

MINUTES

REGULAR MEETING

Honorable Bernard C. "Jack" Young, President
Honorable Stephanie Rawlings-Blake, Mayor
Honorable 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 February 6, 2012, 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 items on the routine agenda."

Comptroller: "Second."

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

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:

Concrete Technology Services-Mid Atlantic, Inc. and Affiliates	\$ 8,000,000.00
KCI Technologies, Inc.	\$319,905,000.00
Mercier's Incorporated	\$ 8,000,000.00
Milani Construction, LLC	\$ 8,000,000.00
TelephoNET Corporation	\$ 990,000.00
Trisource Contracting, LLC	\$ 5,724,000.00
Union Electric Company, LLC	\$ 1,500,000.00

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:

ADS Environmental Services	Engineer
Dhillon Engineering, Inc.	Architect Engineer
EMA, Inc.	Engineer

MINUTES

BOARDS AND COMMISSIONS

Mahan Rykiel Associates, Inc.	Landscape Architect
MWH Americas, Inc.	Engineer
Prime Engineering, Inc.	Engineer
Urban Design Group, LLC	Architect

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

MINUTES

Baltimore Development - First Amendment to Land Disposition
Corporation (BDC) Agreement and Consent to Transfer

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a first amendment to land disposition agreement (LDA) with the State of Maryland, on behalf of its constituent institution, the University of Maryland, Baltimore (UMB). The Board is further requested to consent to the transfer of approximately 29,000 square feet of vacant land from the UMB to the UMB Health Sciences Research Park Corporation (RPC) and the subsequent transfer from the RPC to the Proton Treatment Holdings, LLC (Proton), or its designee.

AMOUNT OF MONEY AND SOURCE:

\$200,790.54 - Sales Price

BACKGROUND/EXPLANATION:

At settlement with Proton, the City will receive payment for the property. The sales price is the "Fair Market Value" of the property as established in the 2003 LDA.

On October 29, 2003, the Board approved the conveyance of 4.7 acres of vacant land, located in the 800 and 900 blocks of West Baltimore Street for the development of the Health Sciences BioPark. Since 2003, the BioPark has grown to two buildings of 337,000 sq. ft. of biotechnology space and a 638-space parking garage. Additionally the State built its new Forensic Center to anchor the western boundary of the BioPark. The total capital investment to date is estimated at approximately \$179,000,000.00. The BioPark is managed and overseen by the RPC.

The Proton Cancer Center will be a \$235,000,000.00 treatment facility that will employ 125 people when completed and serve 2,000 patients annually. This first amendment to the LDA incorporates the revised Planned Unit Development (PUD) under Ordinance 11-477, which was passed by the City Council on July

MINUTES

BDC - cont'd

18, 2011 and signed by the Mayor on July 20, 2011. The revised PUD is incorporated into the project plan under Exhibit B of the 2003 LDA. The consent agreement provides for the City's approval of the transfer from the UMB to the RPC and then to Proton with the sales price of \$200,790.54, in accordance with the 2003 LDA.

MBE/WBE PARTICIPATION:

The RPC and Proton will comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals for the Proton development.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 56037)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the first amendment to land disposition agreement with the State of Maryland, on behalf of its constituent institution, the University of Maryland, Baltimore. UPON FURTHER MOTION duly made and seconded, approved the consent to the transfer of approximately 29,000 square feet of vacant land from the UMB to the UMB Health Sciences Research Park Corporation and the subsequent transfer from the RPC to the Proton Treatment Holdings, LLC, or its designee.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

421

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

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

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>
<u>Bureau of Water and Wastewater</u>				
1. EWO #004, \$ 158,018.20 - SC 856, Improvements to Herring Run Interceptor-Phase II from Argonne Drive to City/County Line				
\$ 6,827,317.50	\$ 2,732.54	Spiniello Companies	-	80
<u>Department of Transportation</u>				
2. EWO #001, \$ 4,320.00 - TR 11303, Resurfacing Highways at Various Locations, Southeast-Sector IV				
\$ 2,446,715.13	-	M. Luis Construction Co., Inc.	90	-
3. EWO #001, \$ 68,049.57 - TR 09302, Construction of Traffic Signals: Citywide-JOC				
\$ 3,372,645.00	-	Midasco, LLC	-	-
4. EWO #002, \$ 71,555.00 - TR 09302, Construction of Traffic Signals: Citywide-JOC				
\$ 3,372,645.00	\$ 68,049.57	Midasco, LLC	-	-

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,
the Board approved
the Transfers of Funds
listed on the following page:

423

SUBJECT to receipt of favorable reports
from the Planning Commission,
the Director of Finance having
reported favorably thereon,
as required by the provisions of the
City Charter.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
1. \$625,000.00 M&CC Funds FY 2012	9910-902985-9587 Housing Develop- ment Reserve	9910-901198-9588 Blight Elimination Unit

This transfer will provide fiscal year 2012 supplemental funding to support the Department's Elimination Unit.

2. \$460,000.00 30 th CDB FY 2012	9910-903975-9587 Capital Admin. - Reserve	9910-904096-9588 Capital Admin.
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This transfer will provide funds for the Department's Capital Administrative account for fiscal year 2012.

MINUTES

Department of Law - Minority and Women's Business Opportunity
Office (MWBOO) Annual Participation Goals

ACTION REQUESTED OF B/E:

The Board is requested to approve the annual participation goals for the Minority and Women's Business Enterprise Participation Program. The goals will be in effect until June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The goals are authorized by the Disparity Study that was completed in 2007. In accordance with Article 5, Subtitle 28, Sections 28-16 & 17 of the Baltimore City Code, MWBOO 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 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.

MWBOO recommends the following goals and sub-goals for the MBE/WBE Participation Program:

MBE Annual Goal: 27%

Sub-Goals:

African American 14%
Asian American 6%
Hispanic American 6%
Native American 1%

MINUTES

Department of Law - cont'd

WBE Annual Goal: 10%

(FILE NO. 57298)

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS'S ASSOCIATION.

President: "The first item on the non routine agenda can be found on Page 8, Minority and Women's Business Opportunity Office Annual Participation Goals. Will the parties please come forward?"

Director of Public Works: "He's not here."

President: "This is a protest right?"

Mr. Corey: "Yes."

City Solicitor: "Protest by Arnold Jolivet."

President: "Is Arnold here?"

City Solicitor: "He is here."

Mr. Corey: "Good morning Mr. President, members of the Board. My name is Thomas Corey. I am Chief of the Minority and Women's Business Opportunity Office. We are here today to --."

City Solicitor: "Watch your back Tom. Mr. Jolivet."

Mr. Corey: "We are here today to ask the Board to approve the Annual Participation Goals for another year that can be set on contracts lead by the City. As the Board may know that the goals are authorized by the Disparity Study that was completed

MINUTES

in 2007. In accordance with Article 5, Subtitle 28, MWBOO is recommending that annual goals, annual MBE and WBE 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. One, the availability of businesses that are willing and able to participate on contract and various industry classifications and professions. Two, the level of utilization of these firms on past City contracts. Three, the contract specifications, and four the adverse effect on non-MBE and non-WBE businesses. We are recommending that the MBE annual goal be set at 27%, that there be subcontract goals on the MBE goals of African-American 14%. Asian American 6%, Hispanic American 6%, Native American at 1%. We are asking that the annual goal for WBE's be set at 10%."

City Solicitor: "Mr. Jolivet."

Mr. Jolivet: "Arnold M. Jolivet. I--."

President: "Is that mic on?"

Mr. Jolivet: "I think it's on. Since writing my letter to the Board yesterday. I have since learned --."

President: "No that's okay it's on."

Mr. Jolivet: "Since writing my letter to the Board on yesterday,

MINUTES

I have since learned that the Bureau of Purchases has in fact received proposals for to conduct a MBE/WBE Disparity Study, obviously to support a future Ordinance. My letter today to the Board express some concerns that I think that instructing and establishing these MBE/WBE goals, there ought to be some public notice in addition to some public participation. I note that the U.S. Department of Transportation in its MBE actually DBE regulation it actually requires recipients of Federal DBE funds to inform the public before those goals are even published and allow the public to have some input, and I don't know why we can't even though I have to admit it's not in the Ordinance that requirement is not in the Ordinance. I would ask the Board respectfully to defer acting on these goals and allow Mr. Corey, and I didn't even know Mr. Corey was back. That just shows you how --."

City Solicitor: "Sure you did Arnold."

Mr. Jolivet: "I don't I -- there was no public notice. None."

President: "Let's just hear --."

Mr. Jolivet: "Nonetheless --."

Mayor: "Last week -- didn't you find out last week?"

City Solicitor: "Mr. Jolivet had been busy litigating so he lost focus on --."

President: "Let's continue with the business at hand."

MINUTES

Mr. Jolivet: "But nonetheless, make a long story short --."

Mayor: "Too late for that."

Mr. Jolivet: "I don't think that this Board in any way doesn't understand my concern. The MBE program in my estimation has been a big failure. It was a big failure long before the current Mayor came in. So what happens, is that the MWBOO Office and God bless their souls, they tried to work in a vacuum. This program should be widely dispersed and have a lot of input from everybody. So, what I would like to ask the Board today, since we haven't had in five in three years, we haven't had these goals in three years to show you what kind of emphasis and importance that we give to the program. This is the first time the goals have been promulgated are proposed to be promulgated in three years, so another two to three weeks delay in order to allow the public to have some input in the promulgation and the effectuation of these goals, to me it would be in the public interest. So, I am going to ask and I am going to defer my other arguments, there is no need for me to make the other arguments. I am going to defer those other arguments and ask this Board in its wisdom to let's defer these proposed goals for at least another month, to allow Mr. Corey and his staff to conduct at least one public meeting and let the public and I said public I said the MBE/WBE community and the larger

MINUTES

community, the contracting community, and it's done already on the State level. So, I don't think my request is unreasonable. I think it is in conformity with the spirit and intent of the program and for the life of me, I don't why this program and the goals which are very important. You are setting a 14% goal for African American business, which is my chief concern, and I have information which shows that the goals should be 25% for African American. So there is a wide disparity and in view of the fact that Mr. Corey has no reliable data other than those five, six year data that he got from the NERA study of 2007, so my point Mr. Solicitor it makes a lot of sense to defer this because what is being presented to you has no merit, no validity at all. Because it hasn't -- the goals are not structured on any valid current updated data."

Mr. Corey: "Mr. President, I disagree with Mr. Jolivet of course. When a Disparity Study is done the public is invited and in the last Disparity Study the public was invited to comment, to hear what we proposed --."

Mr. Jolivet: "That was six years ago Mr. Corey. Six years ago."

City Solicitor: "Please don't interrupt."

President: "He didn't interrupt you Mr. Jolivet."

Mr. Jolivet: "I apologize."

President: "Thank you."

MINUTES

Mr. Jolivet: "Forgive me."

Mr. Corey: "And the goals must be set by a set formula. It can't be set by debate amongst the public that would be a major mistake. It would subject this program to the constitutional challenges and it would be out the door in a minute. So that would be a mistake. There will be a Disparity Study that we are conducting, that we are about to conduct right now. There will be an opportunity for the public to be heard on this and it will be, and to say that these sub-goals are not worth it, I remind Mr. Jolivet that it was he who advocated that is program have sub goals, and we agreed and they are there."

Mr. Jolivet: "Seven years ago Mr. Corey. Seven years ago Mr. Jolivet advocated sub-goals and that is not my issue today incidentally."

City Solicitor: "I would MOVE the approval of the proposal."

Comptroller: "I have a question. Once the study is completed and we find that the percentages need to be changed, will we make the changes?"

Mr. Corey: "Oh yes, sure. We will have to come back to the Board and have the Board approve whatever goals that are ordered by the new study."

City Solicitor: "And as Mr. Corey indicated at that time before we make any changes, or affirmations of the current goals there

MINUTES

will be a public input opportunity --."

Mr. Corey: "We will set up a meeting for that."

City Solicitor: "Mr. Jolivet will have an ample chance to engage in a robust discussion then."

Mr. Jolivet: "Mr. President hear me out one more time. Just one other issue I would like to call to the Board's attention and I am surprised and rather amazed astonished that the Solicitor does not -- is not aware that my position is directly on point with Judge Davis's decision in year 2000 when this very well not this very Ordinance but an Ordinance that is very similar in purpose and structure was declared invalid and unconstitutional because, the very thing that Mr. Corey is doing now the Judge said he can't do it. So, the Solicitor is way in left field."

Comptroller: "Is that true Mr. Solicitor?"

Mr. Jolivet: "Yeah."

City Solicitor: "I am in right, actually I disagree. But we are relying on Mr. (inaudible)."

Mr. Jolivet: "But you disagree with the Court opinion."

Mr. Corey: "The court heard a second challenge and Judge Davis said this program --."

Mr. Jolivet: "Is unconstitutional."

Mr. Corey: "No, no."

Mr. Jolivet: "That's what he said. Here is the --."

MINUTES

Mr. Corey: "That is not true."

Mr. Jolivet: "Here is the court decision right here, and the Solicitor tells me that in the face --."

Mayor: "Is there a Motion?"

City Solicitor: "Yes there is a Motion Madam Mayor."

President: "I will entertain a Motion. I think I have to do that. I will entertain a Motion on this."

City Solicitor: "I will MOVE again that we accept the recommendation for the setting of goals for the coming year, pending the receipt of the updated Disparity Study and reject the protest."

Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

Mayor: "Welcome back Mr. Corey."

(Laughter)

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MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. Lee Acquisitions, Inc.	927 E. Preston St.	G/R \$48.00	\$ 400.00
2. Lavenia S. Lane and Druscilla Bunch, PR of the Estate of Elizabeth Sellars	1046 Valley St.	G/R \$84.00	\$ 560.00
3. Groundlease Mgmt., LLC	616 E. Biddle St.	G/R \$96.00	\$ 880.00
4. Turf, LLC	730 Mura St.	G/R \$36.00	\$ 300.00

Funds are available in account 9990-907714-9593-900001-704040, Johnston Square Project.

(FILE NO. 57070)

5. LHR Properties, LLC	3419 Woodland Ave.	L/H	\$13,360.00
6. Nelson Avenue, LLC	3317 Woodland Ave.	G/R \$60.00	\$ 500.00

Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Corridor.

(FILE NO. 57083)

In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation proceedings for an amount equal to or lesser than the option amounts.

MMCA- Maryland Minority Contractors Association, Inc.

A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA
Baltimore, Maryland 21210
443-413-3011 Phone
410-323-0932 Fax

February 7, 2012

VIA Facsimile 410-685-4416

The Honorable President and Members
Baltimore City Board of Estimates
Attention: Clerk to the Board
City Hall-Room 204
Baltimore, MD 21202

Dear Mr. President:

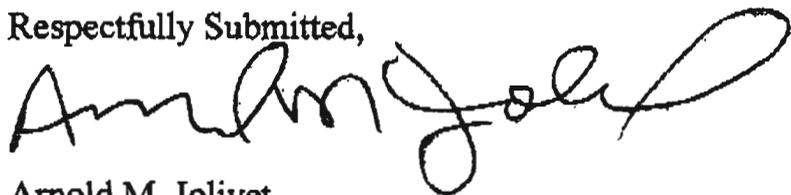
I represent the Maryland Minority Contractors Association, Inc. ("MMCA"), its members, clients and constituents. I herein respectfully file a protest against the following agenda item, as described in Your Honorable Board's Agenda, dated 02/08/2012:

Item one-page -8, which proposes yearly M/WBE utilization goals, for the City's M/WBE Program. Our objections are based upon the complete absence of openness and transparency in the M/WBE GOAL SETTING PROCESS BY THE City's MWBOO, along with the complete absence of any updated and reliable independent M/WBE utilization disparity study, which documents systemic under-utilization and disparities in the City's contracting program against various M/WBE gender and subgroups who are made beneficiaries of the City's M/WBE Ordinance.

Your Honorable Board must be guided by Judge Andre Davis' reasoning in his opinion in the case, Associated Utility Contractors of Maryland, Inc. v. Mayor and City Council of Baltimore, et al. (Cited at: 83 F. Supp. 2d 613 (D. Md. 2000)), in which the City's second

M/WBE Ordinance (Ordinance 610, Balt. City Code §§ 217-226B) was declared unconstitutional. Here, the City's MWBOO proposes a 37% M/WBE utilization goal. It should be noted, however, that MWBOO has proposed the same 37% M/WBE utilization goal for the last ten (10) years. This strongly suggests that there is a serious flaw in MWBOO's M/WBE goal utilization determination process. It is clearly not reasonable that MWBOO possesses reliable data that supports these M/WBE Utilization goals of 27% MBE, and 10% WBE Utilization. Additionally, MWBOO's use of the City's 2007 disparity study data to set these M/WBE goals appears to be a flagrant violation of Judge Davis' finding and reasoning in the 2000 AUC opinion. You may recall that Judge Davis expressly ruled that the City was required to use new data each year, in establishing its M/WBE utilization goals.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Arnold M. Jolivet". The signature is fluid and cursive, with a large loop at the end of the last name.

Arnold M. Jolivet
Managing Director

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnation</u>			
7. John Schley and Elsie Schley, his wife	3320 Woodland Ave.	G/R \$90.00	\$ 600.00

Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Corridor.

(FILE NO. 57083)Law Department - Settlement

8. Marcel Umphery, Prior owner	1726 E. Chase St.	F/S	\$38,000.00
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Funds are available in account 9910-906416-9588-900000-704040, State funds.

On October 13, 2010, the Board approved the acquisition by condemnation of fee simple interest of the property located 1726 E. Chase Street in the amount of \$54,000.00. The approval was based upon the City's independent appraiser's fair market valuation of the property. The previous owner offered an appraisal valuation of \$114,400.00. The owner also had an outstanding mortgage of more than \$79,000.00. The parties agreed to settle the condemnation for \$92,000.00. Therefore, the Board is requested to approve an additional \$38,000.00.

(FILE NO. 56017)

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing options, condemnations, and quick-takes and the settlement. The Comptroller **ABSTAINED** on item no. 8.

MINUTES

Mayor's Office of Human Services - Grant Agreements
Homeless Services Program

The Board is requested to approve and authorize execution of the below-listed grant agreements. The period of the agreement is January 1, 2012 through December 31, 2012, unless otherwise indicated.

1. **WOMEN'S HOUSING COALITION, INC. (WHC)** **\$ 44,298.00**

Account: 4000-496211-3573-591435-603051

The WHC will provide housing in apartments in the City as well as supportive services to nine homeless and very low-income single women and women with children who are homeless due to chronic substance abuse and/or chronic mental illness. Housing will include efficiency, one, two, and three bedroom apartments, depending on the status (single woman or family) and household size.

2. **WOMEN'S HOUSING COALITION, INC. (WHC)** **\$ 45,135.00**

Account: 4000-496211-3573-591435-603051

The WHC will provide supportive services, including case management, housing services, client assistance and housing to approximately 15 homeless women and ten families (at any one point in time) that are participants in the Scattered Site Housing Program. The WHC will ensure that all clients qualify for the program as mentally ill, formerly homeless individuals of very low income.

MINUTES

Mayor's Office of Human Services - cont'd
Homeless Services Program

3. **HOUSE OF RUTH OF MARYLAND, INC.** **\$245,751.00**
(HOUSE OF RUTH)

Account: 4000-496211-3572-591418-603051

The House of Ruth will provide transitional housing and supportive services to four single adults and 15 families at the transitional facility located at an undisclosed location in the City. The program will target homeless women and their children who are victims of domestic violence. The services will provide a safe and nurturing environment to battered women and their children and assist them to recover from their trauma and become self-sufficient and empowered. The period of the agreement is November 1, 2011 through October 31, 2012.

4. **HOMELESS PERSONS REPRESENTATION** **\$110,760.00**
PROJECT, INC. (HPRP)

Account: 4000-496211-3571-591445-603051

The HPRP will provide legal assistance to approximately 24 families and 51 individuals that are referred to the HPRP from other homeless service providers and through outreach to places where homeless persons congregate. The services provided will include but not be limited to legal assistance to obtain childcare subsidies, welfare avoidance grants, and other services under the Family Investment Program.

MINUTES

Mayor's Office of Human Services - cont'd
Homeless Services Program

The agreements are late because of the delays 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 above-listed grant agreements.

MINUTES

Dept. 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. 2340 E. Monument Street	Pyong Kuk Pak	Retain one single face electric sign 13'6" x 2'
Annual Charge: \$140.00		
2. 2342 E. Monument Street	Jung H. Kim	Retain double face electric sign 4' x 2½', two exhaust vents
Annual Charge: \$236.00		
3. 122 S. Broadway	Jose J. Morales, Sr.	One flat sign 12' x 2'
Annual Charge: \$35.20		

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.

MINUTES

Department of General Services - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Mercury Associates, Inc. (Mercury). The period of the agreement is effective upon Board approval for two years.

AMOUNT OF MONEY AND SOURCE:

\$ 734,458.00 - 2030-000000-1890-189301-603018

BACKGROUND/EXPLANATION:

On September 29, 2010, the Board approved the contract with Mercury, through competitive bidding, to perform technical financial evaluations of the Department of General Services Fleet Management Division's operating cost charge-back rate system, its fleet replacement and financing practice, a comprehensive assessment of its operational best practices, and to provide recommendations for improvements in a series of final written reports and presentations.

Mercury completed its three written reports dated May 27, 2011, and presented its recommendations to improve the Fleet Management Division's operations. The Fleet Management Division has reviewed Mercury's report and has determined that implementing a selected number of Mercury's recommendations is in the best interest of the City. The Department of General Services desires to have Mercury assist the Fleet Management Division in implementing the selected recommendations.

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 agreement with Mercury Associates, Inc.

MINUTES

Department of General Services - Developer's Agreement No. 1247

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1247 with LJ Johnston Square, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$58,170.00

BACKGROUND/EXPLANATION:

The developer would like to install new sidewalk, water service, and sanitary sewer and abandon the existing water services to its proposed construction located in the vicinity of 1303 Greenmount Avenue. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A performance bond in the amount of \$58,170.00 has been issued to LJ Johnston Square, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the developer's agreement no. 1247 with LJ Johnston Square, LLC, developer.

MINUTES

Department of General Services - Developer's Agreement No. 1250

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1250 with Greens At Irvington Mews, LP, developer.

AMOUNT OF MONEY AND SOURCE:

\$19,600.00

BACKGROUND/EXPLANATION:

The developer needs to install upgraded fire suppression and domestic water services to its proposed construction located in the vicinity of 4300 Fredrick Avenue. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

An irrevocable letter of credit in the amount of \$19,600.00 has been issued to the Greens At Irvington Mews, LP which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

(FILE NO. 57277)

UPON MOTION duly made and seconded, the Board approved and authorized execution of developer's agreement no. 1250 with Greens At Irvington Mews, LP, developer.

MINUTES

Department of General Services (DGS) - Energy Efficiency and Conservation Block Grant Agreements

The Board is requested to approve and authorize execution of the energy efficiency and conservation block grant agreements with the various community non-profit organizations. The period of the agreement is effective upon Board approval through August 31, 2012.

1. **THE COMMUNITY SCHOOL, INC.** **\$12,305.00**

Account: 9916-913900-9197-910013-703032

Under the terms of the sub-grant agreement, this community non-profit will implement energy efficiency upgrades to its facility located at 337 West 30th Street. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant" applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$12,305.00.

2. **ST. FRANCIS OF ASSISI SCHOOL** **\$ 9,619.00**

Account: 9916-913900-9197-910013-703032

Under the terms of the sub-grant agreement, the community non-profit will implement energy efficiency upgrades to its facility located at 3615 - 3617 Harford Road. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant" applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$69,619.00. The St. Francis of Assisi School is leveraging 86% (\$60,000.00) of the project cost.

MINUTES

DGS - cont'd

3. **THE LIVING CLASSROOMS FOUNDATION** **\$17,000.00**

Account: 9916-913900-9197-910013-703032

Under the terms of the sub-grant agreement, the community non-profit will implement energy efficiency upgrades to its facility located at 1417 Thames Street. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant" applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$17,000.00.

4. **THE BALTIMORE MUSEUM OF ART** **\$20,000.00**

Account: 9916-913900-9197-910013-703032

Under the terms of the sub-grant agreement, the community non-profit will implement energy efficiency upgrades to its facility located at 10 Museum Art Drive. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant" applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$38,690.00. The Baltimore Museum of Art is leveraging 48% (\$18,690.00) of the project cost.

5. **THE LOADING DOCK, INC.** **\$ 4,986.00**

Account: 9916-913900-9197-910013-703032

Under the terms of the sub-grant agreement, the community non-profit will implement energy efficiency upgrades to its facility located at 2 North Kresson Street and 2 North Janney Street. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant"

MINUTES

DGS - cont'd

applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$18,902.08. The Loading Dock, Inc. is leveraging 74% (\$13,916.08) of the project cost.

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 energy efficiency and conservation block grant agreements with the various community non-profit organizations. The Mayor **ABSTAINED** on item nos. 3 and 4. The President **ABSTAINED** on item no. 3.

MINUTES

Fire and Police Employees' - Subscription Agreement
Retirement Systems (F&P)

ACTION REQUESTED OF B/E:

The Board is requested to approve a Subscription Agreement with Siguler Guff Advisers, LLC for investment in Siguler Guff BRIC Opportunities Fund III, LP.

AMOUNT OF MONEY AND SOURCE:

No general funds

\$7,500,000.00 - (approximately) of F&P funds

BACKGROUND/EXPLANATION:

The F&P Board of Trustees conducted a search for a private equity fund-of-funds focusing on global emerging markets and, as a result of that search, selected Siguler Guff BRIC Opportunities Fund III, LP. The search and selection process was conducted with the assistance and advice of the F&P's investment advisor, Summit Strategies Group.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the Subscription Agreement with Siguler Guff Advisers, LLC for investment in Siguler Guff BRIC Opportunities Fund III, LP. The Comptroller **ABSTAINED**.

MINUTES

Department of Housing & - License and Master
Community Development (DHCD) Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a license and master services agreement with Structured Employment Economic Development Corporation (SEEDCO). The period of the agreement is January 1, 2012 through December 31, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This license and master services agreement will allow the DHCD to utilize the EarnedBenefits software program. SEEDCO is the owner of the computer program and is a national non-profit organization. The DHCD will use the EarnedBenefits software in conjunction with the services of the Division of Green, Healthy and Sustainable Homes.

All of the costs for the City's utilization of EarnedBenefits are funded by the Baltimore Community Foundation (BCF) with grants funds from the Abell Foundation.

The DHCD, in cooperation with the BCF and the Baltimore Green and Healthy Homes Initiative, has been working to provide its own services, and the services of other agencies, with greater efficiency and effectiveness. The DHCD is providing weatherization, housing rehabilitation and lead abatement in a coordinated way to make homes greener, healthier, and more sustainable. The DHCD has many partners in this effort including Community Action Centers, the Coalition to End Childhood Lead Poisoning, Civic Works, and the Baltimore City Health Department, among others.

In working with families to provide these services, the DHCD encountered many families that were eligible for benefit programs but were unaware of their eligibility or had not applied. In an effort to better meet the needs of City families, the DHCD encouraged the BCF to apply to the Abell Foundation for

MINUTES

DHCD - cont'd

funding to facilitate eligibility analysis and application assistance. The proposal employs interns visiting families with laptop computers and scanners and will utilize the EarnedBenefits software. The software is designed to screen for 24 different benefits programs such as energy assistance, food stamps and Earned Income Tax Credits. During the same visit, interns take electronic application for the DHCD's services and scan eligibility documents for that purpose. Subsequently, families are directed to Community Action Centers which are equipped and trained to comprehensively aid families in submitting applications for all benefits programs efficiently, as well as provide follow-up case management services as needed.

The license and master services agreement is late due to a delay in the administrative process.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license and master services agreement with Structured Employment Economic Development Corporation.

MINUTES

Department of Housing and - Side Yard Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the side yard land disposition agreement (LDA) with Ms. Margie L. Gaines, purchaser, for the sale of the property located at 705 E. Chase Street (Block 1182, Lot 026).

AMOUNT OF MONEY AND SOURCE:

\$500.00 - Sale price

BACKGROUND/EXPLANATION:

The purchaser will be using private funds to pay for the acquisition and maintenance of the property.

The Department's Land Resources Division, strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

The City has agreed to convey the property known as 705 E. Chase Street, to the owner of the adjacent owner-occupied property. As a condition of conveyance, Ms. Gaines has agreed to the terms of the LDA, which prohibits development of the parcel for a minimum of ten years.

The City may dispose of the property by virtue of the following legal authorities: Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition), Article II, Section 15 of the Baltimore City Charter, 2011 Edition; and Article 13 of the City Code.

(FILE NO. 57242)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the side yard land disposition agreement with Ms. Margie L. Gaines, purchaser, for the sale of the property located at 705 E. Chase Street (Block 1182, Lot 026).

MINUTES

Department of Housing and - Side Yard Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the side yard land disposition agreement (LDA) with Mr. Benjamin H. Lewis III, purchaser, for the sale of the property located at 438 E. Lafayette Avenue (Block 1096, Lot 001).

AMOUNT OF MONEY AND SOURCE:

\$500.00 - Sale price

BACKGROUND/EXPLANATION:

The property will be sold under the City's Side Yard Policy approved by the Board on August 17, 2011. The purchaser will be using private funds to pay for the acquisition and maintenance of the property.

The Department's Land Resources Division, strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

In accordance with the City's Side Yard Policy, the City has agreed to convey the property known as 438 E. Lafayette Avenue, to the owner of the adjacent owner-occupied property. As a condition of conveyance, Mr. Benjamin H. Lewis, III has agreed to the terms of the LDA, which prohibits development of the parcel for a minimum of ten years.

The City may dispose of the property by virtue of the following legal authorities: Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition), Article II, Section 15 of the Baltimore

MINUTES

DHCD - cont'd

City Charter, 2011 Edition; and Article 13 of the City Code.

(FILE NO. 57242)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the side yard land disposition agreement with Mr. Benjamin H. Lewis III, purchaser, for the sale of the property located at 438 E. Lafayette Avenue (Block 1096, Lot 001).

MINUTES

Department of Housing and - Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Park Heights Renaissance, Inc. The period of the agreement is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$90,648.00 - 2089-208912-5930-682162-603051

BACKGROUND/EXPLANATION:

The funds provided under this agreement will subsidize the organization's operating costs for one year. The organization will administer a rehabilitation deferred loan program for low and moderate-income owner-occupant households that reside in the Park Heights Stabilization Area, as defined by the Park Heights Master Plan. The organization will assist homeowners with developing rehabilitation specifications, cost estimation, contractor selection, and construction management.

On June 22, 2011 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 2011 Annual Action Plan for the following formula programs:

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

MINUTES

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2011 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, this agreement was delayed due to final negotiations and processing.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 57276)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Park Heights Renaissance, Inc. The Mayor **ABSTAINED.**

MINUTES

Department of Housing and - Local Government Resolutions
Community Development

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

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

1. **CARSON SCHOLARS FUND, INC.** **\$ 50,000.00**
(CITCP)

Carson Scholars Fund, Inc. located at 305 W. Chesapeake Avenue, Suite 310, Towson 21204, proposes the Ben Carson Reading Project. The project will encourage all children to strive for excellence and give teachers empowerment with a new program to help students learn. Parents will be given a tool to help them spend time with their children and to embrace books and the power of learning. A reading room will be provided where students and their families learn of Dr. Ben Carson's THINK BIG philosophy and hear his childhood story of struggle and perseverance.

Business leaders will have the opportunity to become school partners, volunteering as guest readers and providing support to allow the school to keep the Reading Project fresh. The desired outcome is that children who rank among the lowest reading levels will become proficient readers thus raising academic abilities in all subjects. Currently, there are 24 reading rooms in Baltimore City.

The Carson Scholars Fund, Inc. was co-founded by Dr. Ben Carson and his wife, Mrs. Candy Carson, to invest in children's minds. The Fund recognizes and rewards outstanding students in grades four to 12 with \$1,000.00 scholar awards invest for college. Scholar candidates must have at least a 3.75 grade point average and be strong humanitarians.

MINUTES

DHCD - cont'd

2. **AIRS INTERFAITH RESIDENTIAL SERVICES, INC. (AIRS)** **\$ 50,000.00**
(CITCP)

AIRS Interfaith Residential Services, Inc. located at 1800 N. Charles Street, Suite 700, Baltimore, 21201, proposes the CITY STEPS Project. The project targets "transition-age" youth and young adults engaged in street behavior that places them at risk of STDs, HIV, drug use and crime. CITY STEPS consists of a comprehensive array of housing and resources for homeless youth ages 14 to 24. Supportive housing programs are Permanent Housing, Baltimore County Samaritan, Un Nuevo Comienzo (A New Beginning), At the Door, Don Miller Homes, and Restoration Gardens. The sites where these programs are offered are Restoration Gardens, Carriage House and 20 scattered rental housing sites in Baltimore City.

AIRS was founded by the Central Maryland Ecumenical Council as the faith community's response to the AIDS epidemic. The first Don Miller House opened in 1988, served four men with end-stage AIDS. AIRS has expanded its program to provide supportive housing to the most vulnerable populations throughout Baltimore City and County. AIRS mission is to provide comprehensive supportive housing services to enhance the quality of life.

3. **FRANCISCAN CENTER, INC.** **\$ 30,000.00**
(CITCP)

The Franciscan Center, Inc. located at 101 W. 23rd Street, Baltimore, 21218, proposes the Support for the Responsive Services Department Project. The project will be used for the Responsive Services Department and will offer many programs that will assist clients in resolving emergency situations and lead them towards a more self-sufficient life. Many clients face eviction or are unable to pay for utility bills, medical supplies, dental work, prescriptions, transportation, obtaining identification cards or are without other basic needs. The programs offered are the Food Pantry, Lunch Program, Clothing/Hygiene, Baltimore City Health Department and Empowerment Services. The Responsive Services Department employs social workers, interviewers and a case manager.

MINUTES

DHCD - cont'd

The mission of the Franciscan Center, Inc. is to provide emergency assistance and supportive outreach to persons who are economically disenfranchised in an effort to assist them in realizing their self-worth and dignity as people of God.

4. **JOBLINK OF MARYLAND, INC.** **\$ 50,000.00**
(CITCP)

Joblink of Maryland, Inc., located at 122 Slade Avenue, Suite 100, Baltimore, 21208, proposes the Website Enhancement Project. The project will overhaul the existing organizational website to be more user-friendly, visually appealing and dynamic. The enhanced presence will also serve to reflect the professional capabilities of the organization as a resource for employers.

The enhanced website will serve to help manage job seeker information and job opening information in a more efficient way. A new website will also allow approved employers to input their job information.

Since 1997, Joblink of Maryland, Inc. has been serving the Baltimore community. The mission of Joblink of Maryland, Inc. is to support the employment objectives of its clients who are unemployed or underemployed. It also assists employers connect with candidates to help meet staffing needs, and to create and maintain partnerships with the local business community in order to link quality candidates to open positions.

5. **PLAYWORKS BALTIMORE** **\$ 20,000.00**
(CITCP)

Playworks Baltimore, located at 2601 N. Howard Street, Suite 310, Baltimore, 21218 proposes the Playworks Project. Playworks' coaches are key to the program's success and the people who implement the five component youth development curriculum. The purpose is to build young people's academic and life skills, provide them with meaningful roles and leadership opportunities and foster supportive relationships with peers and adults.

MINUTES

DHCD - cont'd

The mission of Playworks Baltimore is to improve the health and well-being of children by increasing opportunities for physical activity and safe meaningful play. Playworks Baltimore is the only nonprofit organization in the country maximizing recess for learning which stops chaos on school playgrounds, shifts behavior and accelerates learning in the classroom.

6. **BALTIMORE CLAYWORKS** **\$ 50,000.00**
(CITCP)

Baltimore Clayworks, located at 5706 Smith Avenue, Baltimore, 21209 proposes the Community Arts Satellite Initiative Project at the Zeta Senior Center, 4501 Reisterstown Road, Baltimore, 21215. The project will deepen Baltimore Clayworks' commitment and service to the Pimlico/Park Heights neighborhood through the expansion of the satellite studio at the Zeta Senior Center. This satellite studio is the second one being established in Baltimore City. Class sessions and sizes will be extended, as well as adding multi-generational classes that will bring youth and seniors together to learn from each other's skills and experiences. These classes will provide underserved youth and adults access to Baltimore Clayworks' art program in a safe environment.

The mission of Baltimore Clayworks is to develop, promote and sustain an artist-centered community, which provides exceptional artistic, educational and collaborative programs in the ceramic arts.

7. **MARIAN HOUSE, INC.** **\$ 35,000.00**
(CITCP)

Marian House, Inc. located at 949 Gorsuch Avenue, Baltimore, 21218 proposes the Marian House Transitional Housing and Support Services for Women and Children Project in the Better Waverly neighborhood. The project will serve previously homeless women and their children. The women who come to Marian House are all homeless and have limited or no income, struggle with addiction to either drugs and/or alcohol and are directly referred from the prison system or inpatient drug treatment programs. Services

MINUTES

DHCD - cont'd

provided are initial housing, meal provision, transportation, rehabilitation counseling, life skills training, job readiness and employment assistance. Other services include pre-GED education, financial guidance, a savings program, support in achieving family reunification, and assistance in finding and access to affordable permanent housing.

When a Marian House woman is ready to reunite with her children, she and her children may be able to move into one of Marian House's three (3) bedroom apartments for a period of up to two years. Women will continue to have access to the same support services, as well as individual and family therapy. A part-time child therapist will provide counseling programs, therapies and activities for the children. Last year, 85 women and 23 children were served by the program.

The mission of Marian House is to be a holistic, healing community for women and their children who are in need of housing and support services.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various local government resolutions. The Mayor **ABSTAINED** on item no.6.

MINUTES

Health Department - Notification of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the notification of grant award (NGA) from the Maryland Department of Aging. The period of the grant award is October 1, 2011 through September 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$1,478,699.00	-	4000-433512-3023-273300-404001
922,136.00	-	4000-432912-3252-514300-404001
664,912.00	-	4000-434312-3254-316200-404001
41,514.00	-	4000-436112-3255-316200-404001
452,597.00	-	4000-436112-3255-316200-404001
49,287.00	-	4000-433912-3023-273300-404001
\$3,609,145.00		

BACKGROUND/EXPLANATION:

This interim NGA is for approximately 3/4th of the FY 2012 Title III allocation. This grant is contingent upon approval of the FY 2012 Area Plan and also contingent upon the enactment of the FY 2012 Federal Appropriation of funds for the Administration of the Older Americans Act. When the final appropriation is enacted, the grant award will be revised. This NGA will allow the Baltimore City Health Department to provide coordinated and accessible services for seniors in Baltimore City.

The notification of grant award is late because it was just received.

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 the notification of grant award from the Maryland Department of Aging.

MINUTES

Health Department - Employee Expense Report

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense report for Ms. Laura Plasencia for the month of June 2011.

AMOUNT OF MONEY AND SOURCE:

\$68.00 - 4000-423112-3150-307900-603022

BACKGROUND/EXPLANATION:

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

The request is late because permission was being sought by the grantor, the Maryland State Department of Health and Mental Hygiene, to use the Centers for Disease Control Emergency Preparedness funding to reimburse the employee for the costs of renewal of her registered nurse license. Permission was granted in December 2011.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense report for Ms. Laura Plasencia for the month of June 2011.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 23 to Sabra, Wang & Associates, Inc. under Project 1074, On-call Consultant Services for Reconstruction Rehabilitation and/or Resurfacing Projects.

AMOUNT OF MONEY AND SOURCE:

\$327,740.60 - 9950-901773-9508-900020-703032

BACKGROUND/EXPLANATION:

This task assignment provides for design engineering services in connection with Roland Avenue and Northern Parkway Improvement and Traffic Calming.

The scope of work includes, but is not limited to Northern Parkway, Gilman and Bryn Mawr new intersection signalization and improvements, Roland Ave. improvements and resurfacing from Northern Parkway to Cold Spring Lane, Roland Avenue and Cold Spring Lane intersection improvements, and safety improvement in the Roland Park area.

The scope of services also includes new intersection configuration and design, left turn lane design, roadway design, pavement design, signing and pavement marking design, maintenance of traffic design, erosion and sediment control design, drainage design, stormwater management analysis and report, landscaping design, traffic signal design, including roadway lighting and bump-outs design, and ADA ramp upgrades.

MBE/WBE PARTICIPATION:

The Consultant will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE/WBE goals established in the original agreement.

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

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 360,514.66	9950-902436-9507	9950-901773-9508-3
Others	Constr. Reserve	Design & Studies
	Locust Point	Roland Ave. & Northern
	Access Road	Parkway Improvements

This transfer will fund costs associated with the award of task no. 23 on project 1074 to Sabra, Wang & Associates, Inc. for design work related to the Roland Avenue and Northern Parkway Improvements project.

(FILE NO. 55370)

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 23 to Sabra, Wang & Associates, Inc. under Project 1074, On-call Consultant Services for Reconstruction Rehabilitation and/or Resurfacing Projects. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 25 to KCI Technologies, Inc. under Project 1074, On-call Consultant Services for Reconstruction and Resurfacing, and/or Rehabilitation Services.

AMOUNT OF MONEY AND SOURCE:

\$129,960.98 - 2024-000000-5480-395700-609026

BACKGROUND/EXPLANATION:

This task assignment provides for additional manhole inspection and data collection in accordance with the protocols established in the earlier phase, along with supervised inspection crews and to provide project management and participation in progress meetings at the Conduit Division Office.

MBE/WBE PARTICIPATION:

The Consultant will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE/WBE goals established in the original agreement.

APPROVED FOR FUNDS BY FINANCE

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

(FILE NO. 55370)

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 25 to KCI Technologies, Inc. under Project 1074, On-call Consultant Services for Reconstruction and Resurfacing, and/or Rehabilitation Services.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 2 to A. Morton Thomas and Associates, Inc. under Project 1161, On-call Construction Project Management Services.

AMOUNT OF MONEY AND SOURCE:

\$150,000.00 - 9950-902256-9508-900010-705032
78,180.60 - 9950-904208-9514-900010-705032
\$228,180.60

BACKGROUND/EXPLANATION:

This task assignment provides for construction management services in connection with contract numbers TR 10301, North Charles Street Reconstruction and TR 08310, Rehabilitation of Central Avenue and Storm Drain.

MBE/WBE PARTICIPATION:

The Consultant will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE/WBE goals established in the original agreement.

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 the assignment of Task No. 2 to A. Morton Thomas and Associates, Inc. under Project 1161, On-call Construction Project Management Services.

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:

465 - 471

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of General Services

1.	GS 11830, Greyhound Station Demolition	Potts & Callahan, Inc.		\$1,227,000.00
	MBE:	Page Technologies, Inc.	\$236,768.15	19.30% ¹
		Chevy Chase Contract- ors, Inc.	11,500.00	.94%
		L & J Construction Services, Inc.	<u>70,820.00</u>	<u>5.77%</u>
			\$319,088.15	26.01%
	WBE:	William T. King, Inc.	\$ 30,380.00	2.47%
		Hardscapes Construc- tion, Inc.	<u>47,185.00</u>	<u>3.85%</u>
			\$ 77,565.00	6.32%

¹Page Technologies, Inc. is not in good standing with the Maryland Department of Assessments and Taxation. The bidder will be allowed to substitute an approved MBE if Page Technologies, Inc. is not in good standing at the time of award.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

THE TRANSFER OF FUNDS WAS APPROVED ON SEPTEMBER 14, 2011.

A PROTEST WAS RECEIVED FROM GOEL SERVICES.

President: "The second item on the non-routine agenda can be found on Page 39, item no. 1, GS 11830, Greyhound Station Demolition. Will the parties please come forward? You are back again."

Mr. Corey: "Yes. Thomas Corey, Chief of the Minority and Women's Business Opportunity Office. We are here on this matter of contract GS 11830. The MWBOO Office found the bid submitted by

MINUTES

Goel Services to be non-compliant because of the following: one, the Part B Statement of Intent Form for Danison that was included in Goel's submission, did not contain the dollar amount for the Scope of Services for which he retaining Danison, and that is a material defect in a submission on a goal bid submission. There is right next to the line where this dollar amount is to be placed; it tells the bidder that he must include the dollar amount if it is not a requirements contract. This is not a requirements contract, and so, it puts the bidder on notice that he has to put the dollar amount in there. We consider this a material defect in that, it is the only way that we can determine that the prime contractor and the sub contractor have negotiated a price for the Scope of Services for which the MBE is being retained. Secondly, the -- Goel put in their statement that the MBE would be doing landscaping, painting and masonry work. We can't substantiate that there is any painting or masonry work and we asked the agency whether or not painting was a part of this contract. It's not. So, we put on Goel's submission in non-compliance."

Mr. Goel: "Honorable President, members of the Board of Estimates, I am P.J. Goel. I am the President and an owner of Goel Services. Thank you very much for hearing my argument. I am not going to be as eloquent as Mr. Jolivet or Mr. Corey. I

MINUTES

have great respect for Mr. Corey. We submitted this bid and I have submitted the protest. There were two parts, two bases of what the MWBOO stated. One was, Part B Form which is the M/WBE Statement of Intent for Danison, African-American business. It is an MWBOO. It did not state or list the subcontract amount and secondly it said the services performed could not be substantiated. As I have written in the Executive Summary, just to try to keep to simple, on Part B there is no statement, this is the second page of their protest, there is no statement on the Part B Form that says that failure to submit both the percentage and the amount would deem the bid non-compliant and thus non-responsive. The MWBOO Bid forms which are included in Part D only request percentages to be filled out and do not even request amounts. Goel indicated by execution of Part B, which I signed personally and the owner of Danison signed, that Danison would be awarded 26% of Goel's contract amount. It is still our intent. It's what we intended to do. The contract contains standard unit pricing on two of the pages of the bid, which make the final amount of the work to be awarded as part of this contract unclear. If DGS says we need to award 200 units off the unit rate schedule, then we don't know what the final amount of the award will be. So, as far as uh you know if this is an MDOT or with the State, the State clearly says on their forms

MINUTES

that if failure to submit XY&Z would be grounds and deem a bid non responsive. There is nothing in the RFP or the bid that states anything to that effect. On their services performed that cannot be substantiated, the MWBOO has 400 service codes. These codes are like painting, landscaping, masonry, major items. On two of the drawing sheets, there the City of Baltimore requests that the contractor provide waterproofing and stucco installation. These are the closest category code of the 400 service codes as painting. This is a major dollar amount. I mean the Greyhound Station coming out, we have an adjacent building. They want the next door building to be finished when it's completed; waterproofed and completed before when the building is demolished. This is the service that Goel doesn't self performed, it's one that Danison does and as such we try to choose to closest service code that is applicable. I have included from the listing they are in alphabetical order what the different description codes are. You know its one single-- there are two single lines total on two drawing sheets which are worth over \$100,000.00 worth of work, and this is something that Danison does. We look to -- we hoped to subcontract to a great MWBOO certified firm. Danison was selected by Goel, with a M/WBE and prime contractor Statement of Intent notifying them that they were our selected contractor, contract Administrator in our

MINUTES

opinion and the MWBOO based on as Mr. Corey said he went back to DGS and said is there painting. I think a two second phone call to say why did we include painting? So that this could have all been clarified, could have prevented us wasting the Board's time, valuable time. I think that this is a simple item and one that shouldn't be to harm for Danison or for Goel. Our request really is the way that there have been errors in the assessment. We would ask that this get kicked back to DGS and MWBOO and award of the project be made at a savings of \$167,000.00 to Goel Services, contingent upon compliance. To ensure that Baltimore gets what they are paying for, Goel complies with the requirements set forth and that the taxpayers are relieved of the \$167,000.00 in excessive spending."

Mr. Corey: "Mr. President, I would point out to the Board that on the Part B form it says quite clearly 'if this is a requirements contract, the subcontractor may be omitted. However, if the subcontract percentage -- however, the subcontract percentage must be included if it's not a requirements contract.' It is your understanding that this is not a requirements contract, is that correct?"

Mr. Goel: "By the basis of adding unit rates, it became a requirement. It became partly to fix scope with unit rates."

Mr. Corey: "No that is not correct. I am --."

MINUTES

Mr. Goel: "I think that there are two pages in this contract that clearly asks for the contractor to provide unit rates. I am not to sure how we know what the final award amount will be, if there are unit rates. All we ask is contingent upon compliance. We will be in compliance. We are in compliance. We meet the goals and we save the City \$167,000.00."

City Solicitor: "I mean we don't like to spend an extra \$167,000.00, but I think we have a history of fairly strictly enforcing this requirement that the dollar amount of the subcontract for an MBE/WBE be included."

President: "Okay, I will entertain a Motion."

City Solicitor: "I will MOVE to deny the bid protest and accept the agency recommendation."

President: "All in favor say AYE."

Mayor: "AYE."

Director of Public Works: "AYE."

President: "Those opposed NAY. The Motion carries. Thank you."

* * * * *

Corporate Headquarters
6201 Dix Street, NE
Washington, DC 20019
202.457.0111 Telephone
202.457.0105 Facsimile



Baltimore Office
5209 York Road; Suite A4
Baltimore, MD 21212
443.835.3415 Telephone
202.457.0105 Facsimile

February 6, 2012

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

CONTRACT/BID: Greyhound Station – Demolition; Contract: # GS 11830

RE: Protest against award of this project to any other firm other than Goel.

Dear Honorable President and Members of the Board of Estimates:

Goel Services, Inc., ("GOEL") hereby protests the award of the above referenced contract (the "Contract") to Potts & Callahan ("POTTS"), or to any firm, other than Goel.

Goel price submitted was \$1,057,593.00, compared to Potts price of \$1,227,000.00, which is **\$169,407** greater than Goel's price.

What are the issues identified by the Contract Administrator:

On December 19, 2011, GOEL received a letter from Ms. Pattison that our bid submission package is "non-compliant" because of the following two issues:

1. On Part B: Statement of Intent for Danison, Inc., the Bidder did not list the Subcontract amount
2. Also, the services performed cannot be substantiated.

To date, GOEL, which is also MWBOO MBE certified has not been afforded an opportunity to discuss or meet with MWBOO or DGS in regards to the error filled "non-compliant" letter issued on December 19, 2011. An executive summary, followed by a detailed full description of the reasons why GOEL was compliant and why GOEL should be awarded this project are herein enclosed.

EXECUTIVE SUMMARY OF BID PROTEST

Both of the two items stated in the December 19, 2011 "non-compliant" letter are in error and we request the board make award to GOEL "contingent on compliance" and save Baltimore \$169,407 as the following are the true facts:

"On Part B: Statement of Intent for Danison, Inc., the Bidder did not list the Subcontract amount"

THE FACTS:

GOEL's subcontract percentage to Danison, Inc. was included on Part B Form which indicated to be 26% which is equal to the goal for MBE for this project.

- a. There is no statement on the Part B Form that states that failure to submit both the percentage and the amount would deem the bid "non-complaint" and thus "non-responsive"
- b. MWBOO bid forms such as Part D only request percentages to be filled out and do not even request amounts.
- c. GOEL indicated by execution of the Part B form that Danison, Inc. would be awarded 26% of the total GOEL contract.
- d. This contract contains standard unit pricing on pages 00300-6 & 00300-7 which make the final amount of work to be subcontracted variable or a requirement contract until the award is made. For example, if DGS knows that it will execute any item from the unit rates as part of the award, the contract amount will change from the amount listed on page 00300-1 which is \$1,057,593.
- e. The Contract Administrator and MWBOO have made an error on their evaluation and are attempting to deny both GOEL and DANISON the opportunity to perform work and increase the cost to the city by \$169,407. Both GOEL and DANISON are MWBOO MBE certified.

"Services performed cannot be substantiated"

THE FACTS:

MWBOO has a total of 400 service codes. There is no service code issued by MWBOO for two major scope elements of this project which are Waterproofing and Stucco.

- a. Drawing Sheet C-104 & C-105 general Note C-8 identifies that Waterproofing and Stucco must be installed. Danison, Inc. performs these scopes of work which GOEL does not perform and quoted on the work. The closest similar service code is "painting" which Danison has in its service description.
- b. As such Danison was selected by Goel with a MBE/WBE AND PRIME CONTRACTORS STATEMENT OF INTENT agreement identifying them as the selected contractor.
- c. The Contract Administrator and MWBOO have made an error on their evaluation and are attempting to deny both GOEL and DANISON the opportunity to perform work and increase the cost to the city by \$169,407. Both GOEL and DANISON are MWBOO certified.

RELIEF REQUESTED:

As there are major errors in the assessment by DGS and MWBOO, we request Goel be awarded this project "Contingent upon Compliance" to ensure that Baltimore gets what it is paying for and that Goel complies with the requirements set forth in this contract.

“Part B on the Statement of Intent for Danison, Inc did not list the subcontract amount”

FULL DESCRIPTION

Goel listed a percentage of subcontracting to Danison, Inc. “DANISON” and listed an amount of 26%. This is equal to the minimum goal and based on our bid price of \$1,057,000.00 the value at 26% would equal \$274,820. Danison’s quote was for \$275,000; it is herein attached with this protest.

This contract contains standard unit pricing on pages 00300-6 & 00300-7 which make the final amount of work to be subcontracted variable or a requirement contract until the award is made and a sum certain amount is designated by DGS. For example, if DGS knows that it will execute any item from the unit rates as part of the award, the contract amount will change from the amount listed on page 00300-1 which is \$1,057,593. Some the unit rates which make this a requirements contract are listed below. GOEL does not know what value DGS will make award on this contract due to the unit rates.

In all instances when the Engineer, with the approval of the Director, Department of General Services, orders extra work to be performed and/or orders alterations, changes, additions and/or omissions to be made in the work, in accordance with Paragraph 14 of the General Conditions of the Specifications, the unit prices set out in the following schedule shall prevail:

A. Price per cubic yard for earth excavation in general; including disposal of the excavated material either on or off the site, and/or placing the excavated material in compacted fill, as directed by the Engineer	\$20.00
B. Price per cubic yard for pit and trench excavation, either hand or machine, in material other than rock; including all required pumping, sheeting, sheet piling, bracing and shoring; compacted backfill using the excavated material and disposal of all surplus excavated material either on or off site as directed by the Engineer.	\$47.50
C. Price per cubic yard of pit and trench excavations in rock; including all required blasting, drilling, hand tool wedging, pumping, bracing, shoring, compacted backfill using approved material available on the site, and disposal of all excavated rock either on or off the site, as directed by the Engineer.	\$140.00
D. Concrete Material and Installation	
1. Concrete material costs for the actual amount of additional concrete placed will be paid for at the per-yard amount shown on the supplier's invoice plus an additional 10% to cover all overhead and profit for the same.	
2. Installation costs per cubic yard of concrete in place will be paid as follows:	
a. Placement of footings, pedestals, grade beams, and pile caps, including curing but excluding forms and reinforcing	\$45.00
b. Placement of walls and columns placed at elevations not higher than 5 feet above grade, including curing and finishing of vertical services, but excluding forms and reinforcing	\$35.00
E. Price per pound of reinforcing steel place including all required accessories, bracing, shores and stripping	\$.76
F. Price per square foot of concrete contact area for forms in place, including all required accessories, bracing, shores and stripping	
1. Footings, grade beams and pile caps	\$4.15
Walls, columns and other vertical surfaces not higher than 5 feet above grade including steel column encasement.	\$6.10

00300 - 6

Attached is the Part B: MBE/WBE AND PRIME CONTRACTORS STATEMENT OF INTENT. As agreed and submitted to City of Baltimore, DANISON and GOEL agree that DANISON would perform 26% of the contract or \$274,820 at minimum. There is no indication in the bid docs, the RFP or on the forms itself that failure to fill in "Subcontract Amount" is a basis of "non-compliance" and as such on this issue we ask that the Board award this contract to Goel "Contingent upon Compliance". As GOEL meets the MWBOO compliance goals, Goel will be in compliance for this project and the City of Baltimore and State of Maryland taxpayers will save \$169,407 on this project.

CONTRACT NO. GS11830

PART B: MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT

COMPLETE A SEPARATE FORM FOR EACH MBE AND WBE NAMED IN THIS BID.
(Make additional copies of this form as needed.)

PART A: INSTRUCTIONS MUST BE REVIEWED BEFORE COMPLETING THIS FORM, WITH PARTICULAR ATTENTION PAID TO SECTIONS 2, 6a, AND 6c.

Name of Prime Contractor: Goel Services, Inc.
Name of MBE or WBE: DANISON INC.

Brief Narrative Description of the Work/Service to be performed by MBE or WBE:
Painting; Masonry; Landscaping

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ _____ (If this is a requirements contract, the subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 26 %

(If MBE sub-goals apply, please indicate the sub-goal covered by this Statement of Intent.)

African American..... % Asian American... %
Hispanic American.... % Native American. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore. The subcontractor is currently certified as an MBE or WBE with the City of Baltimore Minority and Women's Business Opportunity Office to perform the work described above.

Signature of Prime Contractor (REQUIRED) _____ Date 11/7/11
[Signature] _____
Signature of MBE or WBE (REQUIRED) _____ Date 11/4/11

ANY CHANGES TO THE INFORMATION ON THIS FORM MUST BE INITIALED BY BOTH PARTIES

00300-17

DANISON QUOTE PRIOR TO BID – HIGHLIGHTED TO SHOW THE SCOPE OF WATERPROOFING.



DANISON
construction

4724 Gateway Terrace
Baltimore, MD 21227
410.501.3383 phone/fax

Date: Sept 27, 2011

Bid: GS-11830 – Greyhound Bus Demolition

Danison Inc., proposes the following scope:

Sheet C-104

C-1 – Provide 4' Tall ornamental fence

C-2 – Provide Gate in Ornamental Fence

C-4 – Repair/Replace Existing Chain Link Fence

C-5 – Repair/Replace Existing Gate in Chain Link Fence

C-8 - Waterproof and provide a stucco finish to walls of adjacent building to remain which are exposed as a result of demolition

Sheets S101 and S103

Timber Retaining Wall for Electrical Vault and bracing – four sides per drawings.

Exclusions

Excavation & Backfill

Contract on AIA form

Price: \$275,000

Thank you,

Tony Daniels
(301) 537-3537

MWBOO# 10-357877 exp. March 18, 2012

PART D: MBE/WBE PARTICIPATION WAIVER REQUEST FORM

Name of Bidder (Proposer) Goel Services, Inc.
Address 6201 Dix Street, NE Washington, DC 20019

Contracting Agency:
Contract (Project) Number and Title: (See at top of this page.)
Bid Due Date: (See at top of this page.)

Goals on this contract: MBE: 26% ...and... WBE: 5%
African American..... N/A % Asian American N/A %
Hispanic American.... N/A % Native American N/A %

I have achieved:..... MBE: 26% ...and... WBE: 5%
African American..... % Asian American %
Hispanic American.... % Native American %

I am requesting a waiver of:..... MBE: % ...and... WBE: %
African American..... % Asian American %
Hispanic American.... % Native American %

I have contacted MWBOO for assistance. Yes No (Check One)

Number of MBE firms contacted: _____ (Attach a list of names.)
Number of WBE firms contacted: _____ (Attach a list of names.)

Explain why waiver is being requested:

Attach documentation of your good faith efforts to secure, contact and negotiate with MBEs and WBEs, including:

- (1) The reasons your company is unable to secure sufficient MBE/WBE participation to meet the stated goals.
- (2) The efforts made by your company to select portions of the contract to be performed by MBEs and WBEs
- (3) For each MBE or WBE that placed a bid that you consider to be unacceptable, a statement that explains the basis for that conclusion.

Piyush J. Goel
Signature of Authorized Company Representative President

11/7/11
Date

"Services performed cannot be substantiated"

FULL DESCRIPTION

Fundamentally, the MWBOO did not understand the scope of this project and it does not have a proper service code for the work which DANISON was listed to perform. Instead of contacting GOEL or DANISON for clarification, they made a mistake which is why this protest is before you and thus is the reason why you should make award to GOEL "contingent upon compliance" which is one of the three options afforded to the board.

After receiving the "non-compliant" letter (See attached at end of this document) from Ms. Patterson on December 19, 2011, Goel contacted the City of Baltimore, MWBOO Office and spoke with Ms. Stephanie Pringle, who informed us that they could not find the "scope of work" for painting services listed for Danison, Inc. She stated painting is not part of the scope of work. We informed her that "waterproofing and stucco" per Sheet C-104 and C-105 of the drawings – general note C-8 is applied by brushing, plastering and rolling in the same means and methods as painting and drywall repair and that Baltimore does not have an applicable "service code" for waterproofing and stucco installation.

Out of the 400 service category issued by MWBOO, there is no service code for waterproofing or stucco so the closest description recognized by MWBOO is "Painting" which is what GOEL used when listing DANISON. The waterproofing and stucco requirement is described in note C-8 sheet C-104 & C-105(cropped section attached). Ms. Pringle also stated that there was nothing for us to do until we hear from the Department of General Services Contract Administrator.

On Feb. 2nd we received a "courtesy" call from Ms. Cindy Pattison stating that the award of project is scheduled to be on the February 8, 2012 Board of Estimates agenda. The call and the letter from City of Baltimore DGS made indication that the award would be to a contractor other than Goel, which is what Goel is protesting. The letter which we received on December 19, 2011 does not state that an award would be to another contractor.

Goel feels that this contract should be awarded on the basis of "contingent of compliance" as GOEL is in compliance and MWBOO was in error for stating that the scope quoted by Danison does not exist or could not be found and that the amount which GOEL listed on Form B through the percentage amount was grounds for being both "non-compliant" and thus "non-responsive".

"Painting" is the closest category recognized by MWBOO as waterproofing and stucco due to that it is applied with the same means and methods as painting which requires plaster repair.

There are a total of 400 Service Codes per the Baltimore Law Department - Minority and Women's Business Opportunity Office (MWBOO) Certification Directory.

***Stucco and Waterproofing are not one of the 400 codes. Excepts are listed below from the code

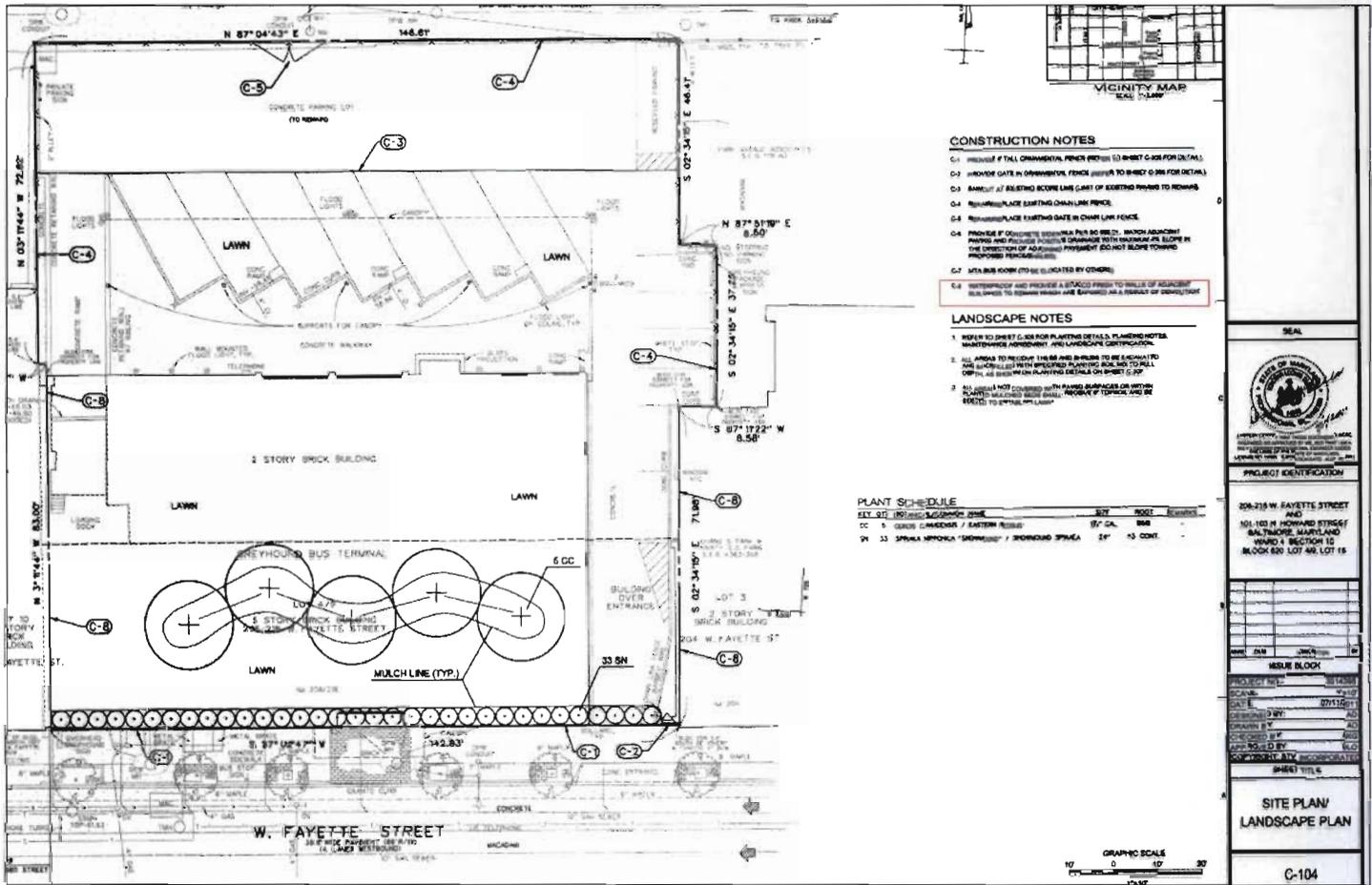
CATEGORY	CODE	DESCRIPTION
PROF SERVICES	0400ZJ	SOFTWARE/SYSTEMS ENGINEERING
COMMODITIES	02012O	SPECIALTY FOOD ITEMS
PROF SERVICES	04010K	SPEECH THERAPY
COMMODITIES	02006E	SPORTING
COMMODITIES	2020	SPORTING, RECREATIONAL & PLAYGROUND EQUIPMENT/SUPPLIES
SERVICES	05001C	SPRINKLER
SERVICES	5024	STORAGE AND WAREHOUSING
SERVICES	05050D	STRIPING (PARKING LOTS)
PROF SERVICES	04007G	STRUCTURAL
CONSTRUCTION	1013	STRUCTURAL STEEL ERECTION AND REINFORCING
SERVICES	05009J	SUPERMARKET
COMMODITIES	02009B	SUPPLIES
COMMODITIES	02012R	SUPPLIES
COMMODITIES	02010C	SUPPLIES
COMMODITIES	02011B	SUPPLIES
PROF SERVICES	4032	TAPE TRANSCRIPTION
PROF SERVICES	04001C	TAX PLANNING

NO STUCCO CODE

CONSTRUCTION	01050B	UTILITY POLES
PROF SERVICES	04007J	VALUE
SERVICES	05026G	VAN SERVICE
SERVICES	05009F	VENDING MACHINES
PROF SERVICES	04002D	VIDEO
PROF SERVICES	04002G	VISUAL DESIGN
PROF SERVICES	04005K	VOCATIONAL & CAREER COUNSELING & ASSESS
PROF SERVICES	04010H	VOCATIONAL REHABILITATION
SERVICES	05022C	VOICE STRESS ANALYZER
SERVICES	05028F	WASTE REMOVAL
PROF SERVICES	04007H	WATER AND WASTE WATER
COMMODITIES	02005E	WATER TREATMENT
COMMODITIES	02019D	WEAPONS
CONSTRUCTION	1019	WELDING

NO WATERPROOFING CODE

Sheet C-104 – Sheet C-8. – Cropped Section



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BALTIMORE

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Minority and Women's Business Opportunity Office

SECTION MENU

MBEs and WBEs

Certification Process

APPLICATIONS

MBE/WBE Certification Application

MBE/WBE Re-Certification Application

Law Department - Minority And Women's Business Opportunity Office

Search Again

MWBOO Certification Directory: Search Results

Search Keyword for Company: "Danison and Type of Business: All" at 2/6/2012 9:38:07 AM

--- 1 companies found. [Export the result to Excel](#) OR [Print as PDF](#)

Company:	Danison, Inc.--(MBE)--African American-- Cert#: 10-357877
Name:	Tony Daniels
Address:	4724 Gateway Terrace, Baltimore, Md 21227-
Phone:	Phone: (410)501-3383 Fax: (410)501-3383
Email:	
Description:	Service Description: CONSTRUCTION MANAGEMENT, DRYWALL, CARPENTRY, FRAMING, CEILINGS, DOORS AND WINDOWS, FLOORING, PAINTING, MASONRY, LANDSCAPING
Expire Date:	Mar 18 2012
Extension Date:	

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CONTACTS

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 100 N. Holliday Street
 Suite 101
 Baltimore, MD 21202
 (410) 396-3297
[Email Us](#)

Minority & Women's Business Opportunity Office
 City Hall, Room 101
 100 N. Holliday Street
 Baltimore, MD 21202
 (410) 396-4355
[Email Us](#)

CITY OF BALTIMORE
STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF GENERAL SERVICES

800 Abel Wolman Municipal Building
200 N. Holliday Street
Baltimore, Maryland 21202

December 19, 2011

Goel Services, Inc.
6211 Dix Street, NE
Washington, DC 20019

RE: GS 11820 – Greyhound Station - Demolition

Dear Sir or Madam:

On December 16, 2011, the City of Baltimore Minority and Women's Business Opportunity Office (MWBOO) found your bid submission package for GS11820 - Greyhound Station - Demolition to be non-compliant. On Part B: Statement of Intent form for Dansion, Inc., the Bidder did not list the Subcontract amount. Also, the services to be performed cannot be substantiated.

If you require further clarification of this decision, please contact the Minority and Women's Business Opportunity Office at (410) 396-4355. As a courtesy, your firm will be contacted by the Office of Contract Administration prior to the recommendation to award this contract.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cindy Pattison".

Cindy Pattison
CONTRACT ADMINISTRATOR

Cc: John Carter
Kathy Robertson
File

Visit our website at
www.BaltimoreCity.gov

How the protestant will be harmed by the proposed Board of Estimates' action.

Goel Services, Inc. a MWBOO MBE will be harmed irreparably if award is made to any other company other than Goel Services on this project as GOEL will lose credibility within the subcontractor marketplace in order to work with MWBOO certified MBE and WBE exclusively.

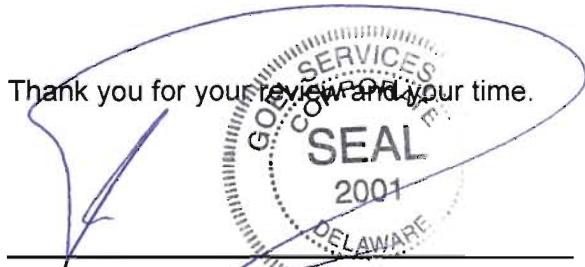
On this project, GOEL was able to persuade a small MBE (DANISON) to spend their overhead resources dollars to bid this project at their cost and exclusively price this work to GOEL based on GOEL's competitive track record in Baltimore. If the Board of Estimates, deems that a compliant GOEL and DANISON are deemed "non-responsive" due to errors by DGS and MWBOO, we will not be able to persuade others to work with GOEL. The competitive ability of GOEL and its ability to work exclusively with MBE's and WBE's on this project alone will save the tax payers over \$169,407 on this project alone.

Secondly, based on other contracts where the contract have been awarded "contingent upon compliance" Goel has started to amass the steel by salvaging the necessary steel for the shoring on this project at an increased cost of ~\$15k. Lastly Goel Services has bid estimate and preparation costs in excess of \$6k.

Final Closing:

Goel Services is not seeking a waiver and is seeking to comply with all requirements on this project. We will comply, our bid is in compliance; and had Goel Services been afforded a simple telephone call to discuss this matter, we would not be wasting the Boards precious time and Goel Services would be the contractor that DGS would be recommending for award at a saving of \$169,407. We hope and pray that the Board will review our protest and come to the conclusion that Goel Services, Inc. will be in compliance and is in compliance and that Goel Services should be awarded this project "Contingent upon Compliance" so that we may work with DGS and MWBOO to work out the issues that made DGS write a letter of "non-compliance" on December 19, 2011.

Thank you for your review and your time.



Respectfully submitted by Piyush J Goel, the President & CEO
which represents Goel Services on the aforementioned bid protest.

26-12

Date

***** IF YOU HAVE ANY QUESTIONS I WILL BE IN ATTENDANCE *****



**CITY OF BALTIMORE
DEPARTMENT OF GENERAL SERVICES**

TABULATION OF BIDS

CONTRACT NO: GS11830

GREYHOUND STATION DEMOLITION

BIDS OPEN DATE: 11/9/2011

ENGINEER'S ESTIMATE: \$2,197,442.53

BIDDER	AMOUNT	% OF ESTIMATE
Goel Services, Inc.	\$1,057,593.00	48.13
Potts & Callahan	\$1,227,000.00	55.84
K&K Adams, Inc.	\$1,545,700.00	70.34
P&J Contracting Co., Inc.	\$1,642,700.00	74.76

ADMINISTRATOR: Cindy Pattison

396-1733

CONTACT PERSON: John Carter

545-6071

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|--------------------|-----------------|
| 1. <u>CUMMINS POWER SYSTEMS, LLC</u> | <u>\$24,000.00</u> | <u>Increase</u> |
| Solicitation No. B50001550 - OEM Parts and Service for Onan and Cummins Generators - Department of General Services - Req. No. P514551 | | |

On August 18, 2010, the Board approved the initial award in the amount of \$24,000.00. Additional funds are necessary due to an increased demand for these items. This increase in the amount of \$24,000.00 will make the award amount \$48,000.00. The contract will expire on August 23, 2013.

- | | | |
|--|--------------------|------------------|
| 2. <u>YELLOW TRANSPORTATION</u> | <u>\$ 2,400.00</u> | <u>Extension</u> |
| Solicitation No. 06000 - Transportation Service for Infants and Toddlers Center - Health Department - Req. No. P511939 | | |

On February 11, 2009, the Board approved the initial award in the amount of \$15,000.00. The award contained renewal options. Subsequent actions have been approved. An extension is needed to allow this requirement to be competitively bid. The period of the extension is February 11, 2012 through May 10, 2012.

- | | | |
|---|--------------------|----------------|
| 3. <u>THE GARRISON COMPANY</u> | <u>\$17,079.00</u> | <u>Renewal</u> |
| Solicitation No. B50001317 - Mowing and Landscaping Service - Enoch Pratt Free Library - Req. No. R536562 | | |

On March 17, 2010, the Board approved the initial award in the amount of \$17,079.00. The award contained four 1-year renewal options. This renewal in the amount of \$17,079.00 is for the period April 5, 2012 through April 4, 2013, with two 1-year renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|--------------|----------|
| 4. HARBOR TRUCK SALES &
SERVICE, INC. d/b/a
BALTIMORE FREIGHTLINER | \$438,468.00 | Increase |
|--|--------------|----------|
- Solicitation No. B50001939 - Tandem Wheel Dump Trucks -
Department of General Services, Fleet Management - Req. No.
R591336

On May 25, 2011, the Board approved the initial award in the amount of \$292,312.00. An increase is necessary to purchase three additional trucks. This increase in the amount of \$438,468.00 will make the award amount \$730,780.00. The contract will expire on May 24, 2012.

MWBOO GRANTED A WAIVER.

- | | | |
|--|---------|---------|
| 5. CUMMINS COOLING PRODUCTS
t/a CUMMINS RADIATOR, CO.
AND ABC RADIATOR | \$ 0.00 | Renewal |
|--|---------|---------|
- Solicitation No. B50000633 - Automotive Radiators and Heaters
- Department of General Services, Fleet Management - P.O.
Nos. P505706 and P505709

On December 10, 2008, the Board approved the initial award in the amount of \$1,000,000.00. The award contained two 1-year renewal options. This renewal is for the period February 29, 2012 through February 28, 2013, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|--------------|----------|
| 6. CHESAPEAKE FORD TRUCK
SALES, INC. | \$376,506.00 | Increase |
| Solicitation No. B50001961 - Conventional Cab Air Compressor
Truck - Department of General Services, Fleet Management -
Req. Nos. 594675 and R594050 | | |

On June 22, 2011, the Board approved the initial award in the amount of \$251,004.00. An increase is necessary to purchase three additional trucks. This increase in the amount of \$376,506.00 will make the award amount \$627,510.00. The contract will expire on June 21, 2012.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 7. GLOBAL MESSENGER
CORPORATION | \$ 35,957.00 | Renewal |
| Solicitation No. B5000908 - Provide Courier Service - Health
Department - P.O. No. P512262 | | |

On February 18, 2009, the Board approved the initial award in the amount of \$11,257.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$35,957.00 is for the period February 11, 2012 through February 10, 2013.

MWBOO SET MBE AND WBE GOALS AT 0%.

- | | | |
|---|--------------|----------|
| 8. VALLEY SUPPLY AND
EQUIPMENT COMPANY, INC. | \$ 75,000.00 | Increase |
| Solicitation No. 06000 - O.E.M. Parts and Service for JCB &
Lee Boy Equipment - Department of General Services, Fleet
Management - P.O. No. P510150 | | |

On September 2, 2009, the Board approved the initial award in the amount of \$150,000.00. Due to increased usage of parts and service from this vendor, additional funds are required. This increase in the amount of \$75,000.00 will make the award amount \$225,000.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 9. TURF EQUIPMENT AND
SUPPLY COMPANY | \$300,000.00 | Renewal |
|---|--------------|---------|
- Solicitation No. 08000 - O.E.M. Parts and Service for Toro Equipment - Department of General Services, Fleet Management - P.O. No. 507496

On April 1, 2009, the Board approved the initial award in the amount of \$120,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$300,000.00 is for the period March 24, 2012 through March 23, 2013, with one 1-year 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 the equipment and/or service is recommended.

MINUTES

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

12. LITECAST/BALTICORE,	\$171,000.00	Selected Source/ Agreement
LLC		

Solicitation No. 06000 - 200Mbps Fast Ethernet Internet
Connection Agreement - Mayor's Office of Information
Technology - Req. Nos. Various

The Board is requested to approve and authorize execution of an agreement with Litecast/Balticore, LLC. The period of the agreement is effective upon Board approval for five years with three 1-year renewal options.

On September 1, 2010, the Board approved the initial award in the amount of \$21,600.00. On August 31, 2011, the Board approved a subsequent extension in the amount of \$17,100.00 to maintain the critical 200Mbps Fast Ethernet Internet Connection service while a new agreement was established. Due to the current integration of the City network, the considerably higher cost of establishing new fiber connectivity locations, and the substantial roll-out costs in switching providers, no advantage would be gained from soliciting bids.

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.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

13. MID-ATLANTIC WASTE SYSTEMS	\$ 20,000.00	
TIPCO TECHNOLOGIES, INC.	15,000.00	
LEWIS-GOETZ AND COMPANY, INC.	5,000.00	
	<u>\$ 40,000.00</u>	Renewal

Solicitation No. B50001873 - Sewer Cleaning Equipments - Department of Public Works, Bureau of Water and Wastewater - P516768, P516769 and P516767

On April 13, 2011, the Board approved the initial award in the amount of \$40,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$40,000.00 is for the period March 31, 2012 through March 30, 2013, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

14. VALLEY CHEVROLET	\$ 500,000.00	
APPLE FORD	0.00	
HERITAGE AUTOMOTIVE	500,000.00	
PACKER NORRIS PARTS	0.00	
AL PACKER'S WHITE MARSH	0.00	
FORD, LLC	0.00	
	<u>\$1,000,000.00</u>	Renewal

Solicitation No. B5000665 - Automotive OEM Parts and Service - Department of General Services - P.O. Nos. P505766 and P505763

On December 10, 2008, the Board approved the initial award in the amount of \$10,000,000.00. The award contained two 1-year renewal options. On August 10, 2011, the Board approved an increase in the amount of \$1,920,000.00. This renewal in the amount of \$1,000,000.00 is for the period April 1, 2012 through March 31, 2013, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
<u>Bureau of Purchases</u>		
15. AIRGAS-EAST	\$ 4,710.00	Ratification
	<u>11,957.00</u>	Term Purchase
	<u>\$16,667.00</u>	Order

Solicitation No. 06000 - Welding Gases - Department of
Recreation and Parks - P.O. No. P505166

On November 5, 2008, the Board approved the initial three year contract, B50000625 in the amount of \$50,000.00. Due to an administrative error, contract no. B50000625 for Welding Gases expired on November 4, 2011 with two 1-year renewal options remaining. However, the vendor continued to supply services to meet the City's needs. It is requested that the expenditures from November 5, 2011 through January 24, 2012 be ratified, and that a term purchase order be approved under the same terms and conditions as B50000625 for the period January 25, 2012 through November 4, 2012, with one 1-year 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 the equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Purchases

16. STATIC POWER CONVERSION

SERVICES, INC.	\$131,810.00	Increase
<hr/>		
Solicitation No. B50000752 - APC-Uninterrupted Power Supply Setup & Preventive Maintenances Services - Req. No. R508017		

On February 25, 2009, the Board approved the initial award in the amount of \$131,810.00. On March 10, 2010, the Board approved an increase in the amount of \$131,810.00. On April 07, 2010, the City Purchasing Agent approved an increase in the amount of \$14,000.00. Additional funding is required due to an increased demand for these services. Therefore, the Board is requested to approve an increase for the amount of \$131,810.00 to cover the period of February 25, 2012 through February 24, 2013, making the total award \$409,430.00.

MWBOO SET MBE AND WBE GOALS AT 0%.

17. VWR International, LLC
PARA SCIENTIFIC CO.
FISHER SCIENTIFIC, LLC
COMADE, INC.

\$ 7,672.00	Ratification
<u>64,328.00</u>	Term Purchase
<u>\$72,000.00</u>	Order

Solicitation No. 06000 - Laboratory Consumables and Drug - Reagents - Police Department - P.O. Nos. P515738, P515739, P515740 and P515741

Due to an administrative error, contract no. B50001657, Laboratory Consumables and Drug Reagents expired on December 31, 2011 with four 1-year renewal options remaining. It is requested that the expenditure from January 1, 2012 through February 8, 2012 be ratified and a term purchase order be approved under the same terms and conditions as B50001657 for the period February 9, 2012 through December 31, 2012.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards and increases and Extensions to Contracts. UPON FURTHER MOTION duly made and seconded, the Board approved and authorized execution of the agreement with LITECAST/Balticore, LLC (Item No. 12). Item no. 11 was **WITHDRAWN**. The President **ABSTAINED** on items no. 12 and 13. The Comptroller **ABSTAINED** on item nos. 4, 10, and 11.

MINUTES

TRAVEL REQUESTSDepartment of Finance

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Andrew W. Kleine	106 th Government Financial Officers Assoc. Annual Conference Chicago, IL June 8 - 12, 2012 (Reg. Fee \$380.00)	General Fund	\$1,757.60

The Department has prepaid the registration in the amount of \$ 380.00 on a City issued credit card assigned to Mr. Andrew W. Kleine. The disbursement to Mr. Kleine will be in the amount of \$997.60.

Mayor's Office of Neighborhoods

2. Kevin D. Cleary	Public Health Preparedness Summit Anaheim, CA Feb. 21 - 24, 2012 (Reg. Fee \$400.00)	Grant Funds	\$1,526.46
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The Office has prepaid the airfare in the amount of \$411.20, as well as the hotel cost in the amount of \$442.26 including occupancy taxes in the amount of \$67.26, on a City issued credit card assigned to Ms. Kathe Hammond. The disbursement to Mr. Cleary will be in the amount of \$605.74.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Fire Department</u>			
3. Vanessa Burrell	Frederick County Fire & Rescue Dept. Basic Designated Infection Control Officer Course Winchester, VA Feb. 17 - 19, 2012 (Reg. Fee \$125.00)	FY 2009 Metro- politan Medical Response Systems	\$ 343.00
4. Jennifer Triaca Kimberly Webb	Medical Specialist Course Las Vegas, NV Feb. 26 - Mar. 3, 2012 (Reg. Fee \$1,700.00 ea.)	USAR Task Force	\$6,841.60

The Department is requesting an additional \$214.00 to cover the costs for a rental car. The rental car is necessary to carry the equipment required for training.

5. Robert Maloney* Nicole Errett Connor Scott* Chi-Poe Hsia**	Public Health Preparedness Summitt 2012 Anaheim, CA Feb. 20 - 25, 2012 (Reg. Fee *\$400.00 ea., **\$500.00)	FY 2009 Metro- politan Medical Response System	\$6,680.13
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The Department is requesting an additional \$235.94 to cover the costs for a rental car. The rental car is necessary for Mr. Robert Maloney to make educational site visits to Emergency Operation Centers in the area. He will submit receipts for gas expenses upon his return.

Per AM-240-8, 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 REQUESTSOffice of the City Council President

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
6. Bernard C. "Jack" Young Carolyn Blakeney*	International Council of Shopping Centers Conference Las Vegas, NV May 20 - 24, 2012 May 18 - 24, 2012* (Reg. Fee \$450.00 ea.)	General Funds	\$4,472.00

The subsistence rate for this location is \$170.00 per day. The hotel cost is \$225.00 per night not including occupancy taxes in the amount of \$29.40 per night and a resort fee in the amount of \$20.00 per day. The Office is requesting an additional \$75.00 per day to cover the cost of the hotel and \$40.00 per day to cover the cost of meals and incidental expenses. All expenses are included in the total. Ms. Blakeney will be arriving two days earlier to the conference at her own expense for lodging.

The Office has prepaid the registration in the amount of \$450.00 per attendee as well as the airfare in the amount of \$528.40 each on a City issued credit card assigned to Mr. Hosea Chew. The disbursement to Mr. Young and Ms. Blakeney will be in the amount of \$1,257.60 each.

The Board, UPON MOTION duly made and seconded, approved the travel requests. The President **ABSTAINED** on item no. 6.

MINUTES

Bureau of Water and Wastewater - Employee Expense Report

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense report for Mr. Art Shapiro for the month of October 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 929.12	-	2071-000000-5521-274401-603001	-	Hotel Expense
478.10	-	2071-000000-5521-274401-603001	-	Airfare
50.77	-	2071-000000-5521-274401-603001	-	Meals
60.00	-	2071-000000-5521-274401-603001	-	Cab Fare
<u>\$1,517.99</u>				

BACKGROUND/EXPLANATION:

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

Mr. Shapiro's report exceeded the 40-day period because he was a replacement for one of the original conference attendees. The request is also late due to a heavy workload obligation.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense report for Mr. Art Shapiro for the month of October 2011. The President **ABSTAINED**.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with Enterprise Housing Corporation.

AMOUNT OF MONEY AND SOURCE:

\$5,000.00 - 9950-902412-9506-000000-490375 (Revenue)

BACKGROUND/EXPLANATION:

Enterprise Housing Corporation proposes to perform the scope of work for The Greens at Irvington Mews, constructing 100 units of senior housing. The development is located at 4300 Frederick Avenue.

Enterprise Housing Corporation agrees to make a one-time contribution in the amount of \$5,000.00 to fund the City's multimodal transportation improvements in the vicinity of The Greens at Irvington Mews.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57277)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the traffic mitigation agreement with Enterprise Housing Corporation.

MINUTES

Enoch Pratt Free Library (EPFL) - TRANSFER OF LIFE-TO-DATE
SICK LEAVE

The Board is requested to approve a waiver/exception from the AM 203-3 policy, which allows a maximum of 30 days of sick leave transfer, and grant an additional 30 days for a total of 60 LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Mr. Charles Parham.

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:

Evelyn Barnhart Wallace	5
John Richardson	3
Chantel Logan-Bell	2
Artenia Hebron	2
Garland Massdin	1
Keith Gardner	3
Michael Grimm	3
Richard Fisher	3
Howard Mosley, Jr.	1
Alprescia M. Rivers	5
Eric Thornton	4
Tay Bushrod	2
Terrence J. Thomas	3
Shannon Hursey	1
Sheila Ricks	1
Jeffrie Thomas	5
James W. Grant	5
Helen Townsend	5
Jerome Teagle	1
Katherine Durner	5
	<u>60</u>

The EPFL is requesting a total of 60 days due to the Mr. Parham's extensive medical circumstances. The employees listed above have generously donated an additional 30 days to keep Mr.

MINUTES

EPFL - cont'd

Parham in pay status during his recovery. The additional donated days will assist in EPFL's retention efforts for this valued employee. Mr. Parham is expected to return to work by 4/19/12.

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved a waiver/exception from the AM 203-3 policy, which allows a maximum of 30 days of sick leave transfer, and grant an additional 30 days for a total of 60 LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Mr. Charles Parham.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the CDM/Peer Joint Venture, Consultant, for Project SC 902, Wastewater Engineering Services for the Improvements of Dundalk Sewershed. The agreement is effective upon Board approval for five years, or until the upset limit is reached, whichever comes first.

AMOUNT OF MONEY AND SOURCE:

\$ 633,081.62 - Baltimore City Wastewater Revenue Bonds
575,089.41 - Baltimore County
\$1,208,171.03 - 9956-909602-9551-900020-703032

BACKGROUND/EXPLANATION:

The CDM/Peer Joint Venture will provide engineering services necessary to evaluate, prepare a design memorandum, develop contract documents including plans and specifications and post award services for this project. The improvements may include rehabilitation and/or replacement of approximately 77,217 feet of sanitary sewers ranging from 12" to 30" and 323 manholes. The Consultant will also provide certain engineering services during construction, review submittals, requests for information, change orders, provide technical consultations, attend progress meetings, review CCTV inspections, and perform conditional and final inspections.

The Consultant was approved by the Architectural and Engineering Awards Commissions.

MBE/WBE PARTICIPATION:

MBE:	EBA Engineering, Inc.	\$144,980.53	12.00%
	Environ-Civil Engineering, Ltd.	48,326.85	4.00%
	IMS Engineers, Inc. (Integrated (Management Service)	60,408.57	5.00%
	Tucker, Young, Jackson, Tull, Inc.	72,490.25	6.00%
		<u>\$326,206.20</u>	<u>27.00%</u>

MINUTES

BW&WW - cont'd

WBE: The Robert B. Balter Co. \$108,735.36 9.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 707,400.00	9956-904614-9549	
Wastewater	Constr. Reserve	
Revenue Bonds	Sewer Rehab.	
	Dundalk	
642,600.00	" "	
Counties		
<u>\$1,350,000.00</u>	-----	9956-909602-9551-3
		Engineering

This transfer will provide funds to cover the cost for the design of SC 902, Improvements to the Dundalk Sewershed Collection System.

(FILE NO. 57289)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the CDM/Peer Joint Venture, Consultant, for Project SC 902, Wastewater Engineering Services for the Improvements of Dundalk Sewershed. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of Public Works/
Department of Recreation & Parks - RP 11870, Patterson Dog Park
BIDS TO BE RECV'D: 3/14/2012
BIDS TO BE OPENED: 3/14/2012

2. Department of Public Works/
Bureau of Water and Wastewater - SC 870, Scum/Grease System
Improvements at the Back
River Wastewater Treatment
Plant
BIDS TO BE RECV'D: 3/14/2012
BIDS TO BE OPENED: 3/14/2012

3. Department of Public Works/
Bureau of Water and Wastewater - SC 879, Improvements to GRD
Branch Interceptor in the
High Level Sewershed (From
Springdale Avenue to Liberty
Heights Avenue at North
Hilton Street and from North
Hilton Street to Dukeland
Street at Liberty Heights
Avenue)
BIDS TO BE RECV'D: 3/21/2012
BIDS TO BE OPENED: 3/21/2012

4. Department of Transportation - TR 12013, ADA Ramp
Replacements and Installs
BIDS TO BE RECV'D: 3/21/2012
BIDS TO BE OPENED: 3/21/2012

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Proposals and Specifications to be advertised for receipt and opening of bids on the dates indicated. The President **ABSTAINED** on item nos. 2 and 3.

MINUTES

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

ACKNOWLEDGEMENT

City Solicitor: "Mr. President, I am sorry. Could I ask if Brandon Corey is in the room. Oh Brandon Roby I am sorry. Brandon Roby to much of Brandon Corey, Brandon Roby. I would just like to introduce Brandon Roby to the members of the Board. He's a second year student at the Maryland Law School. He is working for the Law Department in the Real Estate section doing good for the City of Baltimore on a volunteer basis. No money, just experience. Thanks very much for doing that with us Brandon. Thanks."

President: "Thank you."

Mayor: "University of Maryland."

President: "There being no more business before the Board. The meeting will recess until bid opening at twelve noon. Thank you."

* * * * *

MINUTES

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

* * * * *

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 Water and Wastewater - WC 845R, Nitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant
BIDS TO BE RECV'D: 02/15/2012
BIDS TO BE OPENED: 02/15/2012

MINUTES

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

Bureau of Purchases - B50001868, Self Contained Breathing
Apparatus Equipment & Supplies

F. L. Anderson Company
Municipal Emergency Services,
Inc.
Draeger Safety, Inc.
Avon-ISI

* * * * *

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, February 15, 2012.

JOAN M. PRATT
Secretary