - Req. No. R528198 |             |             |

The vendor is the exclusive Maryland sales representative for these required items.

- |   |             |             |
|---|-------------|-------------|
| 2. PICTOMETRY INTERNATIONAL   | \$35,910.00 | Sole Source |
| Solicitation No. 08000 - Aerial Imagery Software - Mayor's<br>Office of Information Technology - Req. No. R527905 |             |             |

The vendor is the sole source provider of this proprietary software.

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|---|-------------|-----------------|
| 3. JOM PHARMACEUTICAL<br>SERVICES, INC.   | \$ 6,354.72 | Selected Source |
| Solicitation No. 06000 - Ortho-Evra Contraceptives - Health<br>Department - P508479 |             |                 |

On June 3, 2009 the Board approved the initial award in the amount of \$23,896.80.

These products are delivered directly from the manufacturer with federally mandated pricing under the 340 B drug pricing program.

- |   |             |         |
|---|-------------|---------|
| 4. MARYLAND FIRE EQUIPMENT  | \$22,905.00 | Low Bid |
| Solicitation No. 07000 - Fire Helmets - Fire Department - Req.<br>No. R526934 |             |         |

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|---|-------------|---------|
| 5. TIPCO  | \$10,000.00 | Low Bid |
| Solicitation No. 07000 - Boots - Department of Public Works -<br>Req. No. R527526 |             |         |

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|--------------------|----------------|
| 6. <u>FREE STATE REPORTING</u>  | <u>\$24,120.00</u> | <u>Renewal</u> |
| Solicitation No. B50000105 - Court Reporting Services - Liquor License Board - Req. No. P500745 |                    |                |

On November 11, 2007, the Board approved the initial award in the amount of \$16,080.00. Subsequent actions have been approved.

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|---|--------------------|--------------------|
| 7. <u>CSX TRANSPORTATION, INC.</u>  | <u>\$14,500.00</u> | <u>Sole Source</u> |
| Solicitation No. 06000 - CSX Right of Way Invoices for Sewer Repairs and Other Related Work - Department of Public Works - Req. No. R524836 |                    |                    |

CSX is the sole proprietor of the rights-of-way the City must access.

- |  |                    |                    |
|--|--------------------|--------------------|
| 8. <u>LIMEHOUSE SOFTWARE</u>   | <u>\$ 6,086.61</u> | <u>Sole Source</u> |
| Solicitation No. 09000 - Limehouse Software Licenses - Department of Planning - Req. No. R527419 |                    |                    |

The vendor is the sole provider of this proprietary software.

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|--|--------------------|--------------------|
| 9. <u>PRINCIPAL DECISION</u>   |                    |                    |
| <u>SYSTEMS INTERNATIONAL</u>   | <u>\$24,950.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Software Maintenance Agreement - Fire Department - Req. No. R528306 |                    |                    |

The vendor is the sole provider of this proprietary software.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|--------------------|----------------|
| 10. <u>AMI RISK CONSULTANTS, INC.</u>   | <u>\$12,500.00</u> | <u>Renewal</u> |
| Solicitation No. B5000003 - Actuarial Services-Self Insurance<br>- Department of Finance - Req. No. R528700 |                    |                |

On August 15, 2007 the Board approved the initial award in the amount of \$12,500.00. On August 13, 2008 the Board approved a renewal in the amount of \$12,500.00. The award contained two 1-year renewal options clause. On August 13, 2008, the Board approved the first renewal in the amount of \$12,500.00. This is the second and final renewal in the amount of \$12,500.00, making the total award amount \$37,500.00.

- |  |                    |                |
|--|--------------------|----------------|
| 11. <u>GLICKSMAN CONSULTING, INC.</u>  | <u>\$ 6,000.00</u> | <u>Renewal</u> |
| Solicitation No. B50000276 - Actuarial Report for School -<br>Department of Finance - Req. No. R528812 |                    |                |

On January 9, 2008 the Board approved the initial award in the amount of \$6,000.00. The award contained two 1-year renewal options at the sole discretion of the City. On December 10, 2008 the Board approved the first renewal in the amount of \$6,000.00. This is the second and final renewal in the amount \$6,000.00, making the total award \$18,000.00.

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|--|--------------------|----------------|
| 12. <u>ATLANTIC TACTICAL</u>   | <u>\$12,840.50</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Police Batons - Police Department -<br>Req. No. R528669 |                    |                |

- |   |                    |                |
|---|--------------------|----------------|
| 13. <u>MUNICIPAL EMERGENCY SERVICES</u>                                     | <u>\$ 9,984.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Fire Hoods - Fire Department - Req.<br>No. R527549 |                    |                |

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|--|-------------|-------------|
| 14. SPARKLE & SHINE<br>JANITORIAL SERVICES   | \$10,596.00 | Low Bid     |
| Solicitation No. B50001109 - Janitorial Service - Department of Housing and Community Development - Req. No. R524709   |             |             |
| 15. P. FLANIGAN &<br>SONS, INC.  | \$ 9,570.00 | Low Bid     |
| Solicitation No. 07000 - Asphalt Paving - Department of Public Works - Req. No. R528134  |             |             |
| 16. DSQ SOLUTIONS  | \$24,999.00 | Sole Source |
| Solicitation No. 08000 - Computer Support and Maintenance - Department of Housing and Community - Req. No. R528074   |             |             |
| <p>The agency is currently receiving computer support and maintenance services under an existing agreement and must maintain services until the City is able to convert all the computers and software onto the HABNET system that is currently used by the Department of Housing and Community Development. DSQ Solutions is the sole provider of support and maintenance for the system.</p> |             |             |
| 17. ARCHSCAN, LLC  | \$24,000.00 | Low Bid     |
| Solicitation No. B50001141 - Cataloging Consulting Services - Baltimore Convention Center - Req. No. R527203   |             |             |
| 18. MARTIN SUPPLY, INC.  | \$18,000.00 | Sole Source |
| Solicitation No. 08000 - Parts and Supplies for Epson 9600 Plotter - Department of Finance, Bureau of Purchases/Digital Documents Division - Req. No. R528997  |             |             |

The vendor is the sole provider of supplies and replacement parts for the Epson 9600 Plotter, which must be compatible and interchangeable with existing equipment.

## 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>		
19. <u>INDEPENDENT SERVICES CORP.</u>	<u>\$ 5,148.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Independent Services - Mayor's Office of Information Technology - Req. No. R527229		
20. <u>BEAM DISTRIBUTING</u>	<u>\$12,000.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Emergency Lamps - Fire Department - Req. No. R528229		
21. <u>TANEN HAT COMPANY</u>	<u>\$ 38,766.00</u>	<u>Selected Source</u>
Solicitation No. 06000 - Police Hats - Police Department - Req. No. R528632		

A requisition has been received for the purchase of Police summer hats. The requested model is currently being used throughout the Police Department and the Department would like to maintain uniformity. The prices offered are considered fair and reasonable.

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

**MWBOO GRANTED A WAIVER.**

22. <u>LION TOTALCARE</u>	<u>\$ 95,000.00</u>	<u>Cooperative Contract</u>
Baltimore County Contract Number 923 - Firefighter Turnout Gear Cleaning - Fire Department - Req. No. R526932		

The service required is only available from vendors designated by the manufacturer, and this vendor provides the service to Fire Departments 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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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.

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|---|--------------|-------------|
| 23. <u>NCS PEARSON, INC.</u><br>Solicitation No. 08000 - Work Sampling Assessment System -<br>Department of Housing and Community Development - Req. No.<br>R527726 | \$ 35,798.00 | Sole Source |
|---|--------------|-------------|

This is a license renewal for the agency's web-based assessment system for online management and reporting of teacher-entered child assessment data. The vendor is the sole source provider of this proprietary system.

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

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|--|--------------|-------------|
| 24. <u>NULINX INTERNATIONAL, INC.</u><br>Solicitation No. 08000 Web-based Software Package - Department<br>of Housing and Community Development - Req. No. R526938 | \$ 36,000.00 | Sole Source |
|--|--------------|-------------|

This is a license renewal for the agency's web-based assessment system for online management and reporting of teacher-entered child assessment data. The vendor is the sole source provider of this proprietary system.

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

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|--|--------------|-------------|
| 25. DATA UNLIMITED<br>INTERNATIONAL, INC.  | \$ 58,460.73 | Sole Source |
| Solicitation No. 08000 Data Processing Hardware - Police<br>Department - Req. No. 527127 |              |             |

The vendor is the manufacturer and sole distributor of the Laboratory Information Management System currently being used by the Police Department, which requires this system to maintain uniformity of service in the Crime Lab.

- |   |              |         |
|---|--------------|---------|
| 26. STAT MEDEVAC  | \$850,000.00 | Renewal |
| Solicitation No. 06000 Non Emergent Air Transportation<br>Services - Health Department - Req. No. R526295 |              |         |

On October 29, 2008, the Board approved the initial award in the amount of \$850,000.00. The award contained two 1-year renewal options at the sole discretion of the City. This is the first renewal in the amount of \$850,000.00, making the award amount \$1,700,000.00.

**MWBOO GRANTED A WAIVER.**

- |   |              |          |
|---|--------------|----------|
| 27. GTSI CORP.  | \$ 93,797.59 | Increase |
| Solicitation No. BP-06158 - Public Procurement Automation<br>System - Department of Finance - Req. Nos. Various |              |          |

On August 23, 2006, the Board approved the initial award in the amount of \$1,347,635.00. Subsequent actions have been approved. The additional funds will be used to meet increased needs for training, upgrade three servers and cover the costs of a vendor catalog punch-out for a Board approved master black contract.

## 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

**MWBOO SET GOALS OF 10% MBE AND 5% WBE.**

**MBE:** It-CNP, Inc. 10%

**WBE:** Bee Trained 6%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

28. ACS STATE & LOCAL SOLUTIONS, INC.	\$ 0.00	Renewal
Solicitation No. BP-04021 Red Light Traffic Violation Camera System - Department of Transportation - Req. Nos. Various		

On December 3, 2003, the Board approved the initial award. The award contained one 3-year renewal option at the sole at the sole discretion of the City. This is the first and only three-year renewal. The period of the renewal is August 1, 2009 through July 31, 2012.

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

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The President **ABSTAINED** on item no. 17.

## MINUTES

Department 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 to 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.	5517 Harford Road	Charlottemore, LLC	Outdoor seating 25' x 4'
	Annual Charge: \$ 617.50		
2.	118 N. Greene Street	Yang S. Sin	Retain awning w/ signage 26'9"x 2½'
	Annual Charge: \$ 739.39		
3.	1738 Thames Street	Brain G. Logan	Outdoor seating 47' x 3' and 54' x 4' (10 tables)
	Annual Charge: \$3,489.00		
4.	3301 Piedmont Ave.	Roland K. Smith,	Three awnings, two-3'x 2'6", one-9'7" x 2'6"
	Annual Charge: \$ 210.90		

**MINUTES**Department of General Services - cont'd

5. 1001 Fleet Street Harbor East Outdoor seating  
k/a 1006 Aliceanna Parcel C- 40' x 3'  
Street Commercial, LLC

Annual Charge: \$ 897.50

There are no objections, since no protests were received.

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

**ABSTAINED** on item no. 5.

**MINUTES**

Department of General Services - Minor Privilege Permit  
Application

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a Minor Privilege Permit for The El Shaddai Worship Center Ministries, Inc.

**AMOUNT OF MONEY AND SOURCE:**

There is no fee per the Board of Estimates Minor Privilege Schedule of Charges.

**BACKGROUND/EXPLANATION:**

The El Shaddai Worship Center Ministries, Inc. will use part of the sidewalk located at 2661 Harlem Avenue for community activities on August 1, 15, 22 and September 19, 2009. Each merchant will use 4' x 20' for merchandise display. Nothing is to be located at the curb and a 4 foot wide clear walkway is to be maintained at all times.

Tables on the sidewalk used for Charitable Organizations are allowed only if in front of Church property and proceeds are for the benefit of the church.

UPON MOTION duly made and seconded, the Board approved and authorized the Minor Privilege Permit for The El Shaddai Worship Center Ministries, Inc.

**MINUTES**

Department of General Services - On-Call Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with EBA Engineering, Inc. and Kennedy, Porter & Associates, Inc., Joint Venture for Project No. 1099E, On-Call Civil/Structural Engineering Services. The period of the agreement is effective upon Board approval for two years or until the upset limit is reached, whichever occurs first. However, projects started within the two-year period may continue beyond the time frame until they are completed.

**AMOUNT OF MONEY AND SOURCE:**

\$750,000.00 - Various, depending on individual projects and  
User Agency

**BACKGROUND/EXPLANATION:**

Various City agencies, on a continuing basis, require civil and structural engineering services to modify, upgrade or repair their facilities. Typically, the work involved is limited in scope or of an urgent nature, which in either case, cannot be postponed until customary Civil/Structural Engineering selection process can be executed. To accommodate this type of work the Department of General Services wishes to establish an on-call Civil Structural Engineering Contract with the EBA Engineering, Inc. and Kennedy, Porter & Associates, Inc., Joint Venture. The services will be provided on an as-needed basis as needs are identified. The cost of services rendered will be negotiated not-to-exceed price for each task assigned. Fees will be based on actual payroll rates, not including overhead and burden, times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

## MINUTES

Department of General Services - cont'd

The consultant has been approved by the Architect and Engineering Awards Commission procedures.

**MBE/WBE PARTICIPATION:**

**MWBOO SET GOALS OF 23% MBE AND 10% WBE.**

**MBE:** A.S. Architects, Inc.  
Dhillon Engineering, Inc.

(in the aggregate amount)                    \$0 - \$172,500.00                    0-23.00%

**WBE:** Phoenix Engineering, Inc.                    \$0 -     75,000.00                    0-10.00%

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the EBA Engineering, Inc. and Kennedy, Porter & Associates, Inc., Joint Venture for Project No. 1099E, On-Call Civil/Structural Engineering Services.

**MINUTES**

Department of General Services - Renewable Energy  
Credit Sales Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a Renewable Energy Credit Sales Agreement with Sempra Energy Solution, LLC.

**AMOUNT OF MONEY AND SOURCE:**

\$38,000.00 - revenue

**BACKGROUND/EXPLANATION:**

The production of electric power from the renewable resource of the digester gas produced at Back River Waste Water Treatment Plant qualifies for the sale of Renewable Energy Credits. Working through the Northeast Maryland Waste Disposal Authority, the City has executed what will be the first of many sales of renewable energy credits. If approval of the sale has not occurred prior to August 1, 2009, the City will lose \$38,000.00 in revenue.

UPON MOTION duly made and seconded, the Board approved and authorized the renewable energy credit sales agreement with the Sempra Energy Solution, LLC.

**MINUTES**

Department of General Services - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize payment to Associated Building Maintenance Co. Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$37,033.10 - 1001-000000-1930-192602-603051

**BACKGROUND/EXPLANATION:**

On April 8, 2009 the Board approved an outstanding invoice for the above vendor in the amount of \$32,130.10, the total amount of the Invoice was \$69,163.10. Payment is for services rendered under Contract No. BP 06144, Janitorial Services for the Department of Public Works, Area B. The balance of the original purchase order did not have sufficient funds and additional funds are needed to pay this vendor in full.

The reason for the delay in payment was due to a price increase granted by the Bureau of Purchases, but inadvertently the contract upset limit was not increased at that time.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTIONS.**

UPON MOTION duly made and seconded, the Board approved and authorized payment to the Associated Building Maintenance Co. Inc.

**MINUTES**

Employee Retirement System (ERS) - Election Administration  
Services Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an election administration services agreement with the American Arbitration Association (AAA). The period of the agreement is effective upon Board approval and shall terminate after the ERS Board's second payment to the AAA.

**AMOUNT OF MONEY AND SOURCE:**

\$22,500.00 - 6000-604009-1520-169800-603026. No General Funds monies are involved in this transaction.

**BACKGROUND/EXPLANATION:**

All funds and expenses will be expended from the ERS. The AAA will prepare and execute the election for one active member representative on the ERS Board of Trustees. The AAA will charge \$2.50 per ballot, not to exceed \$22,500.00. Eligible employees will be able to cast ballots by mail, telephone and internet.

The term of one active member representative on the ERS Board expires at the end of 2009. The AAA is one of the oldest and most prestigious election services firms. Additionally, AAA has successfully administered elections for the ERS in the past, and will continue to provide wholly impartial, unbiased and independent services to the ERS Board.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the election administration services agreement with the American Arbitration Association. The Comptroller **ABSTAINED**.

**MINUTES**

Office of the State's Attorney - Grant Award Acceptance

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the acceptance of a grant award from the State of Maryland - Governor's Office of Crime Control and Prevention entitled Domestic Violence Response Enhancement. The period of the award is July 1, 2009 through December 31, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$45,397.00 - 4000-404410-1150-117575-601001 (Federal)

\$20,558.00 - 1001-000000-1150-117900-601001 (In-Kind)

**BACKGROUND/EXPLANATION:**

The Baltimore City State's Attorney's Office's Domestic Violence Response Enhancement Project provides assistance to a 24/7 cooperative city-wide response program with the Baltimore City Police Department. Trained, experienced staff in the Family Felony Violence Division provide assistance to victims of felony domestic violence, in addition to prosecuting all felony domestic violence cases in the City. Grant funds provide salary support and fringe benefits for a law clerk and equipment.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the grant award from the State of Maryland - Governor's Office of Crime Control and Prevention entitled Domestic Violence Response Enhancement.

**MINUTES**

Department of Law/MWBOO - MWBOO Annual Participation Goals

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the annual participation goals for the Minority and Women's Business Enterprise Participation Program. The goals will be in effect until June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

In accordance with Article 5, Subtitle 28-16 & 17 of the Baltimore City Code, the Minority and Women's Business Opportunity Office is recommending annual MBE and WBE program goals for the Board's approval. These are aspirational goals that will aid the City in its ongoing evaluation of the effectiveness of the MBE/WBE Participation Program. Contract goals will continue to be set for each contract in accordance with a formula that considers the following: (1) the availability of the businesses that are willing and able to participate on contracts in various industry classifications and professions, (2) the level of utilization of these firms on past City Contracts, (3) the contract specifications, and (4) the adverse effect on non-MBE and non-WBE businesses.

In order to more narrowly tailor the Minority and Women's Business Enterprise Program, the City Code allows sub-goals that recognize race to be placed on selected construction in excess of \$1,000,000.00 and on selected architectural and engineering contracts.

## MINUTES

Department of Law - cont'd

The Minority and Women's Business Opportunity Office recommends the following goals and sub-goals for the MBE/WBE Participation Program:

<b>MBE:</b> Annual Goal	27%
Sub-Goals:	
African American	14%
Asian American	6%
Hispanic American	6%
Native American	1%

<b>WBE:</b> Annual Goal	10%
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**A LETTER OF PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION - MR. ARNOLD JOLIVET.**

**A LETTER OF CORRESPONDENCE HAS BEEN RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION - MR. PLESS B. JONES, JR.**

President: "The second item is pages 77 through 78. The MWBOO Annual Participation Goals. Good morning."

Mr. Arnold M. Jolivet, Maryland Minority Contractors Assoc.,

Inc.: "I sent you a brief letter that I suspect should alert you to what my issues are or what my issue is, it is a very simple issue. This is, I believe and obviously I do not speak for Ms. Williams, I believe Ms. Williams is proposing to this Board in accordance with the Ordinance to establish the goals for the next, well actually this fiscal year for M/WBE participation. I am just not opposed to Mrs. Williams goals, I just see a flaw in the process and I am concerned, that if the

## MINUTES

Department of Law - cont'd

Board approves Ms. Williams proposed goals it may subject our Ordinance to possible, and I say possible, invalidation because Ms. Williams is uniquely aware that when we enacted the Ordinance in 2007, I think one can make an argument that we adequately established a basis and evidence for the goals that we were using at that time, and we subsequently adopted. My concern would be, if we adopt new goals without the benefit of a study which supports, the local Court has simply very clearly said that we can not adopt new goals, Minority Women Utilization Goals without the use of a detailed study which supports the utilization of the goals. My concern would be as I said to you before and I want to be very brief, is that, if this Board accepts Mrs. Williams goals; proposed goals, then the basis for the 2007 goals go out the window. I would be concerned that the present goals would not have a strong basis and evidence that the Court says you got to have. Because, I do not know that Ms. Williams has done the study or has the benefit of a new study, we know that we had a study in 2007, and that study provided a

## MINUTES

Department of Law - cont'd

basis for the old goals, the current goals. But, unless Ms. Williams talks to us and tells us in the minority business community what she is doing, and allow us to be participants, -- We are stakeholders, -- but Ms. Williams does not give us a chance or an ability to --."

President: "Let's keep this about the study."

Mr. Jolivet: "I will do that. But, my point is, there are people in this community and there are people who are full-time advocating and presenting opportunities for minority firms. They have unique information that would be used presumably to justify the basis of Ms. Williams's proposal and study. Now it could very well be, and I would like to hear what new evidence that Ms. Williams is basing these new proposed goals."

President: "There are no new goals. It is the same goals and while I think -- and we certainly can hear you, I don't think your suggestion is correct. The Law requires that they be based on a study. Not a new study, and the goals which are the same as last year are based on the study, the current study. The

## MINUTES

Department of Law - cont'd

study is current for five years, and the goals are based on that current study. Does this -- does my thinking suggest that there needs to be more or less communication between you and Ms. Williams? I am not speaking to that all. Your point was, is it legal and the study on which the goals are based is legally current. There is no recommendation - requirement in the Law that there be a new study."

Mr. Jolivet: "Well, I would simply submit and respectfully say to you, you have not read Judge Andre' Davis' opinion in AUC v. City of Baltimore. That very same position got our Law invalidated. That very fact that you articulated a minute ago, that is the reason that Judge Davis invalidated the Ordinance."

City Solicitor: "Respectfully, I have read the opinion and there is nothing in that opinion or any other ruling of the Court that required us to do, to spend extraordinary amounts of money every single year to update a study on which we spent about a million dollars to obtain in 2007. We are entitled to rely on that and

## MINUTES

Department of Law - cont'd

should not be changing the goals in the absence of some new comprehensive study, but there is nothing about Judge Davis ruling that will preclude us from relying on a 2007 study to keep the same goals."

Mr. Jolivet: "Well, obviously that is your position. I respectfully differ with you. The fact is, Judge Davis specifically said in his opinion that every time that we set new goals, we have to have another study to show that the new goals are warranted."

City Solicitor: "These are not new goals. These are a continuation of the existing."

Mr. Jolivet: "But that is the problem. If you remember, when we passed Ordinance 610 we used the goals, we used the same goals 20 plus 3 for nine years, and this is what we are doing again and Judge Davis said that was incorrect."

Ms. Shirley Williams, Chief MWBOO: "May I please?"

## MINUTES

Department of Law - cont'd

President: "Yes."

Ms. Williams: "The disparity study was completed in September 2007. The City Council -- reauthorized the program in November '07. For the first time in January'08, this Board set annual goals. I think the problem is a confusing line in the Law that requires the Board to set the annual goals. They are not new goals. These are the same goals that you set in January'08. These goals are set pursuant to the disparity study and pursuant to the Law, 07-606, Ordinance 07-606 that was passed in November '07. So, this is legal."

Comptroller: "Ms. Williams, can you state for the record when a new study will be done?"

Ms. Williams: "A new study will have to be done in 2012. What the City Council did, when it passed the Ordinance in '07; it established a sunset for the law. So, that means in five years there is going to have to be a new study so that the law can be reauthorized."

City Solicitor: "And that five year period, the notion that, that very comprehensive study would suffice under Judge Davis

MINUTES

Department of Law - cont'd

opinion and Law was reviewed and considered by the MWBOO office, by the Law Department and by the City Council."

Ms. Williams: "Absolutely."

City Solicitor: "I think that that is a correct and reasonable response to Judge Davis opinion and, if God willing if he gets on the 4<sup>th</sup> Circuit subject to the United States Senate, I am sure he will agree with us if we ever get up there."

President: "Is there a Motion?"

City Solicitor: "I would MOVE to accept the goals recommended by the MWBOO office."

Director of Public Works: "Second."

President: "All those in favor say AYE; all those opposed NAY. Motion carries, and we approved Pages 77 - 78, the MWBOO Annual Participation Goals."

\* \* \* \* \*

**MMCA-MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.**

A Chapter of American Minority Contractors and Businesses Association, Inc.

Baltimore, MD 21210

443-413-3011

410-323-0932 Fax

arnoldmjolivet@starpower.net

July 28, 2009

VIA FACSIMILE 410-685-4416

The Honorable President and Members  
Baltimore City Board of Estimates  
Second Floor, City Hall  
Baltimore, Maryland 21202  
Attention: Ms. B. Harriett Taylor, Esquire  
Clerk to the Board

**Subject: Protest and request to be heard on Department of  
Law/MWBOO's Annual M/WBE Participation Goals**

Dear Madam President:

I represent the Maryland Minority Contractors Association, Inc. (MMCA) in its own independent right, and its members and constituents. MMCA is a private, non-stock and non-profit corporate entity chiefly engages in advocating for and representing the economic and business interests of women and minority-owned business enterprises.

MMCA, herein, states its complete opposition to the Department of Law and MWBOO's proposed Annual M/WBE Participation Goals that will be in effect until June 30, 2010. These proposed M/WBE Goals are on Your Honorable Board's 7/29/09 agenda at pages 77-78, and MMCA respectfully requests to be heard before the Board takes a vote on this agenda item.

MMCA's main opposition to these proposed M/WBE Goals is largely based on the fact that the City's MWBOO has failed to seek and allow any public input in the formulation of these proposed Goals. More disturbing, MWBOO has proposed these Goals without aid and benefit of an updated M/WBE utilization disparity study as specifically required by Judge A. Davis, of the local U.S. District Court, in AUC v. Mayor and City Council of Baltimore, in which Judge Davis invalidated former City ord. 00-098- (The Minority and Women's Business Utilization Ordinance.)

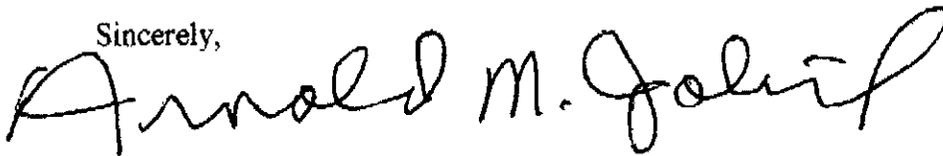
The MWBOO proposed M/WBE goals are substantially too low and fail to make allowances for new M/WBE firms that will come into the marketplace in future months. Moreover, given the rapidly growing number of Hispanic-owned M/WBE firms in the metro area, we are concerned that MWBOO's proposed 6% goal for Hispanic-owned firms is way too low and must be adjusted upwards to 10-14%.

President and Members  
Baltimore City Board of Estimates  
July 28, 2009

MMCA's members, constituents and all other M/WBE firms will suffer grave injury if Your Honorable Board votes to approve these proposed goals. Hence, I plan to attend the Board's 7/29/09 public meeting to present argument as to why the Board must not approve these proposed goals.

Thank you for your kind consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Arnold M. Jolivet". The signature is written in a cursive style with a large, sweeping initial "A".

Arnold M. Jolivet  
Managing Director

cc: Ms. Carla Nelson  
Mr. Wayne Frazier

## MINUTES

Law Department - Claim Settlement

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

1. Donna Yarworth \$45,000.00

Account: 2036-000000-1750-1778999-603070

UPON MOTION duly made and seconded, the Board approved the settlement claim.

## MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

	<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>				
1.	Alexander Brown and Savena Brown	2732 Tivoly Ave.	L/H	\$47,400.00
2.	Elmer Pullett and Kathleen E. Pullett	2763 Tivoly Ave.	L/H	\$59,400.00

Funds are available in account 9988-000000-9593-000000-704040, CHM-AHP Project.

3.	People's Homesteading Group, Inc.	415 E. 20 <sup>th</sup> St.	F/S	\$25,300.00
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Funds will be transferred prior to settlement into account 9912-904713-9591-900000-704040, Barclay Project.

4.	Priority Trust, LLC	439 E. 23 <sup>rd</sup> St.	G/R \$84.00	\$ 700.00
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Funds will be transferred prior to settlement into account 9912-904713-9591-900000-704040, Barclay Project.

5.	Miriam Winder Kelly	1752 E. Preston St.	G/R \$42.00	\$ 385.00
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Funds will be transferred prior to settlement into account 9910-906416-9588-900000-704040, EBDI 1513 Ph IIG Project.

In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests 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/CONDEMNATIONS/QUICK-TAKES:

	<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Quick-Takes-Rescission and Re-approval</u>				
6.	Earl Washington and Alfreda Washington	963 N. Collington Avenue	L/H	\$27,440.00

Funds are available in account 9910-907420-9588-900000-704040, EBDI Project, Phase II.

On February 20, 2008 the Board approved the purchase by condemnation/quick-take agreement of the leasehold interest in 963 N. Collington Avenue for \$28,750.00. The property value was incorrectly stated and the correct amount should be \$27,440.00. The Board is requested to rescind the previous approval and authorize the property purchase by condemnation of the leasehold interest in the amount of \$27,440.00.

7.	Celestine W. Cole- Jackson	441 E. 23 <sup>rd</sup> Street	F/S	\$25,000.00
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Funds are available in account 9912-904713-9591-900000-704040, Barclay Project.

UPON MOTION duly made and seconded, the Board approved the foregoing options and condemnation quick-takes, rescission and re-approval.

**MINUTES**

Bureau of the Budget and - Supplementary Federal Fund  
Management Research                      Capital Appropriation

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Federal Fund Capital Appropriation to the Department of Transportation.

**AMOUNT OF MONEY AND SOURCE:**

\$1,590,000.00 - 9950-904663-9508

**BACKGROUND/EXPLANATION:**

The appropriation will be made to the Department of Transportation to provide funding for the purchase of a ferry and pay for needed pier improvements to Key Highway. An American Recovery and Reinvestment Act Grant will fund the purchase of a new ferryboat and will pay for needed pier improvements at Key Highway for the Inner Harbor Connector. It is anticipated that the ferry services will provide more efficient passenger and bicycle transportation service in the Inner Harbor. Operating costs for the expanded ferry services are included in the downtown circulator budget plan and will not impact the General Fund.

UPON MOTION duly made and seconded, the Board approved the Federal Fund Capital Appropriation to the Department of Transportation. The president **ABSTAINED**.

**MINUTES**

Baltimore Development - Note Modification Agreement  
Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the note modification agreement with Brumar Limited Partnership (BLP).

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On December 8, 2000, the Board of Estimates approved a 20-year Purchase Money Mortgage (PMM) related to the sale of the 901 East Fayette Street to the BLP in the amount of \$500,000.00. The BLP developed 42,000 square feet of office, manufacturing, warehousing and distribution space. The project cost, including land and building, was \$4,000,000.00. The facility houses Oscar T. Smith Printing Company, Chesapeake Digital Printing, Inc., Latin Media Link, Inc., and Chesapeake Advertising, Inc.

Due to the recent downturn in the economy, the companies aforementioned above owned by Mr. Bruce Iannatuono has suffered a reduction in sales and profits, to the point where making principal and interest payments on its loan with the City has become a burden.

The BLP is requesting the City to convert its PMM to interest only for a 24-month period, and then revert it back to monthly principal and interest at the end of 24 months, when it is expected that business will have turned around. No payments are being forgiven. This transaction will also extend the maturity date of the note from January 1, 2021 to January 1, 2023.

## MINUTES

BDC - cont'd

Since the closing of the loan on December 15, 2000, the BLP has made monthly principal and interest payments on its loan to the City as agreed.

The current outstanding principal balance on the loan as of August 1, 2009 is \$342,272.01.

**MBE/WBE PARTICIPATION:**

N/A

**(FILE NO. 55563)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the note modification agreement with Brumar Limited Partnership.

**MINUTES**

Baltimore Development Corporation (BDC) - Second Amendment to  
the Ground Lease and  
Purchase Option

**ACTION REQUESTED BY B/E:**

The Board is requested to approve and authorize the Second Amendment to the Ground Lease and Purchase Option with MDBio Foundation, Inc. for the property located at 5901 E. Lombard Street.

**AMOUNT OF MONEY AND SOURCE:**

\$660,000.00 - Purchase Option for 6001 E. Lombard Street, subject to an escalation of 2.75% over the 5-year purchase option term.

**BACKGROUND/EXPLANATION:**

Pursuant to the Ground Lease and Purchase Option Agreement (agreement), the City leases the property located at 5901 E. Lombard Street, adjacent to the Johns Hopkins Bayview Medical Center, to MDBio Foundation. The property is improved by a 60,000 square foot biotechnology manufacturing facility on an approximately 5.4 acre parcel. The facility was constructed and is currently owned by MDBio Foundation, Inc., a not-for-profit organization that provides and supports bioscience awareness, education and workforce development in the State of Maryland. The intent of the City entering into the Agreement was to stimulate biotechnology investment and job creation in the City. The tenant originally leased the facility to Cambrex, a biotechnology firm. In November 2007 Cambrex relocated to Massachusetts and the facility has been vacant since that time while the tenant has been working to re-lease the facility.

The agreement was originally executed on October 12, 1994. The term of the agreement is for 50 years, with two 15-year renewal options. The agreement expires in 2074. The agreement includes

## MINUTES

BDC - cont'd

a Purchase Option, by which the tenant has the option to purchase 5901 E. Lombard Street for a current price of \$481,000.00, subject to an annual escalation based on increases (if any) to the Consumer Price Index. The agreement previously included a second Purchase Option for 6001 E. Lombard Street an adjacent 3-acre vacant City-owned parcel. The term of the purchase option was ten years from the date of the original executed agreement and expired in 2004. A First Amendment to the Agreement was executed on March 10, 2004 to allow for infrastructure improvements made by the City for utilities, an extension of Mason Lord Drive and a storm water management pond.

A Second Amendment to the Agreement is now proposed to re-establish the 6001 E. Lombard Street purchase option. Under the proposed Second Amendment, the tenant will have a five-year option to purchase 6001 E. Lombard Street. Re-establishing the purchase option will assist the tenant with re-leasing the biotechnology facility by providing potential expansion land for a new company, leading to the creation of approximately 100 high paying biotech jobs that were lost when Cambrex terminated its lease at the site.

Under the purchase option, the purchase price for 6001 E. Lombard Street would be \$660,000.00, which is the appraised value of the property based on a recent appraisal conducted by BDC. The purchase price would be subject to an annual escalation of 2.75%. Environmental analysis of the site indicates the presence of environmental contaminants in the soil; therefore, the purchase price would be subject to a credit of up to \$250,000.00 to pay for environmental remediation. Environmental remediation costs, if any, would be certified by

**MINUTES**

BDC - cont'd

the tenant and reviewed and approved by the BDC prior to granting a purchase price credit. The credit would be capped at \$250,000.00. Any remediation costs above this amount would be paid for by the tenant.

**MBE/WBE PARTICIPATION**

Article VIII of the agreement stipulates that the Tenant must comply with the City's MBE/WBE requirements. The proposed Amendments do not alter those commitments.

**(FILE NO. 55108)**

UPON MOTION duly made and seconded, the Board approved and authorized the Second Amendment to the Ground Lease and Purchase Option with MDBio Foundation, Inc. for the property located at 5901 E. Lombard Street.

**MINUTES**

Baltimore Development - Relocation Expenses  
Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the first claim of business relocation expenses for Kyong Chin Choe's move from 420 W. Baltimore Street to 13 W. Centre Street.

**AMOUNT OF MONEY AND SOURCE:**

\$388,312.89 - 9910-905826-9603

**BACKGROUND/EXPLANATION:**

On November 29, 2004, a Notice of Relocation Eligibility Assistance was sent to New Civic Restaurant in accordance with the Market Center Urban Renewal Plan.

Notwithstanding the best efforts of BDC and relocation consultant Diversified Property Services (DPS), no suitable replacement location for New Civic Restaurant was found in an acceptable downtown location with adequate foot traffic that did not contain excessive competing business.

Given these conditions, BDC, DPS, and Mrs. Choe agreed to use the Loss of Tangible Personal Property provisions of the Uniform Relocation Act (URA) to calculate "as-if relocated" compensation which will enable the business owner to purchase a replacement business at 13 W. Centre Street.

The submitted relocation budget, the "as-if relocated" settlement is the estimated replacement cost for interior reconstruction of New Civic Restaurant plus code upgrades. In addition, the relocation budget includes modifications to the new location which will allow the business owner to function in a similar manner to the existing location. The relocation budget also includes normal relocation costs to which Mrs. Choe is entitled under the URA as amended by State of Maryland, Maryland General Assembly SB-3 of 2007 - without duplication of estimated loss of Tangible Personal Property costs.

## MINUTES

BDC - cont'd

Accordingly, the Board is requested to approve the first claim in the amount of \$388,312.89 for the cost of relocating Mrs. Choe. A second claim for expenses such as stationery, advertising, and telecommunications reconnections will be submitted when Mrs. Choe has received the invoices for these items.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$388,312.89	9910-904115-9600	9910-905826-9603
21 <sup>st</sup> EDF	Constr. Res.	West Side Relocation
	West Side Init.	

This transfer will provide funds for the business relocation compensation first claim for actual costs to effectuate the relocation of Kyong Chin Choe d/b/a New Civic Restaurant move from 420 W. Baltimore Street to 13 W. Centre Street.

**(FILE NO. 57058)**

UPON MOTION duly made and seconded, The Board is requested to approve the first claim of business relocation expenses for Kyong Chin Choe's move from 420 W. Baltimore Street to 13 W. Centre Street. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

**MINUTES**

Department of Real Estate - Renewal of Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal option of the lease agreement with St. Francis Xavier Head Start Center, lessee, for a portion of the property known as Oliver Multi-Purpose Center located at 1400 E. Federal Street, being on the first floor, containing approximately 5,649 square feet. The period of the renewal is September 1, 2009 through August 31, 2010, with two 1-year renewal options remaining.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Equal Monthly Installments</u>
\$27,098.62	\$2,258.32

**BACKGROUND/EXPLANATION:**

On April 19, 2006, the Board approved the initial agreement for the period September 1, 2005 through August 31, 2008. The agreement contained three one-year renewal options. This is the second renewal option.

St. Francis Xavier Head Start Center will exercise its second renewal option. All other terms and conditions of the original agreement will remain in full force and effect.

**(FILE NO. 55708)**

UPON MOTION duly made and seconded, the Board approved the renewal option of the lease agreement with St. Francis Xavier Head Start Center, lessee, for a portion of the property known as Oliver Multi-Purpose Center located at 1400 E. Federal Street, being on the first floor, containing approximately 5,649 square feet.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Baltimore City Fire Department</u>		
1. Laura Shiloh	Planning Team Training Fort Lauderdale, FL August 02 - August 07, 2009 (Reg. Fee \$725.00 ea.)	\$ 2,105.62

The Fire Department is requesting the Board to approve \$308.83 in additional funds for the cost of a rental car and its parking at the hotel for five days. The rental car is needed to transport equipment that is needed for training to and from the airport and training venues. The car rental is \$208.13. Parking for the vehicle at the hotel is \$20.14 per night for a total of \$100.70.

	<u>Requested Amt.</u>	<u>Allowed Amt.</u>
Subsistence	\$ 860.00	\$ 860.00
Transportation		
airfare	181.79	181.79
Parking (Private Vehicle)	30.00	30.00
Parking (Rental Car)	100.70	0.00
Rental Car	208.13	0.00
Registration Fee	725.00	725.00
	<u>\$2,105.62</u>	<u>1,796.79</u>

Pursuant to AM-240-9, if official City business at the event site will require extensive inspection trips, tours, or other unusual but necessary land travel, the Board of Estimates must approve funds for such expenses in advance of the trip.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Department of Public Works</u>		
2. David E. Scott Ben I. Meli	Maryland Association of Counties Summer Conf. Ocean City, MD August 12 - 15, 2009 (Reg. Fee \$315.00 ea.)	\$ 2,536.00
<u>Office of the Comptroller, Department of Real Estate</u>		
3. Walter J. Horton	Community Land Reform Initiative Boston, MA July 29 - August 01, 2009 (Reg. Fee \$3,300.00)	\$ 3,616.20

**TRAVEL REIMBURSEMENTS**Bureau of Water and Wastewater

4. Kishia Powell	\$ 172.00
Albert Greene	172.00
	<u>\$ 344.00</u>

On May 20, 2009, the Board approval a travel request for Ms. Powell and Mr. Green to attend the 2009 Annual American Water Works Association Conference and Exposition in San Diego, CA from June 14, 2009 through June 17, 2009. The original amount approved by the Board for transportation costs totaled \$729.00 for both representatives. However, the transportation cost was increased by \$172.00 for each representative for a total of \$344.00 when the payment was made to the airline.

## MINUTES

TRAVEL REIMBURSEMENTSBureau of Water and Wastewater - cont'd

Therefore the Board is requested to approve a reimbursement of \$172.00 to Ms. Powell and Mr. Greene for additional transportation costs.

	<u>Actual Cost</u>	<u>Expected Cost</u>
Subsistence		
Incl. Hotel	\$ 693.58	\$ 693.58
Parking	60.00	60.00
Airfare	536.80	364.80
Registration Fee	915.00	915.00
	<u>\$2,205.38</u>	<u>\$2,033.38</u>

Baltimore Police Department

5. David H. Childs	\$3,027.49
James Salyers	194.80
	<u>\$3,222.29</u>

On February 17 - 24, 2009, Messrs. Childs and Salyers, attended a conference in Miami, FL for executive protection purposes. Regrettably, there were unforeseen circumstances with scheduling the travel arrangements with short notice.

6. Timothy Hamilton	\$1,515.58
Richard McCarthy	1,520.14
	<u>\$3,035.72</u>

On November 30, 2008 - December 05, 2008, Messrs. Hamilton, and McCarthy attended the 2008 Collision Safety Institute, CDR

**MINUTES****TRAVEL REIMBURSEMENTS** - cont'd

Technician & Date Analyst Certification Courses in Las Vegas, NV. The Police Department makes every attempt to request permission for travel in advance, but regrettably, there were unforeseen circumstances with the scheduling of the travel arrangements, which were given on short notice.

The Baltimore Police Department regrets the late submission of this request and asks the Boards indulgence.

UPON MOTION duly made and seconded, the Board approved the foregoing travel requests and travel reimbursements. The Comptroller **ABSTAINED** on item no. 3. The Director Public Works **ABSTAINED** on item nos. 2 and 4.

**MINUTES**

Baltimore City Fire Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the FY 2010 Marine Fire Suppression Agreement with the Maryland Department of Transportation. The period of the agreement is July 01, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$1,399,940.00 - 1001-000000-2120-502000-401590 (Revenue Account)

**BACKGROUND/EXPLANATION:**

This agreement provides for payments by the Maryland Department of Transportation to the City during FY 2010 as reimbursement for providing waterborne fire protection and related emergency services within the Port of Baltimore. This agreement is similar to those executed in previous years dating back to FY 1983.

**APPROVED FOR FUNDS BY FINANCE.**

**AUDITS REVIEWED AND HAD NO OBJECTION**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the FY 2010 Marine Fire Suppression Agreement with the Maryland Department of Transportation.



## MINUTES

DHCD - cont'd

because of the purchase money mortgage. The Coalition would like to preserve the 5% rate for the borrower and has requested help in overcoming the impasse.

The first amendment to the land disposition agreement will remove the purchase money mortgage on each of the properties in the land disposition agreement. This will allow the release of the liens and eliminate funding issues in the current sale of 102 Pontiac Avenue and future sales.

Since the City did not intend for the purchase money mortgage to be repaid if the properties were used for affordable housing, it is in the best interest of the Coalition, the buyers, and the City to release the purchase money mortgage on 102 Pontiac Avenue, 3717 and 3718 Second Avenue.

**(FILE NO. 56320)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the first amendment to the land disposition agreement with the Brooklyn and Curtis Bay Coalition, Inc.

**MINUTES**

Bureau of the Budget and - Carryover of Unexpended  
Management Research Appropriations for Fiscal 2009

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the carryover of unexpended appropriations for Fiscal 2009 for various City agencies.

**BACKGROUND/EXPLANATION:**

On June 18, 2009, the Bureau of the Budget and Management Research submitted to the Board a schedule of requests relative to carrying forward unexpended appropriations by various City agencies. The final recommendations for carryovers are submitted based upon availability of funds.

Unexpended capital project funds and special funds have been carried forward for their original purpose, as is customary. All General Fund appropriations that have been encumbered or pre-encumbered have been carried forward, and all General Fund Appropriations not recommended for carryover have been reverted to fund balance.

To the extent possible and pursuant to Board approval, appropriations have been transferred within agency budgets to counteract such deficits in specific budget programs. In those instances where agencies have incurred deficits, these deficits will need to be covered from the contingent fund. The schedule of Contingent Fund transfers is submitted.

After giving effect to the above carryovers, reserves, and transfers, there remains an undesignated General Fund balance of approximately \$10,486,000.00. These are unaudited figures and subject to change.

## MINUTES

GENERAL FUND CARRYOVER REQUESTS  
FISCAL 2009 UNENCUMBERED APPROPRIATION TO FISCAL 2010

	ACCOUNT #	PURPOSE	AGENCY REQUEST	CATEGORY*	RECOMMEND
FIRE	1001-214-001-00-604	Purchase Medic Units	940,801	B	0
HEALTH	1001-240-001-00-316	BARCS Facility Projects	100,000	B	0
	1001-300-001-00-419	Health Disparities/Cardio Disease	35,000	B	0
	1001-302-001-00-326	Environmental Health Audit Compliance	140,000	B	140,000
	1001-304-021-00-604	Tobacco Van	50,000	B	0
	1001-307-015-00-351	Substance Abuse	500,000	A	500,000
	1001-308-015-00-351	Operation Safe Kids	500,000	B	0
	1001-308-016-00-351	Safe Streets	100,000	B	0
	1001-308-021-00-368	Immunization Program	40,000	B	0
		<b>Total</b>		<b>1,465,000</b>	
HCD	1001-177-095-00-000	Affordable Housing/UDAG Swap	5,292,989	A	2,100,000
	1001-583-002-00-603	Computer Upgrades	353,250	B	0
	1001-592-005-00-701	South Baltimore Learning Center	60,000	A	0
	1001-592-026-00-326	Base Realignment and Closure (BRAC)	76,000	A	76,000
	1001-592-029-00-351	Office of Community Investment	100,000	A	0
	1001-592-030-00-326	Dawson House Rehabilitation	225,000	A	225,000
	1001-592-031-00-326	Charm City Land Trust	17,000	A	17,000
	<b>Total</b>		<b>6,124,239</b>		<b>2,418,000</b>
LAW	1001-175-001-00-501	Office Furniture and Equipment	5,300	B	0
	1001-175-001-00-603	Data/Word Processing Equipment	24,000	B	0
	1001-175-001-00-508	Computer Software	1,800	B	0
		<b>Total</b>		<b>31,100</b>	

## MINUTES

	ACCOUNT #	PURPOSE	AGENCY REQUEST	CATEGORY*	RECOMMEND
LIBRARY	1001-452-005-00-540	Books and Periodicals	500,000	B	500,000
	1001-452-010-00-540	Books and Periodicals	500,000	B	500,000
	1001-450-068-00-603	Data/Word Processing Equipment	125,000	B	0
	<b>Total</b>		<b>1,125,000</b>		<b>1,000,000</b>
M-R: OFFICE ON CRIMINAL JUSTICE	1001-225-007-00-505	Citizens on Patrol	18,170	A	18,170
	1001-225-013-00-701	Support of Indiv. & Org. - Grant Match	25,808	A	25,808
	1001-225-014-00-701	Support of Indiv. & Org. - Grant Match	13,091	A	12,091
	<b>Total</b>		<b>57,069</b>		<b>57,069</b>
M-R: MISCELLANEOUS GENERAL EXPENSES	1001-122-021-00-701	Special Projects	236,111	A	0
	1001-122-049-00-701	After School Programs	1,616,400	A	1,616,400
	1001-122-083-00-701	Wrap Around Services - Target Schools	352,851	A	352,851
	1001-122-086-00-701	Feasibility Study - Municipal Electric Utility	150,000	A	0
	1001-122-089-00-701	Child Care Resource Center	100,000	A	100,000
	1001-122-091-00-701	Friends of the Family	50,000	A	50,000
	1001-122-092-00-701	Pediatric Hospice Program	500,000	A	500,000
	<b>Total</b>		<b>3,005,362</b>		<b>2,619,251</b>
	M-R: EDUCATIONAL GRANTS	1001-446-006-00-402	Office Supplies	<b>33,000</b>	A
PLANNING	1001-187-001-00-318	Comprehensive Rezoning	192,300	A	192,300
	1001-187-001-00-603	Data/Word Processing Equipment	50,000	B	0
	<b>Total</b>		<b>242,300</b>		<b>192,300</b>
PUBLIC WORKS	1001-193-002-00-351	Disinfection of City Buildings	395,649	B	395,649
	1001-515-006-00-326	Living Classrooms Contract	200,000	A	200,000
	<b>Total</b>		<b>595,649</b>		<b>595,649</b>
	<b>Grand Total</b>		<b>13,619,520</b>		<b>7,522,269</b>

## MINUTES

Category A = Funds originally appropriated for such purpose.  
 Category B = Funds **NOT** originally appropriated for such purpose.

2009 FISCAL YEAR  
 CONTINGENT FUND

## RECOMMENDED TRANSFERS

Preliminary Balance June		\$759,119.0
30, 2009		0

Recommended  
 Transfers:

Councilmanic	20,363.0
Services	0
Legislative	31,900.0
Reference	0
	52,916.0
Liquor Board	0
Social Services	<u>2,762.00</u>

Final Balance June 30,		<u>\$651,178.0</u>
2009		<u>0</u>

UPON MOTION duly made and seconded, the Board approved the carryover of unexpended appropriations for Fiscal 2009 for various City agencies. The president **ABSTAINED**.

MINUTES

PROPOSALS AND SPECIFICATIONS

Department of Recreation  
and Parks

- RP 09821, Swann Park Trees  
Fall 2009  
**BIDS TO BE RECV'D: 09/02/2009**  
**BIDS TO BE OPENED: 09/02/2009**

Department of Transportation

- TR 09301, Installation of  
Variable Message Signs and  
Supports Citywide  
**BIDS TO BE RECV'D: 09/16/2009**  
**BIDS TO BE OPENED: 09/16/2009**

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

\* \* \* \* \*

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

## MINUTES

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

**BIDS, PROPOSALS AND CONTRACT AWARDS**

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

Bureau of General Services - PB 09812, Westside Demolition  
- Disposition Lot #28, 200-  
220 W. Lexington Street, 200  
Park Ave., 203 W. Clay St.  
**BIDS TO BE RECV'D: 08/12/2009**  
**BIDS TO BE OPENED: 08/12/2009**

Bureau of Purchases - B50001136 Paper and Soap  
Supplies for the Baltimore  
Convention Center  
**BIDS TO BE RECV'D: 08/12/2009**  
**BIDS TO BE OPENED: 08/12/2009**

## MINUTES

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

Department of Transportation - TR 10007, Alley Reconstruction  
North - South East - Local

M. Luis Construction Co., Inc.  
Machado Construction Co., Inc  
Santos Construction Co, Inc.  
P&J Construction Co., Inc

Bureau of Water and Wastewater - SWC 7757, Storm Drainage  
Improvements at Annapolis Road

LAI Construction Services, Inc  
V&S Construction, Inc  
Monumental Paving & Excavating  
General Paving & Contracting, Inc.  
Angelozzi Brother, Inc.  
Allied Contractors, Inc.  
Iacoboni Site Specialist, Inc.

Bureau of Purchases - B50001072, Police Uniforms

F&F and A Jacobs & Sons, Inc.  
Graves Uniforms  
Howard Uniform Co.  
Southern Police Supply  
Hanover Uniform Company  
Bisonte Industrial USA, LLC

## MINUTES

Bureau of Purchases - B50001105, Jones Falls Waterway  
Cleaning Pilot Project

Fresh Creek Technologies -  
Clearwater Mills LLC, Joint  
Venture

Bureau of Purchases - B50001115, Environmental  
Emergency Response Services

FCC ENVIRO  
Clean Venture, Inc.  
WTM Enterprises, LLC  
Page Technologies, Inc

Bureau of Purchases - B50001127, Waste Wood Removal  
from Small Camp

Recycled Green Industries

Bureau of Purchases - B50001137, Oil Filter Crushers

Salvo Limited Partnership,  
LLLP

Bureau of Purchases - B50001138, OEM Parts and Service  
for Harley-Davidson Motorcycles

Harley-Davidson/Buell  
Store

MINUTES

Bureau of Purchases

- B50001142, Street Lighting  
Pedestal Bases

Shannon-Baum Signs, Inc.  
Valmont Industries c/o  
Commercial Lighting  
Sales, Inc.  
H &M Supply Co., Inc.

Bureau of Purchases

- B50001145, OEM Repair Services  
for Chrysler Vehicles

Heritage Chrysler Jeep VW

\* \* \* \* \*

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, 12, 2009.

JOAN M. PRATT  
Secretary