

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated March 28, 2011, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

City Solicitor: "Move the approval of all of the items now contained on the routine agenda."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. The motion carries. The routine agenda has been adopted."

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THE DEPARTMENT OF FINANCE
WILL PRESENT THE
PRELIMINARY BUDGET RECOMMENDATIONS FOR FY 2012
TO THE BOARD OF ESTIMATES

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President: "The first item on the non-routine agenda is on page one. At this time, I will ask Mr. Andrew Kleine, Director of the Bureau of the Budget and Management Research to come forward and present the Preliminary Budget Recommendations for fiscal year 2012."

Mr. Andrew Kleine, Budget Director: "Good morning Mr. President."

President: "Good morning."

Mr. Andrew Kleine: "Madam Mayor, Madam Comptroller, and members of the Board of Estimates. I am here today to present to the Board, the Finance Department's fiscal 2012 Preliminary Budget Plan. The Preliminary Plan totals 2.69 billion for all funds. A decrease of 245.6 million or 8.4% from the fiscal 2011 adopted budget. The total includes 2.288 billion for operating expenses. An increase of \$26,000,000.00 or 1.1% above the fiscal 2011 adopted budget, and \$402,000,000.00 for capital expenses. A decrease of \$271,000,000.00 or 40.3% from the fiscal 2011 adopted budget. The primary reason for this decrease is that the fiscal 2011 capital budget included a \$296,000,000.00 State grant for enhanced nutrient removal at the Back River Wastewater Treatment Plant. Fiscal 2012 would be the fourth year of fiscal challenge for the City in the wake of the great recession. Combined general and motor vehicle fund

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revenues have not recovered to their pre-recession levels, but fixed costs, particularly pension and healthcare benefits, continue to grow. These costs are crowding out funds for the City's day-to-day operations. After three years of service reductions, revenue enhancements, and other tough budget balancing options, the preliminary budget closes another \$65,000,000.00 gap between projected revenue and the cost of maintaining current services. The preliminary budget plan maintains core public safety, education, health, and sanitation services without relying on any tax increases. The preliminary budget plan takes additional steps to control the rising costs of employee and retiree benefits. Health benefit management improvements included in this budget will save the City \$5,000,000.00 in fiscal 2012 and \$10,000,000.00 annually thereafter. Past actions by this administration to reform the Fire and Police pension system, and introduce prescription drug cost sharing are saving the City nearly \$100,000,000.00 a year. The Preliminary Budget Plan continues the employee furlough plan currently in place but mitigates its impact with a 2% cost of living adjustment for all but the highest paid staff. The City used outcome budgeting to prioritize spending around six outcomes; better schools, safer streets, stronger neighborhoods, a growing economy, innovative government, a cleaner and

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healthier city. The Preliminary Plan fully funds the maintenance of effort contribution to the City's schools. It keeps all libraries open, though with reduced hours to support job seekers and children. It funds after-school and youth employment programs that have proven effective. It maintains all school-based health centers and health suites with some shifting of nursing staff from centers to suites. It continues the Mayor's police hiring plan, and maintains current fire and EMS services. It transitions to a new recreation center model based on taskforce recommendations, restores pay-as-you-go capital investment in roads and bridges, and funds mandated landfill and storm water improvements. It supports Baltimore's most vulnerable citizens through maternal and child health, and homeless services, promotes economic recovery through workforce development, small business assistance and tourism, maintains One Plus One trash and recycling collection, and introduces a charge for bulk trash pickup effective January 01, 2012, and it reduces median maintenance costs by 50% without layoffs. The Preliminary Plan contains tough but targeted service reductions. It reduces 3-1-1 Call Center hours, animal control and shelter services, graffiti removal crews, tree maintenance services, lower participation sports activities, and cuts administrative costs by 10% across City agencies. The Mayor will call on

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citizens and community groups to donate their time and resources to help fill some of the gaps that result from these reductions. The plan abolishes or defunds 411 positions. Sixty-two filled positions are abolished, but actual layoffs will be fewer than that. That concludes my presentation. I will be happy to answer any questions."

President: "Madam Mayor?"

Mayor: "I just want to say thank you very much."

Mr. Kleine: "You're welcome."

President: "Any question from any here or the Board? Okay, Thank you Mr. Kleine."

Mr. Kleine: "Thank you."

President: "As there is no more business before the Board--."

Mayor: "Note it."

President: "Oh, I'm sorry. Please note that Mr. Kleine's budget presentation has been noted."

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Mayor's Office of Human Services (MOHS)/ - Grant Agreement
Baltimore Homeless Services (BHS)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with Dayspring Programs, Inc. The period of the grant agreement is April 1, 2011 through March 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$832,086.00 - 4000-496311-3573-591236-603051

BACKGROUND/EXPLANATION:

Dayspring Programs, Inc. will provide 45 housing units in conjunction with supportive services to 45 clients. All clients will be verified as homeless and disabled due to chronic substance abuse.

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 grant agreement with Dayspring Programs, Inc.

MINUTESLaw Department - Settlement Agreement and Release

The Board is requested to approve the settlement agreement and release for the below listed claim. The settlement has been reviewed and approved by the Settlement Committee of the Law Department.

1. Kelvin Sewell v James Hagin **\$35,000.00**

Account: 1001-000000-2041-195500-603070

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the settlement agreement and release for the above listed claim.

MINUTESHealth Department - Agreements and Memorandum of Understanding

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

AGREEMENTS

1. **THE BAR ASSOCIATION OF BALTIMORE CITY** **\$ 77,600.00**

Account: 4000-433511-3024-268413-603051

The Bar Association of Baltimore City will provide free legal assistance in general civil matters to Baltimore City residents age 60 and above. In addition, to legal representation, the organization will also provide outreach and education services regarding matters typically of concern and interest to seniors. The period of the agreement is October 1, 2010 through September 30, 2011.

MWBOO FOUND VENDOR IN COMPLIANCE.

The agreement is late because of the transition between CARE and the Health Department and waiting on the grant approval.

2. **PHILADELPHIA UNIVERSITY** **\$ 0.00**

Under this agreement, the Philadelphia University, through its Physician Assistant Program (PAP) will assign various PAP students to the Baltimore City Health Department for clinical rotations in the Department's STD Clinics located at 620 N. Caroline Street and 1515 West North Avenue. The period of the agreement is March 1, 2011 through February 28, 2016.

The agreement is late because it was just completed.

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Health Dept. - cont'd

3. **THE JOHNS HOPKINS UNIVERSITY** **\$168,750.00**
(JHU)

Account: 4000-422011-3030-513250-603051

The JHU will provide Expanded HIV Testing Program services. The JHU must complete at least 5,625 rapid HIV tests during the project period. Services will be provided in the Emergency Department at Johns Hopkins Hospital, Department of Emergency Medicine, and Johns Hopkins Bayview Medical Center. The JHU will conduct one site visit during the project period and attend two collaborative grant meetings with the project monitors. The period of the agreement is October 1, 2010 through June 30, 2011.

The agreement is late because the grant request was received late in the grant year and there was a delay in receiving an acceptable scope and budget.

MWBOO GRANTED A WAIVER.

4. **MEALS ON WHEELS OF CENTRAL MARYLAND,** **\$1,101,408.00**
INC.

Accounts: 4000-434311-3254-316200-604014	\$ 882,044.00
6000-633511-3254-316200-604014	\$ 219,364.00

The organization will provide nutritionally balanced meals to the projected number of homebound and/or frail elderly residents of Baltimore City. The provider will provide unique professional services in the Maryland area that are not available from any other vendor. The period of the agreement is October 1, 2010 through September 30, 2011.

The agreement is late because of the transition between CARE and the Health Department and waiting on the grant approval.

MWBOO GRANTED A WAIVER.

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Health Department - cont'd

5. **TRAINING RESOURCES NETWORK, INC.** \$ 40,710.00

Account: 6000-621209-3030-656401-603051

The organization will provide project oversight and quality improvement technical assistance services as it relates to the Robert Wood Johnson Foundation. The period of the agreement is June 15, 2010 through June 14, 2011.

The agreement is late because of a delay in receiving an acceptable scope and budget.

MWBOO GRANTED A WAIVER.

MEMORANDUM OF UNDERSTANDING

6. **NORTHERN PHARMACY AND MEDICAL EQUIPMENT, INC.** \$ 0.00

Northern Pharmacy and Medical Equipment, Inc. will provide improved access to information, screening, and referral services for persons receiving Medicare and Medicaid benefits.

Northern Pharmacy and Medical Equipment, Inc. will for at least two days per week assign a trained Senior Health Insurance Program Counselor in a designated area within its facility. The Senior Health Insurance Program Counselor will confidentially screen and assist consumers in relation to their eligibility for Medicare Saving Programs. The period of the agreement is effective upon Board approval for one year.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NO. 6) AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various agreements and a memorandum of understanding. The President **ABSTAINED** on item no. 3.

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TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

transfer of funds

listed on the following page:

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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**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
1. \$ 99,980.22 MVR	9950-901056-9512 Fiber Optic & Communication System	9950-9070926-9512-3 Design & Studies On-Call consultant

This transfer will fund costs associated with award of Task #1 on project 1123 to McCormick, Taylor & Associates for hiring on-site traffic engineering support for the Traffic Division.

MINUTES

Baltimore Development Corporation (BDC) - Agreement of Sale

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement of sale with Bond Associates, for the property known as Block 7774A, Lot 009A.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

City Council Ordinance 10-0441 authorized the sale of Block 7774A, Lot 009A in the Morrell Park Area. The lot consists of approximately 3.02 acres of industrially zoned land, which has been used as a railroad spur. The spur is currently in a state of disrepair and is unusable. Because the City does not have the resources to repair the spur, Bond Associates proposes to purchase it and put it back into use to serve their company, Bond Distributing.

Bond Distributing is a wholesale distributor of beer to the Mid-Atlantic region and has been located at 1220 Bernard Drive in the Crossroads Industrial Park for over 30 years. The company employs 160 persons.

In July 2010, the BDC issued a Request for Proposal, which resulted in one response, which was received from Bond Associates, an adjacent property owner. Bond Associates will pay the City \$50,000.00 for the property and proposes investing an additional \$175,000.00 to rehabilitate the spur for their use.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement of sale with Bond Associates, for the property known as Block 7774A, Lot 009A.

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

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

Environmental Quality Resources, LLC	\$ 8,000,000.00
Hess Construction & Engineering Services, Inc. & Consolidated Variable Interest Entity	\$ 99,000,000.00
Highlander Contracting Co., LLC	\$ 1,500,000.00
McGee Mobile Crane, Inc.	\$ 1,500,000.00
North Star Painting Co., Inc.	\$ 45,252,000.00
Pessoa Construction Co.	\$ 8,000,000.00
Scriba Welding, Inc.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

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

Arc Environmental, Inc.	Engineer
The Robert B. Balter Co.	Engineer
Colimore Thoemke Architects, Inc.	Architect
GWWO, Inc./Architects	Architect
Sanders Designs, P.A.	Architect
Slater Associates, Inc.	Landscape Architect
Urban Engineers, Inc.	Engineer Survey

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

MINUTES

Space Utilization Committee - Transfer of Jurisdiction

ACTION REQUESTED OF B/E:

The Board is requested to approve the transfer of jurisdiction for the property located at 1640 Light Street (Block 1015, Lot 32) from the inventory of the Department of Housing and Community Development (DHCD) to the inventory of the Department of Recreation and Parks.

BACKGROUND/EXPLANATION:

The community is currently maintaining the lot as a green space. The community would like to build a community garden on the lot. This garden will be managed by the Horticulture Division, Department of Recreation and Parks as a City Farm. The parcel is no longer needed for any of the DHCD projects.

The Space Utilization Committee approved this transfer of jurisdiction at its meeting on March 22, 2011.

(FILE NO. 56665)

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for the property located at 1640 Light Street (Block 1015, Lot 32) from the inventory of the Department of Housing and Community Development to the inventory of the Department of Recreation and Parks.

MINUTES

Space Utilization Committee - Transfer of Jurisdiction

ACTION REQUESTED OF B/E:

The Board is requested to approve the transfer of jurisdiction for the property located at 1114-50 N. Mount St. (Block 41, Lot 8) from the inventory of the Baltimore City Public Schools System (BCPSS) to the inventory of the Department of General Services.

BACKGROUND/EXPLANATION:

The site is the former School #132 (Coppin Elementary) and has not been occupied by the BCPSS for many years and they have not exercised any administrative control of the site for some time. The history of this site shows that the building has been leased to other City entities for several years. On January 22, 1991 the State/IAC approved the closure of the school and there is no State investment in this property.

In order to facilitate new funding, construction and renovation of this building, jurisdictional authority and oversight needs to be transferred to the Department of General Services.

The property will be used as a permanent homeless shelter under the Mayor's Office of Human Services. Homeless families have been served at this site for approximately two years. The transfer to the Department of General Services is for the purpose of maintaining and repairing the structure. The leasing of the building will remain the responsibility of the Department of Real Estate.

The Space Utilization Committee approved this transfer of jurisdiction at its meeting on March 22, 2011.

MINUTES

Space Utilization Committee - cont'd

(FILE NO. 56665)

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for the property located at 1114-50 N. Mount St. (Block 41, Lot 8) from the inventory of the Baltimore City Public Schools System to the inventory of the Department of General Services.

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

The Board is requested to approve and authorize execution of a lease agreement with Mr. Deirdre Shea, lessee, for the rental of a portion of the property known as School 33, Studio #201, 2nd floor located at 1427 Light Street. The period of the agreement is March 1, 2011 through February 29, 2012, with two 1-year renewal options.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$ 3,900.00	\$325.00

BACKGROUND/EXPLANATION:

The lessee will use the leased premises as an artist's studio. The lessee will be responsible for content insurance, janitorial, trash receptacles, and security. The lessor will be responsible for heat, electricity, and water.

The Space Utilization Committee approved this lease at its meeting on March 22, 2011.

(FILE NO. 56338)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Mr. Deirdre Shea, lessee, for the rental of a portion of the property known as School 33, Studio #201, 2nd floor located at 1427 Light Street.

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Space Utilization Committee - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a license agreement with the University of Maryland Baltimore County, licensee, for the use of a portion of the property known as 3301 Waterview Avenue, Block 7610, Lot 15, located on the lower level, consisting of 316+ sq. ft. The period of the agreement is January 1, 2011 through December 31, 2012.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$ 368.00

BACKGROUND/EXPLANATION:

The licensee will use the premises as storage for the licensee's boats. The licensee will be responsible for obtaining approval from the Facility Administrator prior to making any improvements to the storage space. The licensee must keep the storage space area in a good and orderly manner and is responsible for obtaining liability insurance. The use of the weight room will be subject to the approval of the Facility Administrator. The licensor will be responsible for fire insurance.

The license agreement is late because of the delays in obtaining the licensee's signature and notary.

The Space Utilization Committee approved this license agreement at its meeting on March 22, 2011.

(FILE NO. 54777)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with the University of Maryland Baltimore County, for the use of a

MINUTES

Space Utilization Committee - cont'd

portion of the property known as 3301 Waterview Avenue, Block 7610, Lot 15, located on the lower level, consisting of 316+ sq. ft.

MINUTES

Department of Real Estate - Renewal of Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the lease agreement with Potts and Callahan, Inc., lessee, for a portion of the property known as a rectangular parcel of land 100' x 220' abutting property owned by Potts and Callahan, Inc., being a portion of Lot 8, Block 364D situated about 100' NE of the 2700 Block of Falls Road. The period of the renewal is May 1, 2011 through April 30, 2012.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$6,763.93

BACKGROUND/EXPLANATION:

On April 22, 2009, the Board approved the initial agreement for the period May 1, 2009 through April 30, 2010. The agreement contained three 1-year renewal options.

Potts and Callahan, Inc. is exercising its second renewal option, commencing May 1, 2011 and terminating April 30, 2012.

All other terms and conditions of the original agreement will remain in full force and effect.

(FILE NO. 52928)

UPON MOTION duly made and seconded, the Board approved the renewal of the lease agreement with Potts and Callahan, Inc. for a portion of the property known as a rectangular parcel of land 100' x 220' abutting property owned by Potts and Callahan, Inc., being a portion of Lot 8, Block 364D situated about 100' NE of the 2700 Block of Falls Road.

MINUTES

Department of Real Estate - Option Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an option agreement with 401 East Fayette, LLC to purchase 401 E. Fayette Street.

AMOUNT OF MONEY AND SOURCE:

\$2,600,000.00 - 1001-000000-1290-156100-608834

BACKGROUND/EXPLANATION:

Since 1981, the City has participated with the Municipal Employees Credit Union of Baltimore (MECU) in a series of transactions for leased space in 401 East Fayette Street. On March 28, 2007, the Board approved the fourth amendment to the building lease and the City assumed operation and management for the entire building. The building contains 78,716 sq. ft. of leaseable space, which is occupied by several City agencies and a MECU kiosk. On October 8, 2010, the City informed the owner that the City would not renew the lease for an additional 15 years and would terminate the lease on August 01, 2011. The notice of termination led to the discussion to purchase the property.

The building has an assessed value of \$9,860,500.00. The Department of Real Estate appraised the property on January 5, 2011 at \$2,600,000.00. The owners valued the property at \$3,900,000.00. After negotiations, the parties agreed to the purchase price for the property in its "as is" condition for \$2,600,000.00. By approving the sale the property, the City will save over \$900,000.00 annually in rental payments.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Department of Real Estate - Option Agreement

(FILE NO. 52933)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the option agreement with 401 East Fayette, LLC to purchase 401 E. Fayette Street.

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OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Condemnations</u>			
1. DAHAE, LLC	2002 Greenmount Ave.	F/S	\$49,000.00
2. James L. Rouse & William McIntyre	423 E. 21 st St.	F/S	\$10,900.00

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

The Board is requested to approve acquisition of the fee simple interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for these properties.

(FILE NO. 57066)

UPON MOTION duly made and seconded, the Board approved the condemnations.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

940

All of the EWOs have been reviewed and approved

by the Department of Audits, CORC, and MWBOO,

unless otherwise indicated.

The President **ABSTAINED**.

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water and Wastewater

1. EWO #016, \$ 0.00 - SC 802, Rehabilitation of Activated Two Plant, Secondary Clarifiers at Back River Wastewater Treatment Plant

 \$10,539,700.00 \$ 487,280.61 Shaney Construction 8CCD 99
 Company, Inc.

As a result of the additional work related to the force main at Clarifier 9A, the contractor requested an 8-day non-compensable time extension.

2. EWO #017, \$ 0.00 - SC 802, Rehabilitation of Activated Two Plant, Secondary Clarifiers at Back River Wastewater Treatment Plant

 \$10,539,700.00 \$ 487,280.61 Shaney Construction 8CCD 99
 Company, Inc.

As a result of the additional work related to the structural steel modifications of the center support columns on each of the existing clarifiers, the contractor requested an 8-day non-compensable time extension.

MINUTES

Parking Authority for - Parking Facility Rate Increases
Baltimore City (PABC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the increase to certain rates at the Baltimore, Fayette, Lexington, and St. Paul Street Garages, which are City-owned parking facilities that are managed by the PABC.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The PABC is charged with managing the City of Baltimore's parking assets. Proper stewardship of those assets requires that the PABC realize the appropriate return on the City's parking investment.

Some of the rates charged for parking at these City-owned facilities were increased slightly in early 2008; however, operating costs continue to increase. Inflation, liability costs post 9/11, health insurance, payroll cost for staff (all staff at City-owned facilities are paid at a minimum, the City's living wage), utilities, and improvements to the facilities (better lighting, revenue control equipment, security cameras, etc.) have contributed to the continuing increases in operating costs.

The PABC performed a survey of parking rates in the areas surrounding the facilities. The surveys showed that the fees charged to parkers at these facilities are generally the lowest or among the lowest, relative to other parking facilities within the area. To bring the rates charged at City facilities in line

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PABC - cont'd

with their surrounding facilities, the PABC staff developed the recommended rate changes. These changes were unanimously approved by the PABC Board of Directors. The Board is requested to approve the following proposed rate increases:

<u>Parking Facility</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
Baltimore Street Garage		
Up to 1 hour	\$ 5.00	\$ 6.00
Up to 2 hours	\$ 10.00	\$ 10.00
Up to 3 hours	\$ 13.00	\$ 13.00
Up to 4 Hours	\$ 15.00	\$ 17.00
4-12 hours	\$ 15.00	\$ 17.00
12-24 hours	\$ 18.00	\$ 20.00
Maximum All Day	\$ 12.00	\$ 16.00
Monthly Rate	\$175.00	\$185.00
City Employee	\$110.00	\$120.00
Reserved Rate	\$230.00	\$240.00
Fayette Street Garage		
Flat Rate Daily		\$ 8.00
Lexington Street Garage		
Up to 1 hour	\$ 4.00	\$ 5.00
Up to 2 hours	\$ 6.00	\$ 8.00
Up to 3 hours	\$ 8.00	\$ 9.00
Up to 4 Hours	\$ 11.00	\$ 15.00
4-12 hours	\$ 11.00	\$ 15.00
12-24 hours	\$ 11.00	\$ 15.00
St. Paul Street		
Up to 1 hour	\$ 5.00	\$ 6.00
Up to 2 hours	\$ 8.00	\$ 8.00
Up to 3 hours	\$ 12.00	\$ 12.00
3-12 hours	\$ 13.00	\$ 14.00
12-24 hours	\$ 15.00	\$ 16.00
Monthly Rate	\$190.00	\$200.00
Reserved Rate	\$280.00	\$290.00

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PABC - cont'd

UPON MOTION duly made and seconded, the Board approved the increase to certain rates at the Baltimore, Fayette, Lexington, and St. Paul Street Garages managed by the PABC. The President voted **NO**.

MINUTES

Bureau of Water and - Single Bond for Drain
Wastewater Layers No. 715803

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the single bond for drain layers no. 715803 for the firm, Construction Trades Services, Inc. The period of the bond will continue until either the firm or the surety gives notice of its termination.

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 Bond

BACKGROUND/EXPLANATION:

Construction Trades Services, Inc. is making three applications to obtain one bond to cover various permits that may be issued to them from time to time instead of being obligated to give a separate bond or deposit of money for each arrangement.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57082)

UPON MOTION duly made and seconded, the Board approved acceptance of the single bond for drain layers no. 715803 for the firm, Construction Trades Services, Inc. The President

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:

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

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation

1. TR 11304, Resurfacing Highways @ Various Locations Citywide M. Luis Construction Co., Inc. \$1,569,373.54

DBE: Fallsway Construction Co., Inc.	\$332,500.00	21.19%
Rowen Concrete, Inc.	<u>140,000.00</u>	<u>8.92%</u>
	\$472,500.00	30.11%

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,443,823.66	9950-917001-9507	
Federal	Constr. Res.	
360,955.91	Federal Highway	
<u>MVR</u>	9950-917001-9507	
	Constr. Res.	
	Federal Highway	
\$1,804,779.57		
\$1,569,373.54	-----	9950-905845-9514-6
156,937.35		Structure & Improvements
<u>78,468.68</u>		9950-905845-9514-5
		Inspections
		9950-905845-9514-2
		Contingencies
\$1,804,779.57		Resurfacing Highways at Various Locations

This transfer will cover the costs associated with the award of Contract No. TR 11304 to M. Luis Construction Co., Inc.

3. B50001882, Spring 2011 Tree Baltimore Shemin Nurseries \$ 30,555.00

MWBOO GRANTED A WAIVER.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases

- 4. B50001567, Citywide Network and System Support **REJECTION** - On October 13, 2010, the Board opened the technical proposals and on Jan. 26, 2011, the Board opened the price proposals. During the evaluation, it was determined that the solicitation as issued did not fully reflect the City's requirements and that accepting the bids submitted would not be in the City's best interest. This requirement will be re-bid at a later date.

- 5. B50001664, Management of the Harry & Jeanette Weinberg Housing & Resource Center Jobs, Housing & Recovery, Inc. \$4,713,853.00

MWBOO SET MBE GOALS AT 27% AND WBE GOALS AT 10%

- MBE:** Worldwide Investigations, LLC \$5,327.00 0.09%
- Down to the Dust Cleaning, LLC See note below ¹
- Sandtown Laundry, LLC See note below ²
- WBE:** A2Z Environmental Group, LLC See note below ³

MWBOO FOUND THE VENDOR IN NON-COMPLIANCE

¹ There is no work/service or materials/supplies listed on Part C: Statement of Intent form for Down to the Dust Cleaning, LLC.

² On Part C: Statement of Intent form for Sandtown Laundry, LLC, the subcontract amount has been changed but is not initialed by both the Prime Contractor and MBE firm as required

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

³ Bidder submitted two different Part C: Statement of Intent forms for A2Z Environmental Group, LLC.

* Bidder requested a waiver but did not demonstrate good faith efforts.

THE AWARD WAS RECOMMENDED CONTINGENT UPON THE VENDOR COMING INTO MWBOO COMPLIANCE WITHIN TEN DAYS AFTER THE AWARD DATE.

MINUTES

Department of Transportation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Gannett Fleming, Inc., for Project 1135, On-Call Design Consultant Services for Federal Aid Projects for Bridges within the City. The period of the agreement is effective upon Board approval for five years, with a one-year renewal option at the sole discretion of the City.

AMOUNT OF MONEY AND SOURCE:

\$3,000,000.00 - Upset limit

BACKGROUND/EXPLANATION:

The consultant will provide civil engineering, traffic engineering, utility engineering and related work for Baltimore City Bridges.

The cost of services rendered will be 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.

The consultant has been approved by the Office of Boards and Commissions and Architectural and Engineering Awards Commissions.

DBE PARTICIPATION:

AB Consultant, Inc.	\$ 180,000.00	6.00%
Transvicon, Inc.	210,000.00	7.00%
Alvi Associates, Inc.	180,000.00	6.00%
Findling, Inc.	90,000.00	3.00%
Glyndon Engineering & Technology Co.	60,000.00	2.00%
Diversified Property Services, Inc.	30,000.00	1.00%
	<u>\$ 750,000.00</u>	<u>25.00%</u>

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

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Gannett Fleming, Inc., for Project 1135, On-Call Design Consultant Services for Federal Aid Projects for Bridges within the City.

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 1256 E. North Ave	Qing F. Lin	Retain awning with signage 22' x 2', one double face electric sign 5' x 1', six fluorescent tubes
Annual Charge: \$ 514.70		
2. 1634 Aliceanna St.	DW Realty, LLC	Outdoor seating 27' x 8'
Annual Charge: \$2,241.50		
3. 1225 Cathedral Street	Cathedral 1225, LLC	Outdoor seating 20' x 4'
Annual Charge: \$ 337.50		
4. 30 W. Biddle St.	University Properties, Inc.	Sheeting and shoring 650 linear ft.
Flat Charge: \$1,170.00		
5. 3115 - 19 Saint Paul Street	John Galt, LLC	Outdoor seating 30' x 3'
Annual Charge: \$ 477.50		

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

MINUTES

Department of General Services - cont'd

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

MINUTES

Department of General Services - Change in Funding Source for
Energy Performance Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve a change in the funding mechanism for the agreement with Johnson Controls, Inc., for Energy Contract Phase II, JCI-PBE 10822, Downtown City Buildings.

AMOUNT OF MONEY AND SOURCE:

\$6,463,105.00 - Master Lease Program, Bureau of Treasury
Management

BACKGROUND/EXPLANATION:

On September 22, 2010, the Board approved the original agreement in the amount \$6,854,457.00. The total cost of the construction project is \$6,854,457.00. The project was to be financed in the amount \$6,463,105.00 by utilizing Qualified Energy Conservation Bonds (QECCB). The remaining funding includes \$233,000.00 in Energy Efficiency Conservation Block Grant (ARRA Stimulus) funds and \$408,352.00 in BGE rebates, the same amounts as in the original agreement. However, after review with the Bureau of Treasury Management, it was determined this project did not qualify for the terms and requirements for the QECCB financing. Therefore, financing will be implemented through the Master Lease in the amount of \$6,463,105.00 to replace the anticipated QECCB. All other terms and conditions of the original agreement will remain unchanged.

MBE/WBE PARTICIPATION:

The contractor will continue to comply with the MBE/WBE participation established in the original agreement.

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Department of General Services - cont'd

UPON MOTION duly made and seconded, the Board approved the change in the funding mechanism for the agreement with Johnson Controls, Inc., for Energy Contract Phase II, JCI-PBE 10822, Downtown City Buildings.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---|-------------|---------|
| 1. GTSI CORP. | \$12,616.00 | Renewal |
| Solicitation No. 06000 - Antivirus License Renewal -
Department of Recreation and Parks - Req. No. TBD | | |

On April 28, 2010, the Board approved the initial award in the amount of \$12,616.00. The award contained two 1-year renewal options at the sole discretion of the City. This renewal in the amount of \$12,616.00 is for the period April 28, 2011 through April 27, 2012, with one renewal option remaining.

- | | | |
|---|-------------|---------|
| 2. J.C. EHRLICH d/b/a | \$20,000.00 | Renewal |
| EHRLICH DISTRIBUTORS
Solicitation No. 06000 - Pesticides for Rat Rubout Program -
Department of Public Works - Req. No. TBD | | |

On April 21, 2010, the Board approved the initial award in the amount of \$20,000.00. The award contained an option to renew at the sole discretion of the City. This renewal in the amount of \$20,000.00 is for the period April 15, 2011 through April 14, 2012.

- | | | |
|---|--------------|-------------|
| 3. PHYSIO-CONTROL,
INC. | \$125,000.00 | Sole Source |
| Solicitation No. 08000 - Lifepak 12 & 15 Defibrillators - Fire
Department - Req. No. R570916 | | |

Lifepak Defibrillators are currently the standardized system used throughout the Fire Department and are only available from Physio-Control, Inc.

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 equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

4. RGA, LLC	\$ 0.00	Renewal
Solicitation No. 08000 - Traffic Signal Vehicle Detection Equipment - Department of Transportation - P.O. No. P501950		

On April 16, 2008, the Board approved the initial award in the amount of \$234,866.00. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal is for the period April 1, 2011 through March 31, 2012, with no renewal options remaining.

MWBOO GRANTED A WAIVER.

5. PERMA PATCH	\$100,000.00	Renewal
Solicitation No. B50000992 - Furnish and Deliver Black Fill Mix - Agencies Various - Req. Nos. Various		

On April 15, 2009, the Board approved the initial award in the amount of \$57,750.00. The award contained two 1-year renewal options at the sole discretion of the City. On January 27, 2010 the Board approved an increase in the amount of \$60,000.00. This renewal in the amount of \$100,000.00 is for the period April 15, 2011 through April 14, 2012, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

6. E.J. WARD, INC.	\$ 50,000.00	Renewal
Solicitation No. 08000 - Automated Fuel Control System Turnkey Maintenance Service Agreement - Department of General Services - P.O. No. P502817		

On May 9, 2007, the Board approved the initial award in the amount of \$27,840.00. The award contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$50,000.00 is for the period July 1, 2011 through June 30, 2012, with one renewal option remaining.

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 equipment and/or service is recommended.

7. SWARCO INDUSTRIES, INC.	\$ 38,750.00	Renewal
Solicitation No. B50001075 - Glass Beads Used in Traffic Paints - Department of Transportation - Req. Nos. Various		

On June 17, 2009, the Board approved the initial award in the amount of \$38,750.00. The award contained two 1-year renewal options at the sole discretion of the City. On March 17, 2010, the Board approved the first renewal. This final renewal in the amount \$38,750.00 is for the period July 1, 2011 through June 30, 2012.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

8. HIGHER GROUND TRANSPORTATION

SERVICES, INC.	\$267,665.00	Renewal
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Solicitation No. B50000924 - Transportation Service for the Sandtown-Winchester & Oliver Senior Centers - Health Department - P.O. No. P507574

On April 1, 2009, the Board approved the initial award in the amount of \$167,655.00. The award contained two 2-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$267,665.00 is for the period April 2, 2011 through April 1, 2013, with one 2-year renewal option remaining.

MWBOO GRANTED A WAIVER.

9. LORENZ, INC.	\$579,490.00	Renewal
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Solicitation No. B50001231 - Mowing Services for Recreation and Parks - Department of Recreation and Parks - P.O. No. P512903

On April 14, 2010, the Board approved the initial award in the amount of \$578,960.00. The award contained four 1-year renewal options at the sole discretion of the City. On December 6, 2010, the City Purchasing Agent approved an increase in the amount of \$530.00. This renewal in the amount of \$579,490.00 is for the period April 14, 2011 through April 13, 2012, with three 1-year renewal options remaining.

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

MBE: 4-Evergreen Lawn Care 27%

WBE: M.R. Fouts Lawn Care 10%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
--------	-----------------	-------------

Bureau of Purchases

10. TELECOMMUNICATION SYSTEMS, INC.	\$2,000,000.00	Extension
Solicitation No. 06000 - City Wide Network and System Support - Various Agencies - PO. Nos. Various		

On November 09, 2005, the Board approved the initial award in the amount of \$6,232,066.56. By separate letter, the Board has been requested to reject all bids for the replacement contract, B5000156. This extension in the amount of \$2,000,000.00 for the period of April 1, 2011 through October 31, 2011 will allow time to revise and re-bid this requirement. This extension will make the total award \$35,232,066.56.

MWBOO FOUND VENDOR IN COMPLIANCE ON 11/13/09.

MBE: The Bith Group	22.73%
Full Circle Solutions	13.06%

WBE: Realistic Computing	13.21%
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11. TOPSOILS, ETC.	\$ 90,000.00	
PHIPPS CONSTRUCTION CONTRACTORS	\$ 860,000.00	
	\$ 950,000.00	Increase

Solicitation No. B50001059 - Top Soils, Common Borrow, Diamond Mix and Recycled Stones - Various Agencies - Req. Nos. Various

On June 10, 2009, the Board approved the initial award in the amount of \$670,000.00. The increase is needed because of an increase in demand for these products, and makes the total award \$1,620,000.00.

MWBOO FOUND VENDOR IN COMPLIANCE.

<u>Topsoils, Etc.</u>	
MBE: KL Phillips Trucking, LLC	3.31%

WBE: A2Z Environmental Group, LLC	0.00%
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MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

<u>Phipps Construction Contractors</u>	10.00%	
MBE: Hammerhead Trucking, Inc.	10.00%	
WBE: D&O Contracting Services	8.72%	

12. RUDOLPH'S OFFICE & COMPUTER SUPPLY, INC. \$ 250,000.00 Extension & Increase
 Solicitation No. B50000100 - OEM and Remanufactured Toner and Ink Cartridges - Various Agencies - PO. Nos. P502697

On June 11, 2008, the Board approved the initial award for the amount of \$200,000.00. Subsequent approvals have been made. On March 23, 2011, the Board rejected all bids on the replacement contract, B50001747. Therefore, an extension for the period of March 31, 2011 through July 31, 2011 and increase in the amount of \$250,000.00 is required for the current contract. The extension to will allow time to re-bid this requirement, and provide a sufficient transition period. The increase makes the total award \$1,825,000.00.

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

MBE: Sutherland Data 5%

MWBOO FOUND VENDOR IN COMPLIANCE.

13. UNDERCAR SPECIALISTS, INC.
 d/b/a MEINEKE CAR CARE
 CENTER (First Call)
HERITAGE HONDA (Second Call) N/A Renewal
 Solicitation No. 06000 - OEM Parts and Service for Honda
 Vehicles - Department of General Services - P.O. Nos. P510907
 and P510294

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

On April 30, 2008, the Board approved the initial award in the amount of \$150,000.00. The award contained two 1-year renewal options. An increase in the amount of \$75,000.00 was approved on October 21, 2009. This renewal is for the period May 01, 2011 through April 30, 2012, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions.

MINUTES

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

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

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

Account: 2089-208911-5930-436763-603051

The organization, through its Safe Home Baltimore Program, will implement a comprehensive approach to reduce childhood lead poisoning, asthma episodes, and other home-based environmental and safety hazards. The services will be provided to Baltimore's older, low and moderate-income communities. The period of the agreement is September 1, 2010 through August 31, 2011.

THE FY 2011 MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$53,020.00, AS FOLLOWS:

MBE: \$5,302.00

WBE: \$2,651.00

2. **THE FAMILY TREE, INC.** **\$ 31,825.00**

Account: 2089-208911-5930-666826-603051

The organization, through its Family Clearinghouse-Parenting for Success Initiative, will provide a triage model of support services along a continuum of need to low to moderate-income families. The initiative is to prevent child abuse and neglect within the communities of Greater Mondawmin, Penn-North, Reservoir Hill, Greater Charles Village/Barclay, Waverly, Medfield/Hampden, Greenmount, Belair-Edison, Midway, Coldstream-Homestead-Montebello and Perkins/Middle East. The period of the agreement is January 1, 2011 through December 31, 2011.

MINUTES

DHCD - cont'd

3. **NEIGHBORHOOD HOUSING SERVICES
OF BALTIMORE, INC. (NHS)** **\$ 400,000.00**

Account:	2089-208911-5930-433562-603051	\$ 196,762.00
	2089-208911-5930-433581-603051	\$ 65,220.00
	2089-208911-5930-433583-603051	\$ 19,218.00
	2089-208911-5930-433591-603051	\$ 118,800.00

The NHS will provide public information, housing counseling and rehabilitation services. The services will include owner-occupancy, rehabilitation loan under-writing, and the development of rehabilitation specifications. The NHS will also continue the rehabilitation of properties for low and moderate-income owner-occupancy. The period of the agreement is September 1, 2010 through August 31, 2011.

THE FY 2011 MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$29,552.00, AS FOLLOWS:

MBE: \$4,433.00
WBE: \$2,069.00

4. **YOUNG WOMEN'S CHRISTIAN ASSOCIATION
OF THE GREATER BALTIMORE AREA, INC.** **\$ 85,068.00**

Account: 2089-208911-5930-532023-603051

The organization will maintain and operate a transitional housing facility located at 1711 McCulloh Street. The organization will provide homeless families that reside in the facility a comprehensive set of support services to assist them in gaining economic stability and permanent housing. The services will include employment and family counseling, job placement assistance, before and after care and educational classes. The period of the agreement is October 1, 2010 through September 30, 2011.

MINUTES

DHCD - cont'd

5. **REBUILDING TOGETHER** \$ 44,830.72
BALTIMORE, INC. (RTB)

Account: 4000-485710-5750-644800-603051

The RTB will provide home repair services to increase safety and energy in homes of low-income owner occupants under the Senior Home Preservation Pilot Program, in partnership with the City Weatherization Assistance Program. The period of the agreement is January 1, 2011 through August 31, 2011.

FOR THE FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$8,000.00, AS FOLLOWS:

MBE: \$1,200.00
WBE: \$ 400.00

On June 30, 2010, 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 2010 Annual Action Plan for the following formula programs:

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

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2010 and beyond. Consequently, the agreements were delayed due to final negotiations and processing.

MINUTES

DHCD - cont'd

6. **BALTIMORE MENTAL HEALTH SYSTEMS, INC. (BMHS)** \$ 295,710.00

Account: 4000-486311-6051-452299-603051

The BMHS will provide mental health services for 13 of the City's Head Start Programs. The services will be provided to children and their families. The period of the agreement is July 1, 2010 through June 30, 2011.

The agreement is late because of delays in the administrative review process

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 various aforementioned grant agreements. The President **ABSTAINED** on item no. 6.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the land disposition agreement with The Columbus School Limited Partnership, developer, for the sale of the properties located at 2000 E. North Avenue, 1902, 1904, 1906, 1908, 1910, 1912, 1916, 1918, 1920, 1922, 1924, and 1926 N. Castle Street.

AMOUNT OF MONEY AND SOURCE:

\$270,000.00	-	2000 E. North Avenue
18,083.33	-	1902 N. Castle Street
18,083.33	-	1904 N. Castle Street
18,083.33	-	1906 N. Castle Street
18,083.33	-	1908 N. Castle Street
18,083.33	-	1910 N. Castle Street
18,083.33	-	1912 N. Castle Street
18,083.33	-	1916 N. Castle Street
18,083.33	-	1918 N. Castle Street
18,083.33	-	1920 N. Castle Street
18,083.33	-	1922 N. Castle Street
18,083.33	-	1924 N. Castle Street
18,083.37	-	1926 N. Castle Street
\$487,000.00	-	Purchase Price

BACKGROUND/EXPLANATION:

A credit of up to \$212,000.00 for environmental remediation costs will be applied to the total purchase price of \$487,000.00.

A good faith deposit of \$20,000.00 is required within 10 days of the execution of this agreement.

The properties will be renovated into a workforce housing apartment complex. The project will consist of eight units designated for non-elderly persons with disabilities (NEDs). The NEDs units are intended to qualify for project based Section 8 housing subsidies. The City will make a contribution against the long term operating expenses of the project equal to \$400.00 per year per dwelling unit for a period of fifteen years.

MINUTESDHCD - cont'd

The provisions of Ordinance No. 477, approved on December 6, 1973; Article 28, Subtitle 8 of the Baltimore City Code (2010 Edition); Article II, Section 15 of the Charter of Baltimore City (2010 Edition); Article 13 of the Baltimore City Code (2010 Edition); and Ordinance No. 02-445, approved October 31, 2002 authorize the City to sell the properties.

The Columbus School Limited Partnership will purchase the existing Columbus School (School No. 99) buildings and land located at 2000 E. North Avenue, as well as the adjacent vacant lots and buildings located at 1902, 1904, 1906, 1908, 1910, 1912, 1916, 1918, 1920, 1922, 1924, and 1926 N. Castle Street. The Columbus School is on the National Register of Historic Places and has fallen into disrepair. The Columbus School Limited Partnership proposes to renovate this important building and to establish at the intersection of Washington Street and North Avenue a solid corner for neighborhood revitalization. The renovation will produce a 50-unit apartment complex utilizing the adjacent N. Castle Street Parcels as parking for the development.

Once transferred and redeveloped, the properties will be active on the tax rolls of the City, thereby resolving tax abandonment.

MBE/WBE PARTICIPATION:

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because they will be sold at market value.

(FILE NO. 57222)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with The Columbus School Limited Partnership, for the sale of the properties located at 2000 E. North Avenue, 1902, 1904, 1906, 1908, 1910, 1912, 1916, 1918, 1920, 1922, 1924, and 1926 N. Castle Street.

MINUTES

Department of Housing and - Second Amendment to Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to agreement with Fells Point Station, LLC, developer, for the property located at 1621 Bank Street. All other terms and conditions will remain in full force and effect.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On January 23, 2008, the Board approved the purchase, sale and development of the property located at 1621 Bank Street. On September 23, 2009, the Board approved the First Amendment to the agreement to develop 33 rental residential units and 8000 square feet of street level retail space.

This second amendment to the agreement will amend Section 1:06 Settlement, to note that the settlement will be completed no later than July 30, 2012.

It is also the intent of the parties to this agreement that the managing member C.I.M.G, LLC will be deleted and replaced with the new managing member, The Henson Development Company, Inc. Additionally, Columbus Property Management and Development, Inc. and its affiliate Mission First Housing Development Corporation will be added as an additional member to Fells Point Station, LLC.

(FILE NO. 56537)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the second amendment to agreement with Fells Point Station, LLC, for the property located at 1621 Bank Street.

MINUTES

Department of Housing and - Intergovernmental Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an intergovernmental agreement with the Maryland Department of Human Resources, Baltimore City Department of Social Services. The period of the agreement is September 1, 2010 through August 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$1,511,070.00 - 4000-486311-6051-452299-603051

BACKGROUND/EXPLANATION:

Catholic Charities has been identified as the approved subcontractor under this agreement and has been approved by the Department of Social Services to receive funds for this purpose.

The program known as "Job Readiness for Pregnant Women" operates out of My Sister's Place and provides programs and services for expectant mothers who apply for and receive Temporary Cash Assistance. Customers receive job readiness training, employment placement, employment retention services and workshops that serve to enhance insights into personal and parenting responsibilities, self-sufficiency, and independence. Customers assigned to the program remain in the program up to the birth of their child and for a maximum period of one year after the birth of the child.

The intergovernmental grant agreement is late because of delays in the administrative review process.

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

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement with the Maryland Department of Human Resources, Baltimore City Department of Social Services

MINUTES

Department of Housing and - Consent to Transfer of Property
Community Development at 315 W. Fayette Street to
Everyman Enterprise Business Trust

ACTION REQUESTED OF B/E:

The Board is requested to:

- a) Consent to the transfer of the property located at 315 W. Fayette Street (the Theatre) from the Everyman Theatre, Inc. (Everyman) to its special purpose subsidiary, Everyman Enterprises Business Trust (Subsidiary) pursuant to the requirements of Section 6.2 and 6.3 of the Land Disposition Agreement (LDA) dated June 3, 2002 between the City of Baltimore and Centerpoint Development, LLC (developer);
- b) acknowledge that the Banc of America CDE III, LLC (lender) is providing financing for the renovation of the Theatre in the amount of approximately \$15,500,000.00 which financing will be secured by a mortgage or similar lien on the Theatre;
- c) that the lender, its successors and assigns, will be entitled to, and have the benefit of, the rights of mortgages under the LDA, including without limitation, the rights contained in Article VII;
- d) that the Department has been notified that the name and address of the lender are Banc of America CDE III, LLC, 225 Franklin Street, 2nd floor, MA1-225-02-02, Boston, MA 02110, ATTN: Kathryn D. Hanifan, Vice President and that Department provide notices sent by the City to Everyman or subsidiary at the address provided by the lender as required by Section 7.3.3 of the LDA; and
- e) that the LDA is unmodified and in full force and effect and that no uncured default, event of default, or breach by the City or developer exists under the LDA, and no notice of the same has been given or received by the City.

AMOUNT OF MONEY AND SOURCE:

N/A

MINUTES

DHCD - cont'd

BACKGROUND/EXPLANATION:

The Theatre is proceeding with its project to renovate and rehabilitate the Town Theatre located at 315 W. Fayette Street, in Baltimore City.

Pursuant to the LDA, the City conveyed certain real property and improvements in the Market Center Urban Renewal Area (the property) to the developer. In accordance with the LDA, the property was subdivided into four lots on June 28, 2004. Lot No. 4 (the Theatre parcel) was conveyed to Centerpoint Theatre LLC on June 28, 2004, and then conveyed by Centerpoint Theatre LLC to Everyman Theatre Inc. on November 14, 2006. The original LDA pursuant to Section 6.3 requires the Board of Estimates to approve the transfer to the subsidiary.

Unfortunately, because of the economic turndown and the turmoil in the financial and real estate markets nationwide during the past three years, the Theatre has been delayed in commencing its project to renovate the Theatre. However, with the help of dedicated volunteers and professionals, the Theatre has now structured a package of debt and equity financing to bring this exciting project to fruition. The package includes Federal new markets tax credits, Federal historic rehabilitation tax credits, State of Maryland rehabilitation tax credits and a City of Baltimore MEDAAF grant.

Closing on the financing is anticipated to occur on March 31, 2011, and commencement of construction will begin immediately thereafter.

MINUTES

DHCD - cont'd

As a component of the financing transaction, it is necessary to convey fee title (for no consideration) to the Theatre Parcel from the Theatre to Subsidiary. The Theatre Parcel will simultaneously be leased back to the theatre for a term of approximately ten years with an option to renew. The historic rehabilitation of the Theatre Parcel (the Theatre Project) has been approved by the Maryland Historic Trust for up to \$3,000,000.00 of Maryland historic rehabilitation tax credits. Financing for the Theatre Project includes proceeds from the syndication of both Maryland Historic Tax Credits and Federal Historic Tax Credits (under Section 47 of the Internal Revenue Code). The transfer of the Theatre Parcel to the Subsidiary is necessary to facilitate the syndication of historic tax credits from the Theatre Project as it would not be possible to syndicate these credits if ownership remained within a non-for-profit Section 501 (c)(3) entity, like the Theatre.

Notwithstanding that fee title to the Theatre Parcel is being conveyed to the Everyman Subsidiary, the Theatre will hold the leasehold interest and will be the sole user and occupant of the Theatre Parcel. The renovated Town Theatre will be operated solely by the Theatre in its charitable and educational activities. Nothing will be changed in the original use and operation contemplated and approved previously by the City. At the end of the lease term, the parties will explore new financing alternatives that may then be available, and will then determine the best structure to permit the Theatre to continue a successful operation.

UPON MOTION duly made and seconded, the Board approved the consent to transfer the Property at 315 W. Fayette Street to Everyman Enterprise Business Trust as stipulated above.

MINUTES**TRAVEL REQUESTS**Board of Elections

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1.	Armstead B.C. Jones Sr. Abigail Gold- man Terri Marcis- zewski George Montgomery Lawrence C. Cager, Sr. Tara Andrews Eleanor Wang Cory McCray Ann Macneille Rochelle Lucas Tracy Chapman Catherine Brown Frankie Powell	MD Assoc. of Elected Officials Annual Conference Ocean City, MD June 12 - 15, 2011 (Reg. Fee \$230.00 ea.)	General Funds	\$13,580.00

Department of Recreation and Parks

2.	Walter Todd Clary Baer Chandler* Thomas Jeannetta JoAnn Carson William Vondrasek Billy Tyler*** Devon Brown**** Paul Huskey**** Tracey Estep**	MD Recreation & Parks Assoc. (MRPA) Annual Conference Ocean City, MD April 12 - 15, 2011 (Reg. Fee \$190.00 ea. *\$136.00, **\$215.00, ***\$265.00, ****\$315.00)	MRPA Funds	\$ 8,810.20
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MINUTES

TRAVEL REQUESTSCircuit Court for Baltimore City

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
3.	Collettia M. Hawkins-Brown	Advanced Therapeutic Techniques Lancaster, PA June 21 - 24, 2011 (Reg. Fee \$750.00)	Federal	\$ 1,390.00

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

MINUTESHealth Department - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds for Luke Johnsen M.D. for attendance at the National Jewish Health, Denver TB Course. The period of the travel is April 12, 2011 through April 16, 2011

AMOUNT OF MONEY AND SOURCE:

\$ 346.40	- Airfare
780.00	- Registration Fee
60.00	- Parking
828.00	- Hotel Expenses
41.00	- Occupancy Taxes
\$2,055.40	- 4000-422111-3030-271400-603020

Disbursement to Mr. Johnsen will be in the amount of \$929.00

BACKGROUND/EXPLANATION:

The airfare and registration fee were prepaid the City Credit Card issued to Jacquelyn Duval-Harvey. The Department contracts with Johns Hopkins University to provide services to clients at the Department's STD/HIV/TB clinic located at the Eastern Health Center. Mr. Johnsen serves as the Director and is responsible for supervising all clinic providers, signing charts, and medical consultation. He will be attending this conference to gain additional knowledge and training regarding TB diagnosis, prevention and treatment guidelines. The Centers for Disease Control grant provides funds for staff to attend conferences.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the expenditure of funds for Luke Johnsen M.D. for attendance at the National Jewish Health, Denver TB Course. The President **ABSTAINED**.

MINUTES

Department of Finance - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) between the Baltimore City Public School System and the Mayor and City Council regarding retiree health benefit payments.

AMOUNT OF MONEY AND SOURCE:

Annual Appropriations; A/C 1001-000000-3520-690200-607001

BACKGROUND/EXPLANATION:

Under the terms of the MOU, the amount that the City pays for Baltimore City Public School System (BCPSS) retiree health benefits, approximately \$31,000,000.00 in Fiscal 2011, would become a direct appropriation to BCPSS and be counted as part of the City's local contribution to the school system. Increasing the City's local contribution would qualify BCPSS for additional formula aid under the State's guaranteed tax base program. For Fiscal 2012, the additional State aid is estimated to be \$12,000,000.00.

The MOU calls for the additional State aid generated by the City's increased local contribution to be dedicated to school construction and renovation, with the exception of a portion of the Fiscal 2012 amount that is needed to close an operating gap caused by reduced State funding.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding between the Baltimore City Public School System and the Mayor and City Council regarding retiree health benefit payments.

MINUTES

Department of Transportation - Fee schedule for oversized
and overweight Truck Moves

ACTION REQUESTED OF B/E:

The Board is requested to adopt the fee schedule and policy for escorting of oversized and overweight (OS/OW) vehicles.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

Each year, more than 600 super-oversized and/or overweight vehicles OS/OW, nearly all of which originate from out-of-state or travel from the Port of Baltimore to out-of-state destinations. The cargo being carried on these trips is considered to be of high-value in retaining and attracting freight ships to the Port, thereby creating jobs and tax revenue for the City. As each of these OS/OW trucks move along the streets of Baltimore, they must be escorted by traffic management staff from the Department of Transportation (DOT) and the Baltimore City Police Department.

In recent years, the Maryland Port Administration and the trucking industry have raised concerns that the City's OS/OW escort policies and fees are neither comparable to those of other agencies within Maryland nor with similar fees paid to travel to and from competitor ports such as Philadelphia, Norfolk and Wilmington. In response to these concerns, DOT and BCPD, along with their counterparts from the Maryland State Police, Maryland Transportation Authority, and the Maryland Port Administration have thoroughly reviewed the City's OS/OW routes, escort policies, and fees. The policy described herein is estimated to save the trucking industry between \$1.75m and \$2.1m over the next 5 years. This fee schedule is "revenue neutral" to the City as services are provided on-demand and at cost.

MINUTES

Department of Transportation - cont'd

Through the review, it was determined that efficiencies could be gained by allowing certain OS/OW moves to occur during daytime hours (10am - 2pm), allowing increased weights based on additional inspection of certain bridges (Keith Avenue Viaduct and Broening Highway over Colgate Creek), and reducing the number of police officers required for an escort when a trucking firm provides certain escort vehicles on its own.

Finally, it was determined that the trucking industry prefers a fixed-fee policy be established, even if slightly higher fees must be paid. (Fees can otherwise vary depending on the rank or seniority of DOT or BPD personnel conducting the OS/OW truck move.) This reduces paperwork for City agencies and the trucking industry by not having to send billing adjustments after each move occurs.

In furtherance of the above review, the Department of Transportation and the Baltimore City Police Department propose the fee schedule:

Move Classification	Description	Personnel Required	Fee
Class 1	90 – 110 tons 100' – 125' length 14'6 – 15' height 14'6" – 14'8" width	2 Police Officers 1 DOT Traffic Staff	\$550.00
Class 2	111 – 150 tons 126' – 150' length 14'6 – 15' height 14'8 – 15' width	3 Police Officers 1 DOT Traffic Staff	\$750.00
Class 3	151 or more 150' or longer 15' or higher 15' or wider	4 Police Officers 1 DOT Traffic Staff	\$950.00

* If a second truck with the same trucking firm is travelling the same route at the same time, a second DOT traffic staff member will be required. An additional \$160.00 charge will apply.

** Certain routes with certain vehicle heights may require that traffic signal equipment be raised or relocated. An additional \$200.00 charge will apply.

MINUTES

Department of Transportation - cont'd

CANCELLATION POLICY

If the permit holder notifies the Department of Transportation of the cancellation or requests rescheduling of an OS/OW truck move at least 48 hours in advance of the scheduled OS/OW truck move, there will be no administrative charge. If the cancellation or rescheduling occurs between 48 hours and four hours prior to the scheduled start of the OS/OW truck move, a \$25.00 administrative fee will be charged. If an OS/OW truck move is cancelled or rescheduled less than four hours prior to the scheduled move, a \$100.00 administrative fee will be charged and charges for personnel will still be applied.

DISTRIBUTION OF FEES

In general, the first \$160.00 of each fee will be deposited into the appropriate account(s) of the Department of Transportation and the balance will be deposited into appropriate account(s) of the Police Department. Except as provided above, fees are all inclusive of DOT or Police personnel overtime wages, vehicle charges and administrative costs. All administrative fees charged pursuant to the cancellation policy will be credited to the account of the Department of Transportation.

EFFECTIVE DATE

Upon adoption by the Board of Estimates, the Department of Transportation will publish this fee schedule on its website and in other places as appropriate. This fee schedule will apply to all OS/OW truck moves scheduled on or after April 1, 2011.

UPON MOTION duly made and seconded, the Board adopted the fee schedule and policy for escorting of oversize and overweight vehicles.

MINUTES**PERSONNEL MATTERS**

* * * * *

UPON MOTION duly made and seconded,
the Board approved all of the Personnel matters

listed on the following pages:

982 - 983

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.

The Comptroller **ABSTAINED** on item no. 1.

MINUTES**PERSONNEL**Department of Audits

	<u>Hourly Rate</u>	<u>Amount</u>
1. CHRISTIAN C. YOTHER	\$50.00	\$90,000.00

Account: 1001-000000-1310-157800-601009

Mr. Yother will work as a Special Auditor. His duties will include but are not limited to performing various assigned tasks on the audit of the City's Comprehensive Annual Financial Audit, related Audit Reports and other audits or assignments as necessary. The period of the agreement is April 01, 2011 through March 31, 2012.

Department of Recreation and Parks

2. CHANTELL ROBERTS	\$20.00	\$30,000.00
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Account: 2096-796337-7960-833700-601009

Ms. Roberts will work as a Computer Program Developer. Her duties will include, but are not limited to meeting with each Recreation Center Director/Facility Manager to gather programming and facility data for the RecPro Management system. She will develop a database for each center/facility that includes amenities, space allocation and fees specific to that location. In addition she will assist and train staff in the operation and implementation of the customized RecPro system. The period of the agreement is effective upon Board approval for one year.

MINUTES

PERSONNELDepartment of Recreation & Parks - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
3. DENNIS TUTTLE	\$25.00	\$15,000.00

Account: 5000-577710-5050-545000-601009

Mr. Tuttle will work as a Marketing Manager. His duties will include, but are not limited to utilizing print, publishing, web design and electronic media to assist the Department in featuring people, places, events and storylines that define its mission. In addition, Mr. Tuttle will shape and package the information and produce it for delivery through the Department's e-mail newsletter and website as well as social media such as Facebook and Twitter. The period of the agreement is effective upon Board approval for one year.

MINUTES

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Heritage Church of Christ, Inc., grantor. The period of the right-of-entry agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Public Works and the Bureau of Water and Wastewater wishes to enter onto the property known as 3104 Liberty Heights Ave.

The Department will enter the property to perform work associated with Sanitary Contract 879. This project consists of replacement and upgrade of an undersized sanitary sewer pipe. If necessary sidewalks, steps, and landscaping may need to be replaced, all of this work will be performed at no cost to the property owner.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Heritage Church of Christ, Inc. The President **ABSTAINED**.

MINUTES

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Heritage Church of Christ, Inc., grantor. The period of the right-of-entry agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Public Works and the Bureau of Water and Wastewater wishes to enter onto the property known as 3106 - 3108 Liberty Heights Ave.

The Department will enter the property to perform work associated with Sanitary Contract 879. This project consists of replacement and upgrade of an undersized sanitary sewer pipe. If necessary sidewalks, steps, and landscaping may need to be replaced, all of this work will be performed at no cost to the property owner.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Heritage Church of Christ, Inc. The President **ABSTAINED**.

MINUTES

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Heritage Church of Christ, Inc., grantor. The period of the right-of-entry agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Public Works and the Bureau of Water and Wastewater wishes to enter onto the property known as 3110 Liberty Heights Ave.

The Department will enter the property to perform work associated with Sanitary Contract 879. This project consists of replacement and upgrade of an undersized sanitary sewer pipe. If necessary sidewalks, steps, and landscaping may need to be replaced, all of this work will be performed at no cost to the property owner.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Heritage Church of Christ, Inc. The President **ABSTAINED**.

MINUTES

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Hanlon Park Condominium Association, grantor. The period of the right-of-entry agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Public Works and the Bureau of Water and Wastewater wishes to enter onto the property located at the intersection of Liberty Heights Ave, and North Hilton Street; also known as Ward 15, Section 26, Block 2913, Lot 12.

The Department will enter the property to perform work associated with Sanitary Contract 879. This project consists of replacement and upgrade of an undersized sanitary sewer pipe. If necessary sidewalks, steps, and landscaping may need to be replaced, all of this work will be performed at no cost to the property owner.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Hanlon Park Condominium Association. The President **ABSTAINED**.

MINUTES

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Mr. James Boyd, grantor. The period of the right-of-entry agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Public Works and the Bureau of Water and Wastewater wishes to enter onto the property known as 3302 North Hilton Street.

The Department will enter the property to perform work associated with Sanitary Contract 879. This project consists of replacement and upgrade of an undersized sanitary sewer pipe. If necessary sidewalks, steps, and landscaping may need to be replaced, all of this work will be performed at no cost to the property owner.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Mr. James Boyd. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Consent Agreement and Final Order

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Consent Agreement and Final Order (CAFO) with the U.S. Environmental Protection Agency, Region III.

AMOUNT OF MONEY AND SOURCE:

\$60,000.00 - 3001-000000-5181-390700-603026

BACKGROUND/EXPLANATION:

On April 7-9, 2009, the U.S. Environmental Agency, Region III (EPA) conducted an inspection to investigate compliance with the National Pollutant Discharge Elimination System permit issued for operation of the City's Municipal Separate Storm Sewer System (MS4). On September 30, 2009, the EPA issued a report of the results of the inspection, in addition to an Administrative Order (CWA-03-2009-0312DN). The Administrative Order addresses violations identified during the inspection and was issued pursuant to Section 309(a) of the Clean Water Act, as amended, 33 U.S.C. 1319.

Since issuance of the Administrative Order, the Department of Public Works (DPW) made every effort to address the EPA's findings; however, the EPA filed an Administrative Penalty Complaint with a penalty fee of \$90,000.00 on September 30, 2010. On October 7, 2010, members of the DPW and the Law Department met with the EPA to discuss the basis of the penalty fine. The EPA stated that the fee was based on the observations during the April 2009 inspection and the City's demonstration of good faith in addressing those violations noted in the report.

MINUTESBureau of Water and Wastewater - cont'd

Since the October meeting, the City has negotiated with the EPA to reduce the fine to \$60,000.00. This CAFO relates to the Administrative Penalty Complaint and payment of the negotiated amount. The EPA has stated that no other fees are expected as a result of this Administrative Order.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 55986A)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Consent Agreement and Final Order with the U.S. Environmental Protection Agency, Region III. The President **ABSTAINED**.

MINUTES**PROPOSAL AND SPECIFICATIONS**

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

1. Bureau of General Services - GS 11814, 103 West Lexington Street - Restoration
BIDS TO BE RECV'D: 04/20/2011
BIDS TO BE OPENED: 04/20/2011

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

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Dept. of Transportation

- TR 04318, Jones Falls Trail Phase
II
BIDS TO BE RECV'D: 04/06/2011
BIDS TO BE OPENED: 04/06/2011

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 05032, Reconstruction of
Newkirk Street from Keith
Avenue to Boston Street

Monumental Paving & Excavating, Inc.
R&F Construction, LTD
Civil Construction, LLC
M. Luis Construction
P. FLANNIGAN & Sons
Machado Construction Co., Inc.
Daisy Concrete, Inc. of MD

Department of Transportation - TR 11008, Northern Parkway-
Falls Road to Roland Avenue-
Slab Repairs

P&J Contracting Co., Inc.
Kiewit Infrastructure Co.
M. Luis Construction Co., Inc.
P. Flanigan & Sons, Inc.
Machado Construction Co, Inc.

MINUTES

Bureau of Purchases

- B50001705, Mowing of Vacant &
Abandoned Lots

Evergreen Landscape and Design
Living Classrooms/Project Serve
HF Huber & Son*
Colossal Contractors, Inc.
Corporate Maintenance Group

Bureau of Purchases

- B50001847, Audit Baltimore City
Financial Statements

KPMG
SB & Co., LLC
Clifton Gunderson LLP

Bureau of Purchases

- B50001849, Provide Floor
Stripping & Waxing Services

Affordable Carpet cleaning, Inc.
Jani-Clean of Baltimore
C.J. Maintenance, Inc.
MultiCorp, Inc.
Broadway Services. Inc.
Aquafree Facilities Services, Inc.
P2 Cleaning Services, LLC

Bureau of Purchases

- B50001878, Asphalt Paving
Machine

George Associates, Inc.

*UPON FURTHER MOTION duly made and seconded, the Board found the bid of HF Huber & Son **NON-RESPONSIVE** because of the company's failure to proffer a bid guarantee as required in the bid instructions.

MINUTES

Bureau of Purchases

- B50001880, Tandem Wheel Dump Trucks

Deputy Comptroller: "We have an item that we have a company that wants to come forward. So, I am going to have the Officers come from downstairs. We will wait until they come back in."

Deputy City Solicitor: "Okay, so there might be --."

Deputy Comptroller: "The next bid we have is B50001880. Would you please come forward Officers? Is there someone here from another company? Okay, what company? Would you come forward and please state your name."

Mr. Cardwell: "John Cardwell."

Deputy Comptroller: "Yes. And your company?"

Mr. Cardwell: "Baltimore Freightliner."

Deputy Comptroller: "Baltimore Freightliner."

Mr. Cardwell: "I came to drop the bid off for the 11:00 bid. I was here before 11:00 and there was nobody in the lobby, and the Officers said that they had already went up it's closed, and it was before 11:00, and they would not allow me to go up to drop it off."

MINUTES

Deputy Comptroller" "Thank you. Would you please come forward and identify yourselves? We have officer's who are stationed downstairs as well as staff from the Comptroller's Office and Real Estate who go down at 10:45 a.m. to receive bids. Okay. State your name for the record please."

Officer: "Detective Terry Love."

Deputy Comptroller: "Okay, thank you."

Officer: "Officer Penny Sprinkle."

Deputy Comptroller: "Alright. Could you please advise us as to what happened and if you have a time?"

Officer Sprinkle: "Every Wednesday, the ladies come down with the bid box. We punch in time. The time was eleven o'clock and ten seconds exactly. They grabbed the basket and they went upstairs. The gentleman came in after they left."

Deputy Comptroller: "After they left. Alright."

Detective Love: "That's what happened."

Deputy Comptroller: "Thank you very much."

Detective Love: "Thank you."

Deputy Comptroller: "Okay."

MINUTES

Mr. Cardwell: "Madam Clerk."

Deputy Comptroller: "Yes."

Mr. Cardwell: "The two clocks downstairs in the lobby are before 11:00, so whatever clock that stands --."

Deputy Comptroller: "Well as Officer Sprinkle stated, we call time on the telephone to get the actual time. And there is a recording, and the recording as I understand was 11:00 and ten seconds?"

Officer Sprinkle: "Yes madam, it was on speaker phone."

Deputy Comptroller: "On the speaker phone after which they left. So, they were there at eleven and you arrived after it. So the --."

Mr. Cardwell: "So that had to be three minutes before that, which would have been by cell phone time and --."

Deputy Comptroller: "Not by cell phone time."

Mr. Cardwell: "I know, but I am saying that is about a five minute difference."

Deputy Comptroller: "Well --."

Mr. Cardwell: "With --."

MINUTES

Deputy Comptroller: "Go ahead, Sir."

Mr. Cardwell: "With what the time is. I mean who --."

Deputy Comptroller: "Sir as I stated, we call to get time."

Mr. Cardwell: "But when we are talking about eleven o'clock, 11:00 is eleven o'clock. Your eleven is based upon some call to what number?"

Deputy Comptroller: "What is the number?"

Ms. Ctherine Zoppo: "410 --."

Mr. Cardwell: "No, I mean what is the basis of that telephone -
-I mean that time? Is it Eastern Standard, Western is it --."

Deputy Comptroller: "It is based on the time of day and it's tracked by the time the atomic clock information goes forward and is provided, and that is why we use that as opposed to using my watch, which might have a different time. A clock on the wall might be different. We use what is the accepted time."

Mr. Cardwell: "Okay."

Deputy Comptroller: "Because there are seconds difference, but this time is calibrated to be exact."

Mr. Cardwell: "Okay."

MINUTES

Deputy Comptroller: "And so we use that."

Mr. Cardwell: "Okay. That number is?"

Ms. Zoppo: "410 844-1212, the time."

Deputy Comptroller: "Okay."

Ms. Zoppo: "I think is called TI4. I think that is 844."

Deputy Comptroller: "That is what it is for."

Mr. Cartwell: "844."

Deputy Comptroller: "Thank you both very much."

Deputy City Solicitor: "She should identify herself for the record."

Deputy Comptroller: "Yes, please do. Thank you."

Ms. Zoppo: "Katherine Zoppo, Department of Real Estate."

Deputy Comptroller: "Thank you. Alright, and sir regrettably we are unable to accept your bid, because it is untimely. Thank you. So for this particular bid B50001880, no bids were received."

* * * * *

MINUTES

Bureau of Purchases

- B50001881, 2011 Crew Cab with
Utility Body

Winner Ford
Hertrich Fleet Services, Inc.

* * * * *

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, April 06, 2011.



JOAN M. PRATT
Secretary