

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated June 25, 2012, identifying matters to be considered routine agenda items, together with any corrections and additions that have been noted by the 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'. All opposed 'NAY'.
 The Motion carries. The routine agenda items have been adopted."

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Department of Public Works/ - Public Hearing on Proposed Water
Department of Finance and Sewer Rate Increases and
Miscellaneous Fee Schedules

ACTION REQUESTED OF B/E:

The Board is requested to approve the proposed water and sewer rate increases and the proposed miscellaneous fee increases.

BACKGROUND/EXPLANATION:

Pursuant to Ordinance 941 which implements the City Charter Amendment, approved by the voters in 1978, the water and wastewater utilities must be maintained as self-sustaining operations. Under this Ordinance, it is the duty of the Director of Finance and the Director of Public Works to recommend to the Board of Estimates rates and charges to make each utility financially self-sustaining. It is recommended that water rates be increased approximately 9% and sewer rates be increased approximately 9% for consumers in Baltimore City. Eligible senior citizen consumers age 65 and older in Baltimore City who apply and whose annual household income does not exceed \$25,000.00 will receive a 30% discount on water and sewer rates. Also, a water rate increase of approximately 9% is recommended for consumers in Howard, Anne Arundel and Carroll Counties. Increased cost of water and sewer service will be passed on to Baltimore County through the City-County agreements. Baltimore County establishes its own rates with City concurrence.

Current rates and proposed rate schedules follow:

Baltimore City Water

<u>Quarterly Use Block</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
First 50 Units	\$2.933 per Unit	\$ 3.197 per Unit
Next 450 Units	1.804 per Unit	1.967 per Unit
Over 500 Units	1.239 per Unit	1.351 per Unit

Baltimore City Sewer

	<u>Current Rate</u>	<u>Proposed Rate</u>
All Units	\$3.944 per Unit	\$4.299 per Unit

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Howard County Water

<u>Wholesale Service</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
	\$1.264 per Unit	\$1.378 per Unit

Anne Arundel County Water

<u>Quarterly Use Block</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
First 50 Units	\$3.089 per Unit	\$3.368 per Unit
Next 450 Units	1.804 per Unit	1.967 per Unit
Over 500 Units	1.239 per Unit	1.351 per Unit

Carroll County Water

<u>Raw Water</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
	\$.446 per Unit	\$.487 per Unit

If adopted, the proposed rates will be effective June 28, 2012. Any consumption up to and including June 27, 2012, will be billed at the current rates.

For the typical City household (family of four, 320 gallons per day) the current and proposed quarterly bill would be as follows:

	<u>Current Rate</u>	<u>Proposed Rate</u>	<u>Difference</u>
	<u>Quarterly Bill</u>	<u>Quarterly Bill</u>	
Water	\$ 114.40	\$ 124.70	\$ 10.30
Sewer	153.82	167.66	13.84
Total	<u>\$ 268.22</u>	<u>\$ 292.36</u>	<u>\$ 24.14</u>

The last rate increase was effective May 19, 2011.

A new chart of minimum quarterly charges will be prepared.

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It is also recommended that miscellaneous water fees be increased as follows:

Miscellaneous Fees

	<u>Current</u>	<u>Proposed</u>
Abandonment of Water Supply Service		
$\frac{3}{4}$ " Water Service	\$305.00	\$330.00
1" Water Service	\$305.00	\$330.00
1 $\frac{1}{2}$ " Water Service	\$520.00	\$565.00
2" Water Service	\$520.00	\$565.00
Reduce $\frac{3}{4}$ " meter to $\frac{5}{8}$ " meter	\$140.00	\$150.00
Reduce 1" meter to $\frac{3}{4}$ " meter	\$190.00	\$205.00
Reduce 1" meter to $\frac{5}{8}$ " meter	\$190.00	\$205.00
Reduce 2" meter to 1 $\frac{1}{2}$ " meter	\$905.00	\$985.00
Testing of City-owned meter (at Owner's request) $\frac{5}{8}$ ", $\frac{3}{4}$ ", 1"	\$80.00	\$ 85.00
Private Fire Protection Fee	\$120/Yr.	\$130/Yr.
Turn-off/Turn-on Charges		
$\frac{5}{8}$ " - 1" meters	\$ 75.00	\$ 80.00
1 $\frac{1}{2}$ " - Up	\$ 120.00	\$130.00
Official Vacancy Fee	\$ 225.00	\$245.00
Fire Flow Test	\$ 600.00	\$650.00
Fire Hydrant Permit	\$ 140.00	\$150.00

If adopted, the miscellaneous water fees will be effective June 28, 2012.

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Department of Audits - Audit Report

The Board is requested to **NOTE** receipt of the following Audit Report:

Review of Water and Wastewater Utility Funds Proposed Rate Increases Effective June 2012.

President: "The first item on the non-routine agenda can be found on pages 1-3, Public Hearing on Proposed Water and Sewer Rate Increases and Miscellaneous Fee Schedules. Members of the public who wish to testify may begin lining up to my right against the wall. Thank you. First we will hear from the Department of Public Works. Mr. Chow would you please come forward?"

Mr. Rudy Chow: "Good morning Mr. President, Madam Mayor, Madam Comptroller, Solicitor Nilson and Director Foxx. I am Rudy Chow, I am the Head of the Bureau of Water and Wastewater. The Bureau of Water and Wastewater employs over 1,600 men and women whose primary mission is to provide highest quality and let me add, award winning drinking water to 1.8 million customers in the metropolitan region. We also convey and treat wastewater from

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1.6 million residents in the region and are charged with management of surface water throughout the City as well. Everything and I mean everything depends on clean, safe drinking water. Our challenges are apparent much of what we have charged to do is mandated from the Federal and State governments. They do not provide us the dollars to accomplish those mandates. Our sewer system is in a state of degradation well past its useful life, resulting in overflows into our streams, harbor, streets and homes. It threatens public health and the economic vitality of our City. Our water infrastructure has been crumpling beneath our feet and cannot be ignored. As much number of main breaks continue to open cavities in our roads, disrupting lives and damages properties. In the past, there was a lack of investment in our human resources to provide quality service to our customers who deserve the services that we provide. We have addressed that and while we have been working very closely with the Comptroller's office and the report on the 90-day report out will be done at a later time. We are well aware of the reality

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of these issues. And we, the Bureau of Water and Wastewater have taken on the challenges to move forward with solutions both immediate and long-term. Investment in infrastructure is not just a local issue. It plays out on a national stage every day. Just two weeks ago, the disruptive nature of water main breaks in Baltimore and other cities was a leading story on MSNBC's Rachel Maddow Show. This was done to show to demonstrate the need for infrastructure investment throughout the nation. Out-of-sight is not out-of-mind when a 40-foot column of water is stopping traffic and cutting off services to critical facility and individual homes. The requested 9% rate increase for Water and Wastewater Enterprise Fund provides the necessary building blocks to one, continue the needed mandated one billion dollar rehabilitation of our sewer mains, manholes and pipes to stop sewer overflows, to continue our work toward installation of the automatic metering infrastructure and new billing system, to facilitate timely and accurate meter readings and billings, continue mandated upgrades to our Wastewater Treatment Plants to

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reduce nutrients pollutant to the national treasure of our Chesapeake Bay, continue to replace the large diameter transmission mains which have erupted with the disastrous consequences throughout the region, and to accelerate our rehabilitation of those small water mains at a pace consistent with industry standards, so that our water will continue to reach our customers rather than leak and gushing under and onto our roads. We will go from rehabilitating of less than 5 miles per year to 20 miles per year starting the next fiscal year. Then we will add additional five miles each year until we reach 40 miles of replacement on an annual basis. Growing Baltimore begins with our communities. Investment in our utility infrastructure is absolutely one of the bestselling points to prospective homeowners and businesses. Potential residents want to know if the water is safe, tastes good, and is reasonable in cost. They want to know that there will not be sewage overflow into their basement. They want to know if their streets have a history of being excavated for repeated utility repairs. Then

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they want to know if the stream in the nearby parks where their children will be playing is free of sewage pollutants. We have a responsibility today to restore, rehabilitate and renew the solid legacy given to us. We have a responsibility to our customers of today and to future generations. We must also continue to become more proactive, which will be the task of our new Asset Management Program, rather than following the reactive path of the past. Let me clearly state that I am aware of the concerns of our customers whenever rates are increased. This is why we have kept our request to single digits. We continue our outreach to low-income and senior citizens who may need assistance. We are increasing our outreach through our newly established Community Liaisons and others to make sure citizens are well aware of these programs. These are difficult times, but our choice is very clear, - investing now for today and for the future. Waiting is not an option and if we delay the costs will rise and the system will fail. Thank you. I can take any

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questions you may have."

President: "Thank you. Now, we will hear from Mr. Bob McCarty the City Auditor who will present the review of the Department of Public Works Bureau of Water and Wastewater FY 13 Water and Wastewater Rate Increase Proposal on Page 4 of the agenda."

Mr. McCarty, City Auditor: "Good morning Mr. President --"

President: "Good morning."

Mr. McCarty: "members of the Board. I am Bob McCarty City Auditor. Audits has reviewed the methodology and procedures used to determine the proposed 9% Water and 9% Waste Water Utility Funds rate increases, as submitted by the Department of Public Works and the Director of Finance for the Board's approval. The purpose of our review was to determine whether the methodology and procedures used to determine the proposed rate increases were reasonable and whether the applicable computations were accurate. In order to determine the need for the proposed rate increases, utilities' personnel prepared a comprehensive

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financial model that projects revenues, expenditures, cash balances and reserves for fiscal years 2013 through 2018. Based on our review of the methodology and procedures used to calculate the proposed rate increases, and our review of Department of Public Works' projections of revenues, expenditures, cash balances and reserves, the proposed rate increases appear reasonable. However, according to the utilities' comprehensive financial model, the annual waste water increases for fiscal years 2014 through 2018 are expected to be 9% for each year; and water rate increases are expected to increase to 12% in fiscal years 2014 and 2015, to 15% in fiscal years 2016 and 2017, and then return to 9% in fiscal year 2018. Therefore, we continue to recommend that DPW aggressively seek additional cost-saving measures to reduce expected future rate increases."

President: "Uh - Thank you. Any questions? Alrighty. The review has been noted. Thank you. Do you want to say anything before we go to the public?"

Mayor: "I will wait."

President: "Okay. Now, we will hear from the members of the

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public who wish to testify. Please speak into the microphone, one at a time and state your name for the record. Kim Trueheart. Everybody who is going to testify please line up to the right and just come on up and speak your name, say your name."

Ms. Trueheart: "Good morning Mr. President. My name is Kim Trueheart. I am a resident of Baltimore City. I am very concerned about this rate increase and I would really like to understand Ordinance 941 which says that 'our water and sewage systems have to be self-sustaining'. Because what that means to me is that the DPW Department which we know is broken, all of the projects which they administer I see come through here on Wednesday mornings. Many of them are over budget, are delayed, excessive extra work orders in many of them, and that Ordinance 941 says that that Department can pass those costs overruns directly on to me. I don't understand that, okay. If we had great management, if we had quality programming and oversight, there probably wouldn't be cost overruns in the Department. But there are and so I am burdened with paying for this lack of

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management acumen. The other concern that I have is the disparity and treatment of individual citizen, customers and business customers. Our largest industrial customer just went belly-up, RG Steel. They owe the City over \$5,000,000.00 in water bills. Those bills have been outstanding for 30 months. If my bill is outstanding for 30 months what would you do? Take my house, right. But you wouldn't let me get away with not paying my bill for 30 months. So, what other industrial clients are not paying their bill? And why am I being overly burdened along with all the other citizens of Baltimore to carry the load for the ineptness of the Department of Public Works? It's unfair. I don't see a plan to fix it. You know I testified at a public hearing on Executive Appointments a couple of weeks back and I looked at the resume of the Department of Public Works Director it talks about coordinating this and coordinating that. I would expect the resume of a person who is heading an organization that's budget is \$430,000,000.00 a year, I think, to be able to innovate, transform. I don't see that okay. So, I am sort of questioning why our Mayor reappointed this guy, okay.

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Because it really doesn't sound like he's really capable of transforming this Department the way it needs to be transformed. I would have liked to have seen a nationwide competition to bring someone in to manage the resource which is broken. But that didn't happen. You know because of favoritism or whatever went on. See now we are under this Consent Decree that says over a billion dollars has to be invested in our infrastructure. The question I have is, is that all it has to be? Because I have not heard that a billion dollars is going to be enough to fix it and we're going to be under this thing until 2016. So what is going to happen in 2017? You are going to come back and tell me that a billion dollars wasn't enough to fix it and you need another billion. Okay, and I am going to be burdened by this 9% increase for another 10 years. That wasn't addressed in his presentation, the adequacy of the existing amount of funds. Now, at some point and time somebody needs to ask some serious questions and get some serious answers. Now, I am standing here and I posing a tremendous amount of questions to you. I don't

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see you writing them down. I don't see you writing them down.

Okay, your job is oversight because he has to --."

Comptroller: "They will be part of the audit and as part record."

President: "It's part of the record."

Ms. Trueheart: "And he is going to give us answers publicly to each and every question that I've asked."

President: "I am quite sure he will."

Ms. Trueheart: "Because at this point and time -- thank you, I would like to get those answers. At this point and time I don't feel that the Department of Public Works is competent enough to oversee our waste and water system, okay. Now, the City Council voted unanimously to keep this man in place. I don't understand that. Did you look at his resume? Coordinate that's all it said. I coordinate this I coordinate that. My secretary can coordinate, okay. I don't need a Department Head to coordinate, okay. So, at this point and time all of this is bogus. All of this is about taking my money and wasting it and I've seen

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nothing, nothing from the Department of Public Works that says that they have a plan to fix it. It's broken."

President: "Thank you. Joe Collins and if after each one make their remarks if you would come up; cause some of these this writing I can't really understand."

Mr. Collins: "Hi Joe Collins, Collins. I live down in Canton. I believe we got fined via Public Works way back in 2004 when Martin O'Malley was still here with wastewater sewage and wastewater management and water treatment and everything like that, back when the City was booming. Also at that time, uh Water Department was charging buildings if you had water in the buildings at all, or water coming to the buildings as well as when we were being charged. The citizens were being charged in their homes for over usage of water when they weren't, from trees being uprooted to water main breaks to whatever else was going on. See if they say about the City and has been on the City is that we've got money to do a race that we lost a ton of

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money on. We got enough money to do a hotel that we're losing money on. We got enough money to do a subway that's going through a flood plain that I've contacted everyone here that don't have the time of day to call me back. You know I got time of day before we got banded by FEMA for emergency evacuation routes at the same time we got banded for the water waste management. Everybody keeps forgetting about these things. Like Carmen Russo when she spent all the money on her boyfriend driving her around. The same thing we are doing with Alonzo right now. Yeah it's the same problems we have in Baltimore where you guys are nickel and diming us. You want to keep 10,000 people in the City? You better start thinking about how you can stop this bleeding down here from us being taxed to death. From property rates being twice what it is in the county 2.38 where we got 1.21 over in Baltimore County right across the line. You want bottle tax that's two blocks away from a street that's right across the county line that doesn't have those taxes. You don't think I am going to shop over there instead of here. You all don't realize why Sam's Club is out of the City.

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Why Best Buy picked up. Why Hechinger's left. Why a lot of these stores are leaving because of crime and violence and stuff down the Harbor that's happening. You guys need to fixate what's actually happening in the City and start listening to the citizens, start working for our citizens instead of working to see how you can take our money from them and reinvest it in your campaigns. Because we are getting tired of it, because it comes down to a point where we are getting sick and tired of being taxed to death. You know we got kids. The average family leaves Baltimore when their kids hit 5. Why? Because of schools same thing. You all need to concentrate on the real problem. You need to find where the money is coming from and stop spending it on all these lavish things like Martin O'Malley's hotel arms or your way to the next level, or Ed Hale's Arena down at the bottom of Boston Street and everything and concentrate on what's keeping the City afloat. The money that keeps the people afloat are the citizens that are still living here, that are still wanting to live here, that are still willing to live here but are starting to beat feet. That's why

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you lose the population. Now, I am pretty sure this vote about this tax raise has already been done. Like your Baltimore City already has been. You probably have already made up your minds that you are going to raise it. That's fine. There comes a time where this City is going wake up, when it does you are going to realize how bad you screwed up around here, and when that happens you are going to be sorry, and there ain't going to be no turning back. The people of Baltimore will speak about this, but we are tired of it, tired of being nickel and dimed. I live down in Canton. I know my community is tired of it, okay. I know Federal Hill is tired of it. I used to own a business over there. I know Baltimore City is tired of seeing open drug markets that have been here since I've been growing up. How do the cops not know where an open drug market is, yo please common sense. I have talked to you guys about these problems. You guys ignore us. We talk to you through these community associations, you ignore us. You tax us on this water bill, we won't ignore you. We're going to beat feet, okay. You are going to be stuck with no money. When we leave, there is going to be no money okay. You all keep taxing us you can kiss the 10,000 people

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coming in this City goodbye. They're not going to come, okay. They want to see the business atmosphere, they want to see the tax atmosphere, they are going to school atmosphere, and they are going to say why am I bringing my little buddy down here to come in and live in this? Okay. That's about the extent of the protest. You guys have a good day, I hope you make the right decision but I'm sure you already made to increase the tax already. But I'm done."

President: "Thank you. Dennis."

Mr. Davis: "Mr. Duane Davis."

President: "Mr. Dennis Betzel."

Mr. Davis: "I'm right here. I'm sure you know who I am."

President: "You're the last one."

Mr. Davis: "Alright. Well they told me just to come on up so."

President: "Okay. Go ahead."

Comptroller: "Pull the mic down."

Mr. Davis: "My name is Duane Davis. Everybody knows me as 'Shorty's; as I run a barbecue place called 'Shorty's Pit Beef and Underground Ribs.' Before I became Shorty's I used to work

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asbestos and lead companies here T & P Engineering. All of the property that was done in Canton, all the property done when you were redistricting and flipping houses in the early 90's from 1992 to 2000, I did the pipe work. I did the pipe work for the streets up here on the City on Lombard Street when they had the City closed down. Y'all's piping system been messed up since forever, and the money that was allocated for those piping systems and to get it done was stolen. Governor O'Malley knows about it when he was in office. The City Council knows about it, and I filed a formal complaint with the GSA in Washington, DC. I'm on record while I filed a Grand Jury movement and the grand jury held T & P Engineering accountable for a million dollar oversight of when they were defrauding y'all, alright. I did the schools here, the piping in the schools, I did asbestos and lead on the piping in the schools. I was the supervisor, the Project Manager. My record is on your records of my complaints, so this ain't nothing new. I done talked to the City Solicitor about other cases. I done talked to the Mayor, I done talked to you. I have talked to the Comptroller. You've

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got the videos that I've been putting on your cars when I called it the Stop Snitching Video, showing the corruption that is going on in the City and you locked me up for it. I'm the guy that put them toilets in front of City Hall and the county buildings because you all keep sh.... pooping on us, and it gotta stop. That's all I got to say. Check the records. See how long this corruption and this crime has been going on and don't act like your brand new."

President: "Thank you. Dennis Betzel."

Mr. Betzel: "Good morning Mr. President and Madam Mayor."

President: "Good morning."

Mr. Betzel: "I just wanted to come down this morning and show my objection to a 9% increase. As the Director --."

President: "Did you state your name?"

Mr. Betzel: "Oh I 'm sorry. It's Dennis Betzel at 405 Kingston Road, and I just wanted to voice my objection to another 9% increase. We talked about it right in this document of how there was an increase last year in 2011. We've been talking --"

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-- we mentioned water mains again this morning about how we are having collapsing water mains and we've had collapsing streets etcetera. Well this has been going on for 20 years and I don't understand how anyone can work out a budget. Anyone that runs a business knows that when you have to budget out electricity, you have to budget out window washing, you have to budget out paying your employees etc. and I don't see how they do not have after 20, 30 years of my existence of just keeping abreast of it. Back when the Key Bridge was shut down because of water main back in the mid 90's. There was a six-foot water main back then and they talked about the same issue. What we need to increase, we need to improve, we need to increase, we need to improve. Yet, we send out water bills erroneously \$75,000.00 water bills. The City's paying \$47,000.00 water bills for parking lots, and I don't understand how no one can actually show a legitimate audit line by line where this money is coming from, where it's going. I would like to see a full audit, public audit, public hearings the whole nine yards not rush through a 9% increase after we

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were notified less than two weeks ago that this was going to happen, and right here in this document if this goes through the Board of Estimates this morning, it's going to go into effect on June 28. I think that's not enough time to have the public come out here and actually mention it. I had to -- you know I've had my boss paging me all morning this morning asking me where the heck I am and I had to tell him that I had to come down here and actually voice my opinion here, and I think that that's just this rushed job to get 9% increase and then the public will forget about it. The public will forget about it just like they did back in the 90's. I want to see where that money is budgeted. Where it's gone over the last 20, 30 years. Thank you."

President: "Thank you. Mr. Steven Wainwright."

Mr. Wainwright: "Good morning Honorable members of the Board of Estimates. My name is Steve Wainwright and I have lived in this City for 65 or plus years. Educated, born here and raised here and paid taxes here for most of my life and I think the DPW is already managing the systems in a very poor fashion. We as

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customers have been hit with outrageous bills that don't reflect reality. We get our bills, we don't trust the Department that calculated them and how much we've used. That Department is asking for an increase in rates so they can mismanage more of our money? I don't think so. I think that there needs to be an audit somewhere line by line to find out where this money is going and how much money is actually needed before you begin to pass this money on to the taxpayers. This gentleman here said that they did a line by line item and systematically researched and needed increase should be here, here and there. No one did a line by line item of the pocket books of the citizens who are not getting raises and increases every month, every year. We're on a lot of us on fixed incomes, probably 15 to 20% of your City is senior citizens basically homeowners, where are we going to get an extra 9% on a water bill that they couldn't already pay in the beginning. I ask you to please think about this and look at us as citizens and not a place where you can get \$10.00 extra every year for some project. Thank you."

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President: "Thank you. Cindy Walsh. She's the last person. Good morning."

Ms. Walsh: "My name is Cindy Walsh and I am at 2522 N. Calvert Street. Uh - much of what I wanted to say has been said, but I do want to emphasize that the problem is not necessarily taxation I'm a progressive and I believe in having a tax base for services that cities need. So, I do want to point out that it is indeed a regressive tax climate here in the City and so what we need to do with this solution of taxes is make sure that's it progressive. Now if private business, for example, our mobile phones can dictate that the people who use the most of their service pay a higher rate. Then I think that we can use as public government situation we can use the same idea. So, I am hoping that as you think about the fact that you are going to charge a certain amount of tax to fix this problem that you are going to think about the usage. So, not necessarily businesses would have a higher rate and consumers, individual homeowners would have a lower rate. That is the logical way of addressing this problem. Now the problem the gentleman pointed

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out in that we've known about this for a couple of decades. The reason why we haven't addressed it earlier is that with the O'Malley administration and continuing with Rawlings-Blake, we are seeing a proliferation of business tax credits that are just sucking all of our City revenue in one direction and it's causing us not to address the larger problems of our City, and so that's why you're getting a lot of feedback from your citizens here in the City that we want our elected officials to start looking at a bigger picture of how legislation and especially taxation policy is implemented in the City. So that it benefits or affects everybody equally and not just certain areas of the City, and lastly I would like to say that, we just went last year through a similar situation with the merger of BG&E. Now, with that merger, we have our Maryland Public Service Commission assure us that it was okay and in the public interest to go ahead with this merger because they were going to be on top of making sure that Excelon did not raise rates on the citizens, and that the underserved were going to be protected.

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But yet, two months ago, we hear that Excelon wants a rate hike, just two months after receiving notice of the merger. Now, do the citizens of Baltimore or the citizens of Maryland have confidence in the Maryland Public Service Commission to stand by its claim that it's not going to allow Excelon to raise rates, I think that we have a lot of skepticism given the history. So, I would say that the same sort of concerns exist with the Baltimore Public Works and their intentions in making sure that they follow through with what they promised the people. So these are the issues that I am hoping that this commission will take into consideration as they determine what? We know we need to raise the tax rate, but how is it going to be implemented? Thank you."

President: "Thank you. Mr. Kimball."

Mr. Kimball: "Thank you Mr. President, my name is Matthew Kimball. I am here on behalf of BOMA. I have some testimony which --."

President: "Lift the mic up."

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Mr. Kimball: "Thank you. BOMA is an organization, national organization with a local chapter of approximately 260 members with about 36 million square feet of commercial real estate under ownership or management in the Baltimore Area. We appear before you this morning in opposition of the increase. We'd like to point out what may be an unintended consequence of your approval of the increased rates, which is a reduction in the revenue from real property taxes, and I would like to give you just a quick example. Take a hypothetical office building in the central business district in Baltimore which pays about \$80,000.00 a year in water and sewer bills. If this amount is to be increased by the proposed 9%, the additional amount that they would pay would be about \$7,200.00 a year. If you apply a relatively realistic cap rate of 8%, our view is that this increase knocks approximately \$90,000.00 off the taxable value of that building. If you take that decrease across the entire landscape of the commercial real estate assessable base in the City of Baltimore, that's going to do significant damage to the

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tax revenues that the City will accrue over time. Not only this year but in the previous 16 years and on and on out into the foreseeable horizon. We understand the City is supposed to make the sewer and water system be able to run itself, but we believe this unintended consequence will ultimately rob Peter to pay Paul. Thank you."

President: "Thank you. Ah, Madam Comptroller."

Comptroller: "I have some concerns. I'm opposed to the rate increase. In 1996, since 1996 -- in 1996 the average water bill for a family of four was \$365.53. An increase uh - from then makes the average family of four water bill \$1,169.32, and it is much worse with the projected increases through fiscal 2018. The average increase in 2018 would increase to another 65% which means that the average annual bill would go from \$365.53 to \$1,933.92, which is a 429% increase since 1996. My concern is how uh - will this effect income -- low income and seniors and how is that being determined? Even with the programs that the City has in place, it appears that the programs that the City has in place is going

MINUTES

DPW/Finance/Audits - cont'd

to be insufficient, and I am more concerned about the citizens of Baltimore who do not qualify for the program, who simply cannot afford the rate increase. And based on an audit that was released in February on the Water and Wastewater Billing, DPW initially determined that there was \$4.2 million dollars in over billing and credits and refunds that were due to the citizens. Recently, the Department of Public Works has come up with an amount of \$9.2 million that may be due the - uh in over billing and credits and refunds that may be due to the citizens. Working with the Department of Audits and the independent auditors that number which the Department of Audits -- which DPW is still working on could double. So, there could be \$18,000,000.00 in refunds and over payments that are due to the citizens of Baltimore. So I am opposed to this when we are charging citizens more than they should, we owe them credits and refunds probably to the tune of \$18,000,000.00 but we are asking for an increase, and in addition to that, the money that is owed the City, the City is not collecting it. So, I am opposed to

MINUTES

DPW/Finance/Audits - cont'd

this increase at this time."

President: "Thank you. Madam Mayor."

Mayor: "Thank you very much Mr. President. We all know that Baltimore has an aging and deteriorating public utility and is in need of significant repair. An old system even needs its meter billing dramatically overhauled. Since being named Director of the Department of Public Works, Mr. Foxx has worked to implement meaningful reforms to our public utility. Last year he hired new staff and changed policy to improve billing as well as customer service. His team's efforts including the work of Rudy Chow helped us to begin the much needed modernization of our system. But we know there is much more work that needs to be done and that work costs money. Like many Mayor's of Baltimore before me, I am ultimately responsible for ensuring our water system infrastructure continues to operate without catastrophic failure. It is an awesome responsibility that I do not take lightly, nor do I think about it in terms of politics or popularity. It is simply a question of what is right or wrong

MINUTES

DPW/Finance/Audits - cont'd

for Baltimore's future and for the 1.8 million customers that rely on this critical service. The new water bill rates will support the work needed -- the work that we need to do. Work that will ensure our public utility continues to deliver some of the finest water in the nation effectively and efficiently. As Mayor, I do not have the luxury of passing the buck when faced with tough choices. Our water and wastewater system is a basic function of City government and it is a key to a growing City. Mr. Foxx, Mr. Chow, and all DPW employees thank you for the work that you are doing to reform, to rebuild and to maintain our water system. One of Baltimore's most important assets. Thank you."

President: "Thank you. Most of you know that I can't vote on anything dealing with the Department of Water and Wastewater uh - because of a conflict of interest. But I just wanted to let you know if I could vote NO. I would vote NO. Because I don't believe that the citizens of Baltimore can sustain all of these

MINUTES

DPW/Finance/Audits - cont'd

increases that are being put on them by the City of Baltimore. So, I have to abstain from this. I can't vote. I will entertain a Motion to move the approval of the Proposed Water and Sewer Rate Increases found on pages 1-3 of the Agenda."

City Solicitor: "Based on the information presented by the Department and considering the review by the Department of Audits and considering the public testimony, I MOVE to approve the rates recommended including continuation of the robust Public Assistance Program available to those citizens less able to afford the rates."

Director of Department of Public Works: "Second."

President: "All those in -- it has been properly moved and seconded. All those in favor say AYE. All Opposed NAY."

Comptroller: "NAY."

President: "Please NOTE that Comptroller Joan Pratt votes **NO** and I **ABSTAINED**. The Motion carries."

* * * * *

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

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

AB Construction, Inc.	\$ 8,000,000.00
Boulevard Contractors, Corporation	\$ 1,242,000.00
Cherry Hill Construction, Inc.	\$ 57,861,000.00
Drake Incorporated	\$ 6,660,000.00
Durex Coverings, Inc.	\$ 8,000,000.00
E.H. Paschen, S.N. Nielson & Associates, LLC	\$349,461,000.00
Flo-Tron Contracting, Inc.	\$ 1,500,000.00
Green Contracting Company, Inc.	\$158,085,000.00
Harkins Builders, Inc.	\$138,690,000.00
L&J Construction Service, Inc.	\$ 1,500,000.00
The Michael Group, Inc.	\$ 20,943,000.00
Orfanos Contractors, Inc.	\$ 8,000,000.00
Titan Industrial Services, Inc.	\$124,092,000.00
W.D. Fox Tapping & Welding, Inc.	\$ 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:

Axiom Engineering Design, LLC.	Landscape Architect Engineer Land Survey
Integrated Management Services (d.b.a. IMS Engineers)	Engineer

MINUTES

BOARDS AND COMMISSIONS - cont'd

Khafra Engineering Consultants, Inc.	Architect Engineer
Land Studies, Inc.	Landscape Architect Engineer
Moody Nolan, Inc.	Architect Engineer
Morabito Consultants, Inc.	Engineer
NMP Engineering Consultants, Inc.	Engineer
QPS, Inc. (d.b.a.) QODESH CM	Engineer

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

MINUTES**CITY COUNCIL BILL:**

12-0084 - A resolution of the Mayor & City Council concerning Midtown Community Benefits District and Management Authority - Renewal Through June 30, 2016 for the purpose of renewing and continuing the Midtown Community Benefits District and Management Authority; providing for a special effective date; and generally relating to the activities and authority of the Midtown Community Benefits District and Management Authority.

THE LAW DEPARTMENT REPORTED AS FOLLOWS: "ASSUMING THE CITY COUNCIL FOLLOWS THE PROCEDURES FOR THE RENEWAL OF THE DISTRICT AND THE AUTHORITY AND BY THIS RESOLUTION SETS FORTH ITS FINDINGS AND REFERS THE MATTER TO THE BOARD OF ESTIMATES TO PERFORM ITS DUTIES WITH REGARD TO THE RENEWAL, THE LAW DEPARTMENT WILL APPROVE THE BILL FOR FORM AND LEGAL SUFFICIENCY."

ALL REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved Bill No. 12-0084 and directed that the Bill be returned to the City Council with the recommendation that it also be approved by that Honorable Body. The President **ABSTAINED.**

MINUTES

Law Department - Settlement Agreement and Release

The Board is requested to approve the settlement agreement and release for the following claim:

1. Clifton Chambers v. Mayor and City Council of Baltimore \$80,000.00

Account No. 2044-000000-1450-532446-603070

The settlement agreement and release has been reviewed and approved by the Settlement Committee of the Law Department.

UPON MOTION duly made and seconded, the Board approved the settlement agreement and release for the claim with Clifton Chambers.

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) - Condemnations</u>			

1. Sharonda Baylor	719 Mura Street	L/H	\$ 4,060.00
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Funds are available in CDBG funds, account no. 9990-907714-9593-900001-704040, Johnston Square Project.

(FILE NO. 57070)

2. D.O.C., LLC	2206 Boone Street	F/S	\$27,000.00
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Funds are available in UDAG funds, account no. 9910-904713-9588-900000-704040, Barclay Project.

(FILE NO. 57066)

DHCD - Option

3. Turf, LLC	719 Mura Street	G/R	\$ 500.00
		\$66.00	

Funds are available in account no. 9990-907714-9593-900001-704040, Johnston Square Project.

(FILE NO. 57070)

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

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

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2449 - 2450

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
1. \$ 50,000.00 Federal	9950-919001-9509 Constr. Reserve Highway Unallotted	9950-905621-9508-2 Contingencies Historic Preserve & Traffic Improvements for Parks & People Foundation HQ

This transfer will provide funds to cover the deficit in the account and fund the miscellaneous charge for the Project Historic Preserve and Traffic Improvements Along Liberty Heights and Druid Hill Park.

Department of Housing and Community Development (DHCD)

2. \$100,000.00 35 th Comm. Dev. Block Grant	9990-904919-9587 Public Housing Rehab. Reserve	9990-911726-9593 German Park
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This transfer will provide funds for the removal of concrete and asphalt to prepare the site for the completion of the German Park.

3. \$200,000.00 37 th Com. Dev. Block Grant	9992-914089-9593 Emergency Roof Repair Program	9992-932003-9593 Deferred Loan Program
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The transfer will provide funds for the Housing Repair Assistance Deferred Loan Program.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD</u> - cont'd		
4. \$150,000.00 29 th Comm. Develop. Bonds (CDB)	9910-902935-9587 Healthy Neighbor- hoods, Inc. - 30 th CDB - Reserve	9910-916037-9588 Healthy Neighbor- hood, Inc. - Matching Grants - 30 th CDB

This transfer will provide funds to increase the amount of funds available as matching grants for owner-occupants in designated Healthy Neighborhoods.

MINUTES

Department of General Services (DGS) - Standard Highway
Option Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a standard highway option agreement with Point Breeze, LLC. The period of the temporary easement is effective upon the date of entry upon the easement area by the City's contractor for two years.

AMOUNT OF MONEY AND SOURCE:

\$220,500.00 - 9950-908301-9527-900020
(fair market value of fee parcel and temporary construction easement)

BACKGROUND/EXPLANATION:

The City of Baltimore, acting by and through the Department of Transportation, is proposing to widen the Keith Avenue ramp on a portion of the property owned by Point Breeze, LLC, located at 2301 and 2501 Broening Highway.

This option agreement will allow the City to acquire a portion of the property in fee for the widening and a temporary construction easement area to allow the City's contractor to perform the work, in conjunction with the Department of Transportation's Project No. TR 08046, Rehabilitation of Broening Highway.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the standard highway option agreement with Point Breeze, LLC.

MINUTES

DGS - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57019)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the standard highway option agreement with Point Breeze, LLC.

MINUTES

Department of General Services - Easement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an easement agreement with Point Breeze, LLC. The period of the easement agreement is effective upon the date of entry upon the easement area by the City's contractor for two years.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - if demanded (The easement is donated by Point Breeze, LLC.)

BACKGROUND/EXPLANATION:

The City of Baltimore, acting by and through the Department of Transportation, is proposing to rehabilitate Broening Highway. Portions of properties owned by Point Breeze, LLC located at 2200, 2205, 2301, 2400, 2500, and 2501 Broening Highway will need to be acquired for perpetual easements and temporary construction easements.

This easement agreement will allow the City's contractor to perform the work in conjunction with the Department of Transportation's Project No. TR 08046, Rehabilitation of Broening Highway.

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 57019)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the easement agreement with Point Breeze, LLC.

MINUTES

Department of General Services - Developer's Agreement No. 1260

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a developer's agreement no. 1260 with Station North Development Partners, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$24,900.00

BACKGROUND/EXPLANATION:

The developer would like to install new water service to their new construction located in the vicinity of 1701 North Charles Street. This developer's agreement will allow the developer to do its own installation, in accordance with Baltimore City standards.

A Performance Bond in the amount of \$24,900.00 has been issued to Station North Development Partners, 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.

(FILE NO. 57186)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the developer's agreement no. 1260 with Station North Development Partners, LLC, developer.

MINUTES

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the right-of-entry agreement with the Baltimore Gas and Electric Company (BGE).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The BGE needs to install two additional electric poles on the Loch Raven Watershed property located near the Long Quarter Pumping Station near the intersection of Dulaney Valley Road and East Seminary Avenue. BGE needs to install the additional poles so the current electric wires do not hang low and present a safety hazard.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with the Baltimore Gas and Electric Company.

MINUTES

Department of General Services (DGS) - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay Associated Building Maintenance Company, Inc. for services rendered under Contract BP-04161. The period of the invoices is August 30, 2010 through October 15, 2011.

AMOUNT OF MONEY AND SOURCE:

\$361,819.15 - 1001-000000-1982-192500-603051

BACKGROUND/EXPLANATION:

The Custodial Contract No. BP-04161 with Associated Building Maintenance Company, Inc. (ABM) expired on April 30, 2011. In order to prevent a break in the needed services, the vendor continued to perform work while a new contract was being developed. The new contract, in which the ABM was not the successful bidder, began on October 16, 2011.

The Department will work with the Bureau of Purchases to develop written procedures to avoid a similar problem from occurring in the future.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

DGS - Expenditure of Funds - cont'd

President: "The second item on the non-routine agenda can be found on page 17, Expenditures of Funds. Will the parties please come forward?"

Mr. Michael Cook, Chief, Energy Division for Department of General Services: "Good morning members of the Board. My name is Michael Cook. I'm Chief of the Energy Division for DGS. I'm here representing our Director, Ted Atwood, who is out of town. The vendor in this issue was selected to provide custodial services through the standard City Bureau of Purchases competitive procurement process. The vendor met the MBE and WBE participation goals for the project, which were 17% MBE and 9% WBE. When the vendor's contract expired, a replacement contract was not established. For health and safety reasons, the vendor continued services and those services were performed subject to the MBE/WBE requirements. The new contract was also competitively bid. It had the proper MBW/WBE competitive requirements."

President: "Mr. Jolivet."

Mr. Arnold Jolivet, Maryland Minority Contractors Association: "Good morning, Arnold M. Jolivet. I have said continuously and

MINUTES

DGS - Expenditure of Funds - cont'd

historically that when agencies are allowed -- Okay, thank you -
- I have said over the years, that when agencies are allowed to
continue working when a contract has officially expired,
obviously that's not good practice, but my opposition to such
practice is that it keeps and prevents the company that may want
to bid and be qualified to bid from competing for such contract.
Now, I'm not altogether convinced that this is the real reason
why this contract was allowed to continue for a whole year -- an
entire year -- in the job when the agency supervisors knew full
well that the law does not allow that and under the City's
competitive bidding law, the cases clearly say that, 'if a
contractor performs work beyond the period of his contract, that
as a general matter of principle, that that contractor is not
entitled to be paid.' The other aspect of that is that the
contractor also is at fault because the contractor is uniquely
aware, under Maryland law, that if a contractor performs work
without a formal contract, whether it is before or after a
contract is executed and expires, that contractor has no right

MINUTES

DGS - Expenditure of Funds - cont'd

at all under Maryland -- under the Court of Appeals interpretation and construction of competitive bid statutes. But, I want to just -- I want to just -- I don't want to make a long argument out of this because I have to -- there are some other issues that, I think, are germane to this issue. But, nonetheless, Mr. President, I can just summarize, my concern is that this kind of activity on the part of the agencies should not be countenanced by this Board because when this Board puts its stamp of approval on this kind of non-compliance with the Charter, it simply means that agencies are encouraged to continue such -- uh, I would call unlawful practices. But, nonetheless that's my -- my protest, I think, has sound merit. It is grounded in the law, extremely well-grounded in the law and I would urge your Honorable Board, in its wisdom, to reject this request. Because first of all, the Board, sitting as a duly constituted Board of Estimates has only the authority, only such authority as was given to it by the Charter. The Charter, I might add, duly authorizes this Board to award contracts that have gone through the competitive bidding process and any contract that has not gone through the competitive bidding

MINUTES

DGS - Expenditure of Funds - cont'd

process is ultra vires -- vires -- and I would deem unlawful and outside of the Board's authority to award. So, with that Mr. President, I would just simply ask the Board do not approve this contract."

President: "Comptroller."

Comptroller: "Yes, Mr. Nilson, could you respond to that, whether it is --"

President: "Talk in the mic."

Comptroller: "Ultra vir --"

Mr. Cook: "First, I would like to correct Mr. Jolivet. The work was not for an additional year, it was for six months."

City Solicitor: "The contractor under this -- in this interim contract period, was asked to continue the work, as I understand it, work that has safety and health considerations and the maintenance of public places and would be entitled to get paid essentially on the quantum meruit basis for the work that he -- that it was undoubtedly or it was undoubtedly asked to perform by the Department. So, we're not really approving a contract, we're approving payment for services, important services rendered in that period of time between a competitively bid contract that uh - that ABC - uh - uh - prevailed on and the

MINUTES

DGS - Expenditure of Funds - cont'd

commencement of a new contract, which it didn't prevail on. So, it's between competitive procurements. I think it's an appropriate request from the agency."

Mr. Jolivet: "Mr. President, before you vote on that and I'm -- I would ask the Solicitor to look at the Court of Special Appeals' opinion in, Tuxedo Cheverly vs Prince Georges County, and unfortunately Mr. Solicitor, the Court rejected that same argument, that same argument on the quantum meruit."

Solicitor: "I'm happy to look at it if you'd like to leave it with me and share it with me."

Mr. Jolivet: "I will give you -- I don't have to give you the cite, but I certainly will leave the cite with you."

Solicitor: "Great."

Mr. Jolivet: "But, nevertheless, your argument is fine, but it's been rejected."

Comptroller: "I believe that people should be paid for the work that they perform. But, this contract now is being put out for bid or --"

Mr. Cook: "It already has been bid and it was acquired by a different vendor."

MINUTES

DGS - Expenditure of Funds - cont'd

Comptroller: "Okay."

Solicitor: "If the Chair is ready for a Motion?"

President: "I'll entertain a Motion."

Solicitor: "I'd like to begin the Motion just with a caveat or a message to the agencies generally of the City that while the circumstances here present, I think, a basis for appropriate motion and approval, this is not something that we expect to see and something that we would hope to avoid in the future. But, with that caveat I would move to approve the request of the Department."

Mr. Cook: "Yes Sir, we've already met with Bureau of Purchasing and set up procedures to prevent this from happening again."

Comptroller: "Second."

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

MINUTES

Department of General Services - On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an on-call agreement with Ziger/Snead, LLP for Project No. 1125Z, On-Call Architectural Design Services. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$737,854.49 - Upset limit

BACKGROUND/EXPLANATION:

Various City agencies, on a continuing basis, require architectural design services to modify, upgrade, or repair their facilities. Typically, the work involved is limited in scope and/or of an urgent nature, which in either case, should not be postponed until the customary architectural design selection process can be executed. Calls for these services will be made on the contracts as needs are identified.

The cost of services rendered will be negotiated on a not-to-exceed price for each task assigned. The fees will be based on actual payroll rates, not including overhead and burden, times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

The period of the agreement will be two years. However, projects started within the two-year period may continue beyond the two-year time frame until completion. The total fee for this consultant's contract will not exceed \$737,854.49 for the two-year period.

The consultant has been approved by the Architect and Engineering Awards Commission (AEAC) procedures, under AEAC Project No. 1125Z.

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

June 26, 2012

Via Facsimile 410-685-4416

The Honorable President and Members

Baltimore City Board of Estimates

City Hall-Room 204

Baltimore, MD 21202

ATTN: Ms. Bernice Taylor, Clerk to the Board

Dear Mr. President:

I represent the Maryland Minority Contractors Association, Inc. ("MMCA"), its members, clients and constituents. We wish to protest the following identified items contained in Your Honorable Board's 6/27/2012 Agenda:

1. A request from the City's DGSA, on page 8, to approve an expenditure of funds to pay Associated Building Maintenance Company, Inc. for alleged services rendered after City contract BP-04161 expired;
2. A request from the City's Department of Recreation and Parks, on page 85, for Your Honorable Board to ratify certain services and approve an expenditure of funds to pay the State of Maryland Department of Public Safety and Correctional Services (DPSCS), to pay the DPSCS for outstanding invoices for the provision of prison labor details to assist with City park maintenance for the period of July 1, 2010 through June 30, 2011.

On June 25, 2008, Your Honorable Board approved an agreement with the DPSCS and the Department of Recreation and Parks for provision of such services. The agreement expired on June 24, 2011 but the DPSCS nevertheless continued to provide the services. Thus, the City's Department of Recreation and Parks is requesting Your Honorable Board's ratification of services performed and rendered after the contract expired on June 24, 2011.

3. A request from the City's Department of Recreation and Parks, on page 86, for Your Honorable Board to approve a proposed non-competitive \$900,000.00 City contract with

DPSCS to provide prisoner labor details to assist with park maintenance and other construction related work activities. The alleged period of the proposed agreement is July 1, 2011 through June 30, 2013, with one one-year renewal option. Hence, Your Honorable Board is, in essence, being requested to "ratify" one (1) full year of the contract's money amount, after the contract work tasks have allegedly been rendered.

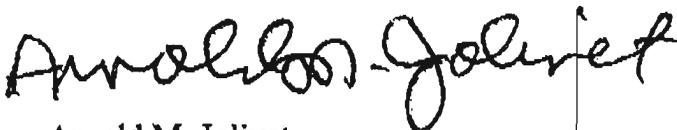
4. A request from the City's Bureau of Purchases to approve a proposed \$2,415,743.20 non-competitive "selected source agreement" with Telecommunication Systems, Inc. to allegedly provide "citywide" IT support staff services. The period of the proposed agreement is July 1, 2012 through December 31, 2012, with one (1) six-month renewal.
5. A request from the City's Bureau of Purchases for Your Honorable Board to award a proposed non-competitive \$2,077,420.00 contract to Digicon Corporation, to allegedly provide citywide IT support staff services to the Mayor's Office of Telecommunications Services.

The basic issue, common in each proposed contract award, is that they all violate the City's fundamental competitive bidding requirement as specifically delineated in Article VI, Section 11 et seq., of the City's governing charter (1966 Edition, as amended).

Protestant MMCA, its members, clients and constituents will be injured and damaged if Your Honorable Board votes to approve any of these proposed ultra vires and unlawful contracts.

Accordingly, we herein respectfully request that Your Honorable Board vote to reject all of the above cited proposed unlawful contracts. I look forward to personally addressing Your Honorable Board on these proposed contracts.

Respectfully submitted,



Arnold M. Jolivet
Managing Director

MINUTESDepartment of General Services - cont'd**MBE/WBE PARTICIPATION:****MWBOO SET GOALS OF 27% FOR MBE AND 9% FOR WBE.**

MBE: Sidhu Associates, Inc.	\$0.00-\$202,500.00	0-27%
Kumi Construction Management Corp	<u>\$0.00-\$202,500.00</u>	<u>0-27%</u>
	Totals in the	
	Aggregate Amount:	
	\$202,500.00	27%
WBE: Hope Furrer Associates, Inc.	\$ 67,500.00	9%

Totals are for the aggregate amount

MWBOO FOUND VENDOR IN COMPLIANCE.**AUDITS NOTED THIS ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the on-call agreement with Ziger/Snead, LLP for Project No. 1125Z, On-Call Architectural Design Services.

MINUTESDepartment of General Services - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as 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. 633 N. Franklintown Road	Kwalid Yaqoob	Retain awning w/ signage 40' 4" x x 2' 6"
Annual Charge: \$290.50		
2. 2521 E. Monument St.	Kyu Chan Kim	Retain two single face electric signs 10' x 4', eight fluorescent tubes
Annual Charge: \$562.80		
3. 3137 W. North Ave.	TLC, LLC	Retain one flat sign 11' x 2' four fluorescent tubes
Annual Charge: \$176.00		
4. 309 S. Broadway	Kedaarnath Krupa, LLC	Retain flat sign 8' x 1½'
Annual Charge: \$17.60		

MINUTES

Department of Housing and - Intergovernmental Agreement
Community Development (DHCD) for Land Disposition

ACTION REQUESTED OF B/E:

The Board is requested to approve an intergovernmental agreement for land disposition with the Housing Authority of Baltimore City (HABC) for the sale of 16 vacant lots located at 160, 164, 166, and 168 S. Kossuth Street, 5207 Norwood Avenue, 4409 Groveland Avenue, 4304 Ridgewood Avenue, 2921 Woodland Avenue, 3004 DuPont Avenue, 3017 Rosalind Avenue, 3217 Windsor Avenue, 4619 Parkwood Avenue, 3918 Fernhill Avenue, 3703 W. Forest Park Avenue, 2810 Oakley Avenue, and 4203 Ridgewood Avenue.

AMOUNT OF MONEY AND SOURCE:

\$16.00 (\$1.00 per property)
Negotiated Purchase Price

BACKGROUND/EXPLANATION:

On December 20, 2004, the HABC entered into the Bailey Consent Decree with the United States District Court for the District of Maryland (the Court) to redress alleged violations of Section 504, Title II of the American Disabilities Act (ADA), and the Fair Housing Act and their implementing regulations, 24 CFR Part 8 and 40, 28 CFR Part 35 and 24 CFR Part 100.

The Bailey Consent Decree stipulates that HABC will make available for occupancy 755 public housing units accessible for persons with mobility impairments in accordance with the UFAS. The units are to be designed as long term affordable and will remain affordable for a minimum of 40 years. The unit mix will consist of 289 one-bedroom units, 194 two-bedroom units, 153 three-bedroom units, 40 four-bedroom units, 6 five-bedroom

MINUTES

DHCD - cont'd

units, 6 six-bedroom units, and 67 one-bedroom convertible units that are UFAS compliant. A one-bedroom convertible unit can be converted to provide separate, private sleeping accommodations for the person with a disability who resides there and a personal care attendant.

To date the HABC has completed 609 of the 755 units with 146 units remaining to be completed. Of the 146 units remaining, approximately 30 are under construction, 20 are under contract with a developer to be constructed and another 26 are planned to be produced through future public housing rehabilitation and development. It is the HABC's intent to hire contractors to construct the remaining 70 units on land currently in its possession or acquired from the City. The HABC will ultimately own and operate the residential public housing units. Once the units are constructed they will be offered to current public housing residents needing the features of the unit or to eligible families who need the features of the unit and who are on the HABC's public housing waiting list.

All the units will comply with all applicable Federal regulations including, but not limited to UFAS/Section 504 Federal procurement requirements. In addition to the Federal laws and regulations, all the units will satisfy the compliance requirements of the State of Maryland laws and regulations and the City's Building Codes.

The HABC proposes to develop the Bailey UFAS Scattered Site Public Housing Project (the Project) using the conventional method of public housing development. The HABC proposes to utilize its Moving to Work Reserves up to the Total Development Costs limit for the 70 units. The HABC will develop the Project as the owner entity; the HABC will procure the services of a residential construction contractor in accordance with 24 CFR Part 85. In addition, HABC's Office of Engineering and Capital Improvements will manage the construction of at least five units.

MINUTES

DHCD - cont'd

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE VALUE DETERMINED BY THE WAIVER VALUATION WAIVER PROCESS:

The total fair market value of the properties was determined, to be \$75,211.29 pursuant to the appraisal policy of the City, based on the Waiver Valuation process. The fair market value for the vacant lots was determined to be \$.77 per square foot.

The properties are to be conveyed to the HABC below the price determined by the valuation waiver process to allow for the construction of the UFAS units. This sale will provide the following benefits:

- This development will eliminate neighborhood blight caused by City-owned vacant lots.
- The new construction will be to the specific benefit of the immediate communities.
- Allow the HABC to fulfill part of its UFAS requirement.

MBE/WBE PARTICIPATION:

It should be noted that the Purchaser has agreed to comply with the Minority and Women's Business Enterprise Program of Baltimore City.

(FILE NO. 57309)

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement for land disposition with the Housing Authority of Baltimore City for the sale of 16 vacant lots located at 160, 164, 166, and 168 S. Kossuth Street, 5207 Norwood Avenue, 4409 Groveland Avenue, 4304 Ridgewood Avenue, 2921 Woodland Avenue, 3004 DuPont Avenue, 3017 Rosalind Avenue, 3217 Windsor Avenue, 4619 Parkwood Avenue, 3918 Fernhill Avenue, 3703 W. Forest Park Avenue, 2810 Oakley Avenue, and 4203 Ridgewood Avenue. The President **ABSTAINED**.

MINUTES

Department of Housing and - Subordination and
Community Development (DHCD) Standstill Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve a subordination and standstill agreement with Himmelrich Associates, Inc. as to form. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The subordination and standstill agreement will allow the borrowing entities Washington-Monroe LLC (Owner) and Catalogue House, LLC controlled by Himmelrich Associates, Inc. for the project known as Montgomery Park to refinance the existing debt of \$55,000,000.00 with an additional \$15,000,000.00 for future tenant lease-up and build-out.

On July 25, 2001, the Board approved a United States Department of Housing and Urban Development (HUD) Section 108 loan of \$8,000,000.00 (the HUD 108 Loan) to a development team headed by Mr. Sam Himmelrich for the purchase and redevelopment of the former Montgomery Ward regional center located at 1000 South Monroe Street and 1900 Washington Boulevard. By a Subordination and Standstill Agreement (the Initial Subordination), the City subordinated the HUD 108 Loan to the development loan of Citi-

MINUTES

DHCD - cont'd

bank in the amount of \$24,277,659.00 (the Citibank loan). The Citibank loan was used for initial development and tenant improvements to Montgomery Park. The Initial Subordination is recognized in the 108 contract for Loan Guarantee Assistance between the City and HUD. The Citibank loan was for 5 years with two one-year extensions. The Citibank loan was later assumed by Riggs Bank, which in turn was purchased by PNC (the PNC Loan), which continues to hold the PNC loan. The PNC loan also allowed for additional funds to be drawn paying for tenant improvements when new leases were signed. Using this process the PNC loan has increased to a current balance of \$55,000,000.00. In November of 2007, the development team attempted to restructure the PNC loan to add further debt and establish long term permanent financing. The Baltimore Development Corporation (BDC) and the development team presented the Board with a Loan Agreement and Subordination and Standstill Agreement, which the Board approved. Due to issues unrelated to the City's involvement, the new loan did not close and the PNC loan remained in place. The interim loan period ended in 2008 and the development team since that time has been attempting to locate a lender to fund the permanent loan.

In 2011, the City and HUD negotiated a reduction in interest rate and the status of the HUD 108 Loan from an interim status (where interest rate floats) to a permanent loan. The current loan has a term that expires on August 1, 2021. The interest rate on the refinanced HUD 108 Loan is 2.8723% and the loan amount is \$5,865,000.00. The borrower has been making monthly payments on the loan since its origination in 2001. The City's remaining security interest includes a \$2,000,000.00 guarantee from Mr. Himmelrich and a \$1,000,000.00 BEDI reserve. The City also holds a second position mortgage lien on the property.

MINUTES

DHCD - cont'd

The Borrower recently received a commitment from Guggenheim Commercial Real Estate Finance to refinance the existing loan of \$55,000,000.00 and to provide additional funding (the Guggenheim Loan) enabling the borrower to convert the original development loan to a permanent loan. The current interest rate on the PNC loan is 6% and the interest rate on the new loan will be 5.25%. The term of the Guggenheim Loan will be for five years with a thirty year amortization period. The Guggenheim Loan will be secured primarily by a first lien deed of trust on the fee simple interest in the property.

It is expected at settlement that the Borrower will draw down approximately \$55,000,000.00 to pay off the PNC loan. An additional \$15,000,000.00 in Guggenheim Loan funds will be available and retained for future tenant build-out of Montgomery Park tenant lease space. The bank will hold the future build-out funds in a lock box account and release the funding as needed, after considering the debt coverage ratio when the request for funding is made.

According to the terms of the Guggenheim Loan, the Borrower is prohibited from drawing down any funds unless the debt service coverage ratio is greater than 1.50 to 1.00, after taking into account any new leases.

Even though the full amount of the Guggenheim Loan may never be drawn, the City has been asked to execute the Subordination Agreement as it has in the past for previous lenders for this project. The Subordination Agreement provides the City with enhanced guarantees of notification and a standstill period of 120 days in which the City will continue to collect payments through the cure period after an event of default is declared.

MINUTES

DHCD - cont'd

An updated appraisal performed on March 6, 2012 by Lipman Frizzell & Mitchell, LLC indicates a market value of the Monroe Street property of approximately \$82,000,000.00 as-is and \$100,000,000.00 as-stabilized.

The "as-is value" considers the property in its current, partially leased, condition. With the proposed loan of \$55,000,000.00 and an additional \$15,000,000.00 available for tenant build-out the current Guggenheim Loan to value ratio is 67%. With the addition of the HUD 108 Loan the loan to value ratio is 73%. Although the current loan to value ratio is within an acceptable range for commercial properties, the developer has sought to reduce the risk to the lenders by decreasing the interest rate paid on the debt. In 2011, the refinancing of the HUD 108 Loan from 6.4% to 2.87% decreased the HUD 108 Loan payments substantially. The current superior loan is being reduced from 6% to 5.25%, with an amortization period of 30 years.

As further insurance against default the additional \$15,000,000.00 available under the Guggenheim Loan will be used for tenant build-out only and will be amortized by each tenant lease agreement. Thus, the loan to value ratio should stay constant even as the first debt increases.

Regarding the stabilized appraised value of \$100,000,000.00 and a maximum Guggenheim Loan balance of \$70,000,000.00 the loan to value if funds were fully drawn down would be 70%. With the addition of the HUD 108 Loan in the amount of \$5,500,000.00, the overall loan to value is 75%, which is an acceptable ratio in the lending industry.

MINUTES

DHCD - cont'd

The developer continues to be current on the HUD 108 Loan and has completed its 10th year of payment on the loan balance.

MBE/WBE PARTICIPATION:

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

THE DIRECTOR OF FINANCE RECOMMENDED APPROVAL.

(FILE NO. 55801)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the subordination and standstill agreement with Himmelrich Associates, Inc. as to form. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

MINUTES

Department of Housing and - Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an agreement with Bon Secours of Maryland Foundation, Inc. The period of the agreement is January 1, 2012 through December 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$120,600.00 - 2089-208910-5930-530403-603051
59,400.00 - 2089-208910-5930-530434-603051
\$180,000.00

BACKGROUND/EXPLANATION:

The organization will implement a Clean and Green Program to manage land and implement a community greening strategy by eliminating blighted vacant lots in low and moderate-income areas of Southwest Baltimore by converting the lots into green open space and side yards. In partnership with Goodwill Staffing Services, this program will also provide employment training to area residents, to develop the necessary job skills in order to become gainfully employed in the "green" industries. Participants will receive classroom instruction and on-the-job training, which will include maintenance of previously improved lots.

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:

MINUTES

DHCD - cont'd

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)

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.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Bon Secours of Maryland Foundation, Inc.

MINUTES

Department of Housing and - Amendment of HOME Loan
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to amend the Board's prior approval of two loans to People's Homesteading Group, Inc. (PHG) by changing the source of funds for the \$65,000.00 from CDBG-R to HOME, and by combining it with the previously approved Home Loan for \$63,300.00 the two loans into one loan in the amount of \$128,300.00 for the PHG.

The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all legal documents to effectuate this transaction **SUBJECT** to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

<u>Sources</u>	<u>Uses</u>
\$128,300.00 - HOME Funds*	\$125,000.00 - Constr./Rehab. Costs
12,000.00 - CDA Community Legacy	10,000.00 - Constr. Contingent
4,000.00 - HOME SEG	23,500.00 - Charges, Interests & Financing Fees
10,000.00 - DSELP State of MD	5,300.00 - Professional Fees & Costs
10,000.00 - Vacants to Value	<u>35,000.00</u> - Settlement Costs
<u>34,500.00</u> - PHG Funds	
\$198,800.00	\$198,800.00

Account: 9910-905095

BACKGROUND/EXPLANATION:

On December 7, 2011, the Board approved two loans to the PHG: 1) A HOME loan in the amount of \$63,300.00 and, 2) a Community Development Block Grant - Rehabilitation loan (CDBG-R) in the amount of \$65,000.00 for a total amount of \$128,300.00.

MINUTES

DHCD - cont'd

The requested amendment will allow the proceeds of the HOME loan to be used to assist with the hard construction costs for the rehabilitation of 429 E. 22nd Street.

Since 2005, the PHG has been working to revitalize the 400 block of E. 22nd Street by renovating vacant homes in the area and selling them to first-time homebuyers.

The first phase of their project (Anchors of Hope III) involved the renovation and sale of eight homeownership units. Six of the units (406, 408, 410, 414, 418, and 422 E. 22nd Street) were supported in part by a loan of HOME Investment Partnerships Program (HOME) funds in the aggregate principal amount of \$560,000.00 and sold to first-time homebuyers with incomes at or below 80% of the area median income, adjusted for family size (AMI). The remaining two units (417 and 443 E. 22nd Street) are to be renovated by using private financing and sold to market-rate homebuyers.

In addition to these eight units, the PHG renovated and sold the unit at 431 E. 22nd Street. The renovation of this unit was financed in part by a loan from the CDBG-R program in the principal amount of \$50,000.00, and this unit was sold to a first-time homebuyer with an income at or below 80% AMI.

The PHG is attempting to continue this redevelopment of the 400 block of E. 22nd Street by renovating and selling the unit at 429 E. 22nd Street (the Property). The unit is a three-story townhouse with four bedrooms, two-and-a-half baths, and an unfinished basement and contains approximately 2,300 square feet. Because the unit is historic in nature, the PHG is required to comply with all architectural and historic standards.

MINUTES

DHCD - cont'd

In 2011, the PHG believed that market conditions had improved enough to allow it to complete and sell the unit in a timely manner.

The CDBG-R funds that the Board approved included a spending deadline. Because the Borrower was not in a position to advance the project in 2011 and early 2012, and therefore was unable to comply with the programmatic guidelines for the usage of the funds, the Department was required to use these funds on a different project. The project, however, is still important for the continued redevelopment of the Barclay neighborhood. Therefore, the Department is requesting approval to change the source of the \$65,000.00 loan from CDBG-R to HOME and to combine the two loans into a single HOME loan of \$128,300.00.

Staff have reviewed the project costs and believes that the HOME loan, in addition to the other sources described above, will be sufficient to allow rehabilitation to be finished. Once that occurs, the PHG will sell the unit to a first-time homebuyer with an income at or below 80% AMI.

To date, the PHG has already expended approximately \$22,000.00 for acquisition of the property from the City and \$173,000.00 for stabilization and preliminary renovation activities, for a total of \$195,000.00. These amounts are in addition to the sources and uses described above.

Based on the Department's underwriting, it has been determined that the homebuyer's first mortgage should not exceed \$180,000.00. (Because of the nature of the sources, the actual purchase price may be higher than this amount, depending on the appraisal, but the homebuyer's monthly principal and interest payments will be based solely on the first mortgage obtained.)

MINUTES

DHCD - cont'd

The Borrower believes that this price will meet current market conditions. To qualify, the homebuyer must have an annual income that will not exceed approximately \$55,000.00 (to be adjusted for family size). To ensure affordability and other programmatic requirements, the homebuyer will execute standard documents for the HOME Program, including a Regulatory Agreement (the Buyer Regulatory Agreement) with a period of affordability not to exceed ten years (the period of affordability) to secure the HOME loan and compliance with program requirements.

Participating Parties:

- A. Developer: People's Homesteading Group, Inc. will be the developer of the record.
- B. General Contractor: New City Construction Company, LLC will be the general contractor and will be required to post 100% Payment and Performance Bond.
- C. Architect: J. Stryker Sessions AIA will be the architect of record for the project.
- D. Participating Lenders: Capital Bank NA of Rockville, Maryland will be the first construction lender. The PHG has a line of credit with the Bank up to \$425,000.00, with a maturity date of October 9, 2012, and an interest rate of 6.50%. The outstanding balance owed on the loan is \$194,098.18. Monthly interest only payments are approximately \$1,060.00.

DHCD will provide a HOME Investment Partnership Program Loan in an amount not to exceed \$128,300.00. The HOME loan will have an interest rate of 0% per annum on sums advanced and a maturity date of nine months from the date of Board approval.

In order to help buy down the cost of the unit, the Department will apply \$88,300.00 of the HOME Loan as a development subsidy. The remaining \$40,000.00 of HOME funds will be a direct homebuyer subsidy (the Buyer HOME Loan)

MINUTESDHCD - cont'd

evidenced by a promissory note and structured as an unsecured loan with a term not to exceed ten years commencing on the date of purchase with an interest rate of 0% per annum. The homebuyer will execute and record the Buyer Regulatory Agreement. Under the terms of the Buyer Regulatory Agreement, if the homebuyer complies with all of the terms and covenants of the Buyer HOME Loan through the period of affordability, the loan will be forgiven in its entirety. In event a conveyance or a refinance occurs during the period of affordability, the homebuyer will be required to repay the Department all or a portion of the loan from net proceeds of sales depending on the length time the homebuyer has lived in the unit.

MBE/WBE PARTICIPATION:

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

TRANSFER OF FUNDS

\$65,000.00	9910-926010-9609	9910-905095-9610
Federal	HOME - FY 2010	People's Homesteading
FY 2010	Reserve A/C	Group

This transfer will provide Federal HOME funds to People's Homesteading Group for the construction and rehabilitation of 429 E. 22nd Street.

MINUTES

DHCD - cont'd

(FILE NO. 56258)

UPON MOTION duly made and seconded, the Board amended the Board's prior approval of two loans to People's Homesteading Group, Inc. (PHG) by changing the source of funds for the \$65,000.00 from CDBG-R to HOME, and by combining it with the previously approved Home Loan for \$63,300.00 the two loans into one loan in the amount of \$128,300.00 for the PHG. 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 Housing and
Community Development (DHCD)

- Third Party Construction
Inspection Services

ACTION REQUESTED OF B/E:

The Board is requested to approve the following construction inspections firms to provide third party inspection services under the HOME Investment Partnerships Program (the "HOME Program"):

- Landen McCall & Associates
- Clifton Company, LLC
- Bayview Enterprises, Inc.
- Mimar Architects, Inc.

The Board is further requested to authorize the Commissioner of the DHCD or his designee to execute any and all documents to effectuate this transaction subject to approval for form and legal sufficiency by the Law Department.

AMOUNT OF MONEY AND SOURCE:

No City funds will be required.

BACKGROUND/EXPLANATION:

The DHCD's Office of Project Finance administers Federal and non-Federal funds to aid in financing the development of rental residential housing, homeownership units, and community facilities on a project-by-project basis. Development projects that use funds procured through the DHCD are inspected on a periodic basis by the Office of Project Finance during the construction phase of the project. The purpose of the inspections are threefold: 1.) the inspector functions as the eyes and ears of the DHCD in the field, 2.) the inspector determines on behalf of the DHCD that construction has been

MINUTES

DHCD - cont'd

performed in a satisfactory and workmanlike manner, and 3.) the inspector verifies that all materials purchased and work performed on the project is consistent with the requisition submitted for payment by the project developer.

In prior years, it has been necessary to utilize third-party professional inspection firms in addition to the Department's in-house inspectors, in certain instances, particularly when the size and scope of the HOME-funded development projects undertaken by the Office of Project Finance became more complex.

A Notice of Advertisement was posted on the DHCD's web page on November 11, 2011. The Request for Proposals ("RFP B-2011") document was published in the Baltimore Sun on November 20, 2011.

An in-house review committee selected the following four firms to provide inspection services on an as-needed basis:

- Landen McCall & Associates
- Clifton Company, LLC
- Bayview Enterprises, Inc.
- Mimar Architects, Inc.

The review committee reviewed and scored the proposals on six criteria: 1.) capability to perform the required services, 2.) qualifications of assigned personnel, 3.) demonstration of relevant experience, 4.) demonstration of knowledge of applicable regulations, 5.) MBE/WBE Participation, and 6.) the proposed fee. The review committee recommended the selection of two MBE firms, one WBE firm, and one non-MBE firm to perform the required inspection services.

The above-listed firms will be placed on an eligibility list for a term not-to-exceed three years. The DHCD will only select from

MINUTES

DHCD - cont'd

the eligibility list if the in-house inspectors' schedules will not permit an inspection. Upon the selection of a third party inspector for a particular project, an agreement covering that project will be obtained from the vendor.

The DHCD has established a maximum price range for services required. For all services rendered under the inspection agreement, the hourly rate will be \$80.00 - \$115.00 per hour based upon the following criteria: attendance at lenders' pre-construction meetings, review of construction plans, specifications and permits, single family versus multi-family development, rehabilitation versus new construction, construction timeframes and job complexity, level of construction, estimating requirements (if applicable), number of progress meetings, draw meetings, site visits required, and the number of construction/draw reports written.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing construction inspections firms to provide third party inspection services under the HOME Investment Partnerships Program (the "HOME Program"): Landen McCall & Associates, Clifton Company, LLC, Bayview Enterprises, Inc., and Mimar Architects, Inc. The Board further authorized the Commissioner of the DHCD or his designee to execute any and all documents to effectuate this transaction subject to approval for form and legal sufficiency by the Law Department.

MINUTES

Department of Housing and - Local Government Resolution
Community Development

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

<u>Organization</u>	<u>Amount</u>
1. TELESIS BALTIMORE BARCLAY RENTAL PHASE II	\$3,294,947.00
	\$2,000,000.00 (MD DHCD-RHPP)
	\$1,294,947.00 (LIHTC)

The organization is applying to the State of Maryland's Rental Housing Production Program (RHPP) and Low-Income Housing Tax Credit (LIHTC) Program. A local government resolution of support is required by the State for all applications to these programs for funding.

The Barclay Square Phase 2 - Rental Housing Project will involve the acquisition, rehabilitation, and the new construction of a housing development project consisting of 69 affordable rental housing units. This rental housing project represents the second phase of a comprehensive redevelopment plan for the Barclay-Midway-Old Goucher neighborhood.

MBE/WBE PARTICIPATION:

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

(FILE NO. 57099)

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

MINUTES

Department of Housing and - Acquisition by Gift
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold interest for the property at 1119 N. Dallas Street, by gift, from TRF Development Partners-Oliver, LLC, **SUBJECT** to any outstanding municipal liens.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - No Funds will be expended

BACKGROUND/EXPLANATION:

The property owner, TRF Development Partners-Oliver, LLC, will donate the vacant lot to the City as a contribution to the Oliver Project. TRF Development Partners-Oliver, LLC will pay all outstanding liens at the time of settlement. The liens total approximately \$23.69, and are itemized as follows:

Cut High Grass	\$23.69
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The Commissioner of the Department of Housing and Community Development has made the required determination with regard to this property. The property will be redeveloped.

(FILE NO. 56462)

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest for the property at 1119 N. Dallas Street, by gift, from TRF Development Partners-Oliver, LLC, **SUBJECT** to any outstanding municipal liens.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold interest for the property at 1640 Ellsworth Street, by gift, from TRF Development Partners-Oliver, LLC, **SUBJECT** to any outstanding municipal liens.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - No Funds will be expended

BACKGROUND/EXPLANATION:

The property owner, TRF Development Partners-Oliver, LLC, will donate the vacant lot to the City as a contribution to the Oliver Project. TRF Development Partners-Oliver, LLC will pay all outstanding liens at the time of settlement. The liens total approximately \$243.68, and are itemized as follows:

Real Property	\$	47.60
Miscellaneous	<u>196.08</u>	
	\$243.68	

The Commissioner of the Department of Housing and Community Development has made the required determination with regard to this property. The property will be redeveloped.

(FILE NO. 56462)

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest for the property at 1640 Ellsworth Street, by gift, from TRF Development Partners-Oliver, LLC, **SUBJECT** to any outstanding municipal liens.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the land disposition agreement with 2812 Strathmore Ave., LLC, developer, for the sale of City-owned properties located at 1705 and 1707 Guilford Avenue.

AMOUNT OF MONEY AND SOURCE:

\$12,000.00 - 1705 Guilford Avenue
12,000.00 - 1707 Guilford Avenue
\$24,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will consist of the rehabilitation of two vacant properties into two single family homes. Once the rehabilitation of the properties is complete, the properties will be marketed for sale to first-time homebuyers. The developer has successfully completed several projects of this type in the Greenmount West community.

The construction cost will be approximately \$163,000.00 per property. The developer has a commitment letter from Chesapeake Development, LLC for a loan in the amount of \$400,000.00 to finance the construction.

MINUTES

DHCD - cont'd

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE VALUE DETERMINED BY THE WAIVER VALUATION PROCESS:

Pursuant to the appraisal policy of Baltimore City, the Waiver Valuation process was used in lieu of an appraisal; the properties were valued at \$16,000.00 each. The properties are being sold for \$12,000.00 each, which is below the price determined because of the following factors:

- a) specific benefit to the immediate community,
- b) elimination of blight, and
- c) economic development, creation of real estate and other taxes.

MBE/WBE PARTICIPATION:

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because they are valued at less than \$50,000.00.

(FILE NO. 57211)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with 2812 Strathmore Ave., LLC, developer, for the sale of City-owned properties located at 1705 and 1707 Guilford Avenue.

MINUTESHealth Department - Agreements and Amendment to Agreements

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

AGREEMENTS

- | | |
|--|---------------------|
| 1. BALTIMORE SUBSTANCE ABUSE
SYSTEMS, INC. (BSAS) | \$100,500.00 |
|--|---------------------|

Account: 4000-497812-3070-287500-603051

The BSAS will implement treatment services for the Project Title "The Baltimore City Adult District Court Drug Court Expansion and Enhancement Program". The Bureau of Justice Drug Court Project will expand the Baltimore City Adult District Court's Drug Treatment Court Program to further assist non-violent offenders with successful rehabilitation from the use of drugs and alcohol, and bring out meaningful behavioral and lifestyle changes. The goals will be accomplished by utilizing the cooperative effort between the Health Department, the BSAS, and the District Court of Maryland, Office of Problem Solving Courts, the Office of the Public Defender, the State's Attorney's Office, the Department of Probation and Parole, local treatment providers, and non-profit agencies. The period of the agreement is October 01, 2011 through September 30, 2012.

This agreement is being presented at this time because the Department was waiting for a suitable budget and scope of work.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

2. **CENTER FOR A HEALTHY MARYLAND,
INC. (CENTER)** **\$ 40,000.00**

Account: 4000-424212-3030-513208603051

The Center will educate obstetricians delivering in Maryland on identifying, screening, referral, and coordinating care for prenatal patients abusing substances, and educate substance abuse counselors in Maryland about the unique needs of treating pregnant women. The period of the agreement July 01, 2011 through June 30, 2012.

This agreement is being presented at this time due to receiving request late in grant year.

3. **HEALTH CARE FOR THE HOMELESS,
INC. (HCH)** **\$ 62,351.00**

Account: 4000-424512-3023-274460-603051

The HCH will provide HIV Minority AIDS Initiative Outreach for the Ryan White Part B Program. The HCH will provide outreach and engagement services and entitlement assistance to HIV+ persons experiencing homelessness who are not in care or who have fallen out of care. The period of the agreement is July 01, 2011 through June 30, 2012.

The agreement is being presented at this time because the Infectious Disease and Environmental Health Administration (IDEA) programmatically manages Ryan White Part B services. The IDEA selects the providers through a competitive

MINUTES

Health Department - cont'd

4. Request for Proposal process. The providers are asked to submit a budget; budget narrative, and scope of services. The Health Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are many times revised because of inadequate information from the providers. This review process is required to confirm with the grant requirements.

MWBOO GRANTED A WAIVER.

5. **HEALTH CARE FOR THE HOMELESS, INC. (HCH)** **\$ 23,000.00**

Account: 4000-424212-3030-513212-603051

The HCH will provide Health Education and Risk Reduction Services to homeless substance abusers. The HCH will prevent new HIV infections among homeless intravenous drug users in Baltimore City. The program participants will demonstrate increases in knowledge of HIV/AIDS, modes of transmission; risk reduction strategies; perceived risk for and severity of HIV/STD infection; mechanical skills and self-efficacy for proper condom use and needle cleaning; intentions to adopt safer sexual and needle-using behaviors; knowledge of their HIV serostatus; and intentions to seek drug treatment services, when applicable. The period of the agreement is January 01, 2012 through June 30, 2012.

MINUTES

Health Department - cont'd

This agreement is late because it was received late in the grant year.

6. **INTERGROUP SERVICES, INC.** **\$684,082.00**

Account: 4000-427712-3023-274404-603051

The organization will provide technical, research and administrative support services associated with carrying out legislatively mandated functions of the Baltimore Eligible Metropolitan Area Ryan White Part A Services. The period of the agreement is March 01, 2012 through February 28, 2013.

This agreement is late because it was just finalized.

MWBOO GRANTED A WAIVER.

7. **SISTERS TOGETHER AND REACHING, INC. (STAR)** **\$ 28,807.00**

Account: 4000-424212-3030-513208-603051

STAR will provide health education and risk reduction (HERR) - to prevent new HIV infections among women in Baltimore City who engage in behaviors that put them at high risk for becoming HIV infected. The period of the agreement is January 1, 2012 through June 30, 2012.

MINUTES

Health Dept. - cont'd

This agreement is late because it was recently received from provider.

8. **TRAINING RESOURCES NETWORK, INC. (TRN)** **\$200,000.00**

Account: 4000-427712-3023-273315-603051

The TRN will work in conjunction with the Department's Clinical Quality Management staff to effectively manage and implement an Eligible Metropolitan Area (EMA)-wide clinical quality management program. The program will enhance the development, delivery, and availability of HIV services throughout the EMA. The period of the agreement is March 01, 2012 through February 28, 2013.

This agreement is late because it was just completed.

MWBOO GRANTED A WAIVER.

AMENDMENT TO AGREEMENTS

9. **ALMOST HOME II ASSISTED LIVING, INC./4813 GWYNN OAK AVENUE** **\$ 3,250.00**

Account: 5000-534012-3044-273302-603051

On August 17, 2011, the Board approved the original agreement in the amount of \$7,800.00 for the period July 1, 2011 through June 30, 2012.

The number of eligible subsidized residents changed at this facility. The Department is increasing the agreement by \$3,250.00, making the total agreement \$11,050.00.

MINUTES

Health Dept. - cont'd

10. **BETTY & DEBBIE'S FAMILY PLACE, (\$ 3,250.00)**
INC./5411 WALTHER AVENUE

Account: 5000-534012-3044-273302-603051

On August 31, 2011, the Board approved the original agreement in the amount of \$7,800.00 for the period July 1, 2011 through June 30, 2012.

This amendment will reduce the agreement by \$3,250.00, making the total agreement \$4,550.00. This reduction reflects a decrease in the actual number of subsidized residents living at this facility during the contract period.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements and amendments to agreements. The Mayor **ABSTAINED** on item no. 1. The President **ABSTAINED** on item no. 1.

MINUTES

Department of Finance/ - FY 2013 Renewal for Baltimore City
Office of Risk Management Aircraft Hull & Liability Policy

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the Baltimore City Aircraft Hull and Liability Insurance Policy. The period of the renewal is effective on July 01, 2012 for one year.

AMOUNT OF MONEY AND SOURCE:

\$118,134.00 - 1001-000000-2010-197800-603014

BACKGROUND/EXPLANATION:

This insurance policy provides both liability and hull coverage for the Baltimore Police Department's fleet of helicopters. Coverage is being renewed with the incumbent carrier, Global Aerospace at no change in rate. The renewal quote is based upon the existing fleet of four aircrafts, as the first two replacement aircrafts are not expected to be delivered until the middle of July.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the Baltimore City Aircraft Hull and Liability Insurance Policy.

MINUTES

Department of Finance/ - FY 2013 Renewal of Employee
Office of Risk Management Crime Insurance Coverage

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of Mayor & City Council of Baltimore and the Baltimore City Public School System Employee Crime Insurance Policy. The period of the renewal is effective on July 01, 2012 for one year.

AMOUNT OF MONEY AND SOURCE:

\$17,351.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

This insurance policy will provide coverage for the loss of money, securities, or other financial instruments for which the Mayor & City Council of Baltimore and the Baltimore City Public School System are legally liable. The marketplace is limited. The Chartis Insurance Company will continue to provide this coverage for the coming year. The policy has a \$1,000,000.00 per occurrence limit, with a per occurrence deductible of \$10,000.00.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of Mayor & City Council of Baltimore and the Baltimore City Public School System Employee Crime Insurance Policy.

MINUTES

Department of Finance/ - FY 2013 Renewal of GPS Tracking
Office of Risk Management Systems Insurance Coverage

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of insurance coverage for GPS tracking systems installed on Baltimore City Public School System and vendor-owned school buses. The period of the renewal is effective July 01, 2012 for one year.

AMOUNT OF MONEY AND SOURCE:

\$8,504.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

This policy provides theft and direct physical damage for GPS tracking units installed in 30 Baltimore City Public School System buses and 350 vendor owned buses. Insurance is being provided by the incumbent carrier, AGCS Marine Insurance Company at a 5% rate increase.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of insurance coverage for GPS tracking systems installed on Baltimore City Public School System and vendor-owned school buses.

MINUTES

Department of Finance/ - FY 2013 Renewal of Master
Office of Risk Management Property Insurance Policy

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the Master Property Insurance Policy to cover the real and personal property of the Mayor and City Council and the Baltimore City Public School System. The period of the renewal is effective on July 01, 2012 for one year.

AMOUNT OF MONEY AND SOURCE:

\$2,334,935.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

The Master Property Insurance Policy renewal is through the incumbent carrier, Lexington Insurance Company. This policy covers the real and personal property of the Mayor and City Council and the Baltimore City Public School System.

Two years ago, 13 markets were approached and declined based on target pricing and limited capacity for this class of business. Last year, due to the state of the property market and increased claims activity, our brokers reached out to another leader in the property market place, Travelers Insurance, who expressed no interest except at increased premiums. Because of the double snowstorms during the winter of 2010, in addition to the recent market loss activity such as spring floods, tornadoes, tsunami, earthquake activity across multiple states, and market tightening, the Office of Risk Management (Risk Management) once again anticipated a challenging renewal process for this very important insurance placement.

As a result of the snowstorms, the City incurred \$4,007,350.00 in losses to real property. With these obstacles to face, Risk Management feels it is best to work with the incumbent carrier only, to obtain the most competitive pricing and comprehensive

MINUTESOffice of Risk Management - cont'd

plan. The renewal price reflects an 8% increase which is attributed to the frequency and severity of our claims, as well as market loss activity and expectations for increased Atlantic Coast loss estimates for hurricane and wind. However, our rate of .0378 still remains very competitive at less than \$0.04 per \$100.00 of coverage.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the Master Property Insurance Policy to cover the real and personal property of the Mayor and City Council and the Baltimore City Public School System.

MINUTES

Department of Finance/ - FY 2013 Renewal of Directors
Office of Risk Management and Officers Insurance

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of insurance for Directors and Officers. The period of the renewal is effective July 01, 2012 through July 01, 2013.

AMOUNT OF MONEY AND SOURCE:

\$23,330.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

On May 5, 2010, the Board renewed a May 11, 2005 Resolution, whereas the City would indemnify and save harmless the directors, officers, and employees of certain non-profit quasi-corporations from monetary loss sustained by them due to acts of negligence while in the performance of their duties as directors, officers and employees of said non-profit corporations. This coverage is being renewed with the incumbent carrier, Zurich, at the same terms and conditions as the expiring policy. The renewal premium of \$23,330.00 represents a 3% rate increase.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of insurance for Directors and Officers.

MINUTES

Department of Finance - Application, Group Fixed Deferred Annuity Agreement, and Letter Agreement for New Investment Option for the City's Deferred Compensation Plan

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an application for Group Annuity Contract, the Group Fixed Deferred Annuity Contract, and the Letter Agreement with Great-West Life & Annuity Insurance Company (Great-West) and Wells Fargo Bank, N.A. for a new investment option called the Maxim SecureFoundationSM Balanced Portfolio.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Deferred Compensation Committee, with the assistance of a consultant, has finalized a contract with Great-West for the Maxim SecureFoundationSM Balanced Portfolio. This will allow participants to invest in an annuity product.

The Deferred Compensation Committee would like to add this product as an investment choice in the Deferred Compensation Plan to allow participants the option of further diversifying their investments. This product, under certain conditions, offers participants a guarantee of retirement income for life, regardless of negative market performance or how long a participant lives.

MINUTES

Department of Finance - cont'd

(FILE NO. 55951)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the application for Group Annuity Contract, the Group Fixed Deferred Annuity Contract, and the Letter Agreement with Great-West Life & Annuity Insurance Company (Great-West) and Wells Fargo Bank, N.A. for a new investment option called the Maxim SecureFoundationSM Balanced Portfolio.

MINUTES

PERSONNEL MATTERS

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UPON MOTION duly made and seconded,

the Board approved

the Personnel matters

listed on the following pages:

2507 - 2534

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

The President **ABSTAINED** on Item no. 25.

The Comptroller **ABSTAINED** on Item no. 26.

MINUTES**PERSONNEL**Department of Planning

	<u>Hourly Rate</u>	<u>Amount</u>
1. JOHN TRAVIS PATE	\$25.64	\$23,307.00

Account: 1001-000000-1220-146350-6010099

Mr. Pate will work as a Research Analyst. His duties will include but are not limited to collecting, compiling, verifying, analyzing, interpreting and reviewing data and statistics on City agency programs for the Department. This information will be used in proposals, presentations and recommendations, detailed reports, charts, graphs, statistical tabulations and other documents using various data and statistics for staff. He will develop data collections procedures and forms, and data analysis techniques. He will collect, organize, and evaluate data from a wide variety of sources to determine the importance, significance, and reliability for use in preparing reports. He will assist City planners in mapping, charting, and geographic information systems analysis of census related and demographic data for planning and grant reports, attend meetings, participate in meetings and make recommendations. The period of the agreement is July 9, 2012 through January 4, 2013.

Health Department

2. DELLA YVONNE DUNCAN	\$13.00	\$ 6,760.00
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Account: 4000-499012-3030-513100-601009

Ms. Duncan will continue to work as a Community Outreach Worker/Special Populations for the STD/HIV Prevention Program. Her duties will include, but will not be limited

MINUTES**PERSONNEL**Health Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
<p>to STD/HIV testing in community settings with high incidence of syphilis and/or HIV infection, identifying venues and key community stakeholders to reach priority populations such as youth and Men Who Have Sex with Men. She will also provide client-based health education and risk reduction counseling for STD/HIV prevention, complete intake forms, client logs and other paper work associated with the outreach testing program, and assist with the collection of gonorrhea and chlamydia specimens. The period of the agreement is July 1, 2012 through December 31, 2012.</p>		
3. WILMA J. BROWN	\$19.00	\$36,210.20
Account: 5000-533813-3044-273300-601009		
<p>Ms. Brown will serve as a Program Assistant II for the Money Follows the Person Program. Her duties will include, but are not limited to receiving referrals through the tracking system, entering data in the tracking system, and participating in monthly meetings. Ms. Brown will also be responsible for providing placement counseling for residents that are not eligible, meeting with nursing home residents and/or family who are interested in transitioning to the community; providing education regarding the various waiver and Medical Assistance services programs, non-state programs and other community resources, and application assistance. The period of the agreement is July 1, 2012 through June 30, 2013.</p>		
4. FLORA CALDWELL-DAUGHTRY	\$16.00	\$19,200.00
Account: 4000-426213-3100-306800-601009		

MINUTES

PERSONNEL

Health Department - cont'd

Hourly Rate

Amount

Ms. Caldwell-Daughtry, retiree, will work as an Accounting Assistant II for the Adult Evaluation and Review Services (AERS). Her duties will include, but are not limited to providing administrative assistance, designing and maintaining the AERS database and the billing information database, and tracking and recording incoming revenue. She will also be responsible for collecting and compiling data for statistical reports; assisting with the identification of funding sources to support program initiatives and assisting with the development of grant applications. The period of the agreement is July 1, 2012 through June 30, 2013.

5. **ADA V. MOORE, R.N.** \$26.84 \$32,208.00

Account: 4000-424613-3080-294500-601009

Ms. Moore, retiree, will continue to work as a Community Health Nurse II for the Bureau of Clinical Services. She will provide immunizations and health education in the child and adult immunization clinics. She will also assist with investigations of reported vaccine-preventable disease outbreaks. The period of the agreement is July 1, 2012 through June 30, 2013.

6. **ANDRE L. HARRY** \$15.00 \$ 7,800.00

Account: 6000-627813-3080-294400-601009

Mr. Harry will work as Youth Development Aides/Tutor in the Carrera-Young Executives After-School Program. He will be responsible for providing homework assistance, tutorial

MINUTES**PERSONNEL**Health Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
and college preparation assistance, and individual instruction to participants with specific education deficits in high level Math and/or English. In addition he will maintain folders/records on individual students to assist in skill building and helping build educational resources and updating educational areas quarterly. The period of the agreement is July 1, 2012 through June 30, 2013.		
7. LEONA L. TRUELOVE	\$35.00	\$42,000.00

Account: 4000-497313-3041-688201-601009

Ms. Truelove, retiree, will continue to work as a Health Program Administrator III. She will be responsible for assisting the Director, Office of Chronic Disease, with program, budget, and administrative work to support the Cardiovascular Initiative and the Baltimore City Cancer Prevention Education Screening and Treatment Program. She will also monitor and edit the database for the Baltimore City Cancer Prevention Education Screening and Treatment Program to ensure accurate patient data and provide program updates and data. She will write grant applications; assist the Grants Development Office as a technical writer. In addition, Ms. Truelove will serve on the Grant Review Committee for the Tobacco Use Prevention and Cessation Program. The period of the agreement is July 1, 2012 through June 30, 2013.

MINUTES

PERSONNELHealth Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
8. JOHN LAWS NICKENS, D.D.S.	\$66.00	\$85,800.00

Account: 1001-000000-3030-271993-601009

Mr. Nickens will continue to provide general dentistry procedures i.e., diagnostic, preventive, periodontal, restorative and fixed prosthodontics, and minor oral surgery treatment and provide on-site supervision over public health hygienist and clinic staff. The hourly rate is a 10% increase from the prior contract period. The period of the agreement is July 1, 2012 through June 30, 2013.

9. ROEH BEN ISRA-EL	\$16.16	\$29,411.20
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Account: 6000-624010-3030-273296-601009

Mr. Isra-El, formerly named Bernard L. Conaway, will continue to serve as a Patient Care Coordinator. He will monitor and provide follow-up assistance for students and registration assistance for older adults seeking dental assistance within the Giving Retired Adults Mighty Smiles (GRAMS*) Program. He will provide dental program linkages to agencies that refer to the dental clinic and provide program information and referral assistance to community groups and organizations. The period of the agreement is July 1, 2012 through June 30, 2013.

MINUTES

PERSONNELHealth Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
10. CHANAGRA O. MASSEY	\$35.00	\$66,430.00

Account: 4000-497312-3041-688202-601009

Ms. Massey will continue to work as a Dental Hygienist/Cancer Specialist. Her duties will include screening community members for oral cancer utilizing methods and eligibility processes approved by the Maryland Department of Health and Mental Hygiene dental program. Ms. Massey will provide additional clinical tests if cancer is suspected, refer clients who do not have signs of cancer to free/low-cost dental services and collect personal information on screened individuals. She will confer with the Director of the Dental Program on suspected cancer cases, assist in education of community dentists on the importance of oral cancer screening, attend health fairs where screening services will be provided, as well as attend monthly meetings with education and clinical staff and weekly meetings with case manager to discuss potential findings of cancers. The period of the agreement is July 1, 2012 through June 30, 2013.

11. STEPHANIE S. REGENOLD	\$37.13	\$28,961.40
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Account: 5000-530013-3080-595800-601009

Ms. Regenold will continue to work as a Senior Infant Health Advisor for the Bureau of Maternal and Infant Care. She will be responsible for analyzing epidemiologic data related to birth outcomes for improved program decision-making, preparing relevant materials for and actively participating in Fetal and Infant Mortality Review. She will also attend meetings, conduct presentations, and other services for the program. She will also collaborate with the Bureau Chief to implement the strategy to improve birth outcomes in Baltimore City. The period of the agreement is July 1, 2012 through June 30, 2013.

MINUTES**PERSONNEL**Health Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
12. GERRY WATERFIELD	\$43.68	\$50,232.00

Account: 6000-624913-3100-295900-601009

Ms. Waterfield will work as a School Based Health Center Administrator. Her duties will include, but not be limited to providing consultation to the Clinical Director and other staff, serving as the representative on various State and local committees, and attending meetings. She will also be responsible for coordinating with Baltimore City Health Department and Maryland State labs; assisting staff to maintain compliance with CLIA lab standards; assisting with the preparation of local, state and federal grant reports and collecting and reviewing data for annual surveys. She will provide clinical coverage as needed during emergencies and assist with ordering and filling of medication. The period of the agreement is July 1, 2012 through June 30, 2013.

PERSONNELHealth Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
13. MARGARET DIETRICH	\$25.00	\$ 1,750.00

Account: 1001-000000-2401-258300-601009

Ms. Dietrich will work as an Animal Hearing Panel Member. She will be responsible for providing the resolution of disputes arising from the enforcement of Title 10 of the Baltimore City Code. The period of agreement is July 1, 2012 through June 30, 2013.

MINUTES

PERSONNELHealth Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
14. SOPHIA M. KROME, R.N.	\$30.00	\$23,940.00
15. JENNIFER PANKEY, R.N.	\$30.00	\$23,940.00

Account: 5000-524306-3080-290700-601009

Ms. Krome and Ms. Pankey, retirees, will work as Community Health Nurse IIs. They will be responsible for assessing, planning, and evaluating patient care in the home, interviewing and assessing health needs of individuals, families, and analyzing and interpreting assessment findings for health and welfare professionals. In addition, they will develop nursing care plans for patients receiving skilled and non-skilled nursing care and provide preventive health education and community resources to improve the health status of individuals and families. The period of the agreement is July 1, 2012 through June 30, 2013.

16. JAMIKA L. YOCHIM	\$45.00	\$81,900.00
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Account: 6000-624010-3030-273200-601009

Ms. Yochim will work as a Clinical Dental Hygienist for the Dental Program. She will be responsible for providing services within the Eastern and Druid Dental clinics and at designated outreach facilities and events. Her duties will include, but will not be limited to providing diagnostic, preventive and periodontal dental care to clinic patients. She will also provide oral health education to clinic patients, outreach to participants, participant family members, and facilities staff. Ms. Yochim will also serve as a patient referral source for clinic services, participate in and monitors out-reach activities and outcomes. The hourly rate is an increase of 13% from the previous contract. The period of the agreement is July 1, 2012 through June 30, 2013.

MINUTES

PERSONNELHealth Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
17. HENRY R. WILLIAMS, JR., D.D.S.	\$85.00	\$17,680.00

Account: 1001-000000-3030-271991-601009

Mr. Williams will continue to provide services as an Oral Surgeon. He will be responsible for performing complicated oral surgery procedures on patients treated in the Health Department's clinics located in the Druid and Eastern Health Centers. The hourly rate is an increase of 6% from the previous contract. The period of the agreement is July 1, 2012 through June 30, 2013.

18. Create the following position:

74137 - City Planner, II
Grade 113 (\$46,700.00 - \$65,500.00)
Job No.: To be assigned by BBMR

Costs: \$67,527.00 - 4000-423112-3150-307900-601001

19. a. Re-Title and upgrade the following class:

From: 61121 - Clinical Director, School-Based
Health Centers
Grade 119 (\$61,900.00 - \$87,500.00)

To: 61121 - Clinical Director, Health Center
Grade 120 (\$64,800.00 - \$91,100.00)

MINUTES**PERSONNEL**Health Department - cont'db. Reclassify the following vacant position:

From: 62295 - Nurse Practitioner Supervisor
 Grade 115 (\$51,000.00 - \$72,200.00)
 Job No.: 3080-14620

To: 61121 - Clinical Director, Health Center
 Grade 120 (\$64,800.00 - \$91,100.00)

c. Abolish the following class:

62295 - Nurse Practitioner Supervisor
 Grade 115 (\$51,000.00 - \$72,200.00)

Costs: \$15,795.00 4000-422712-3080-271200-601001

Department of Human Resources20. Change the effective date for the adjusted hourly pay rates for the following classes:

- a. 10221 - School Health Aide
Grade 032 (\$13.64 - \$14.55)
- b. 10223 - Licensed Practical Nurse
Grade 034 (\$17.45 - \$19.92)
- c. 10225 - Community Health Nurse II
Grade 036 (\$29.65 - \$34.05)
- d. 10222 - Medical Office Assistant
Grade 033 (\$14.82 - \$17.07)

MINUTES**PERSONNEL**Department of Human Resources

- e. 10224 - Community Health Nurse I
Grade 035 (\$25.18 - \$29.77)
- f. 10226 - Nurse Practitioner
Grade 037 (\$34.63 - \$39.62)

On May 23, 2012, the Board approved the recommendation to increase the hourly rates for the above six classifications effective July 1, 2011. However, the effective date should be the date of the Board's approval. The Board is requested to approve the correction to the change to the effective date from July 1, 2011 to May 23, 2012.

There are no costs associated with this action.

Health Department, Bureau of Environmental Services21. a. Reclassify the following vacant position:

From: 42516 - Director Bureau of Environmental Services
Grade 119 (\$61,900.00 - \$87,500.00)
Job No.: 3020-14227

To: 10172 - Division Chief II
Grade 952 (\$62,700.00 - \$90,900.00)

b. Abolish the following class:

42516 - Director, Bureau of Environmental Services
Grade 119 (\$61,900.000 - \$87,500.000)

Costs: \$947.00 1001-000000-3021-268600-601001

MINUTES

PERSONNELCircuit Court for Baltimore City

	<u>Hourly Rate</u>	<u>Amount</u>
22. ANGELA LOWRY	\$34.09	\$65,000.00

Account: 5000-540312-1100-109400-601009

Ms. Lowry will continue to work as a Drug Court Coordinator. She will be responsible for planning, developing, implementing, and evaluating components of the Drug Treatment Court (DTC) program and acting as liaison with the drug treatment system, as well as other agencies to ensure effective coordination of resources and activities. Ms. Lowry will ensure implementation and compliance with local and statewide management information systems for reporting performance measures and standard data elements to monitor and evaluate the DTC and its impact. In addition she will research available grant funding, legislative funding or other annual funding, and develop grant proposals. The period of the agreement is July 27, 2012 through July 26, 2013.

23. VALERIE McKEIVER	\$21.16	\$40,000.00
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Account: 5000-540312-1100-109400-601009

Ms. McKeiver will continue to work as a Drug Court Case Manager. She will be responsible for overseeing the ancillary service component of the program, developing case plans, facilitating access to services, and providing reports to the Judiciary. The period of the agreement is July 1, 2012 through June 30, 2013.

MINUTES**PERSONNEL**Circuit Court for Baltimore City

	<u>Hourly Rate</u>	<u>Amount</u>
24. DERRICK DIAS	\$22.70	\$ 43,350.00

Account: 5000-544412-1100-117000-601009

Mr. Dias will continue to work as an IT Specialist for the Circuit Court Information Technology Division. He will be responsible for investigating, resolving, documenting and/or coordinating computer, telephone, blackberrys/cell phones, docket display, telephonic conferencing, software applications, printer/fax, and network connectivity issues. In addition, Mr. Dias will design, program, and maintain databases that serve inventory and documentation purposes for various administrative functions. He will provide support services for potentially new and deployed court technology projects and provide other support functions such as training, print shop and coordination of computer supplies. The salary shows a 2% increase from the previous contract period. The period of the agreement is July 1, 2012 through June 30, 2013.

Office of the City Council President

25. MICHAEL SWIFT	\$90.00	\$ 6,750.00
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Account: 1001-000000-1000-104800-601009

Mr. Swift will work as a Parliamentarian and report to the President of the City Council. Mr. Swift is a Professional Registered Parliamentarian and a Certified Professional Parliamentarian. His duties will include, but will not be limited to attending City Council meetings, providing technical support to the President of the City Council, and providing advice on parliamentary procedures. Mr. Swift will also review and comment on questions regarding parliamentary procedures and educate the President and City Council on parliamentary procedures. The period of the agreement is effective upon Board approval for 12 months.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Comptroller's Office</u>		
26. FRED WRIGHT	\$17.98	\$34,301.00

Account: 1001-000000-1300-157300-601009

Mr. Wright, retiree, will continue to work as a Special Assistant. He will be responsible for providing for the safety and well-being of the Comptroller and escorting the Comptroller to meetings and public events. Mr. Wright will supervise the maintenance of vehicles assigned to the Comptroller, deliver Citations and Resolutions to constituents, and assist with the processing of Board of Estimates' materials, and perform other duties, as assigned. The salary shows a 2% increase from the previous contract period. The period of the agreement is June 28, 2012 through July 27, 2013.

THE OFFICE OF THE COMPTROLLER IS REQUESTING A WAIVER OF THE SALARY CAP AND THE NUMBER OF HOURS WORKED, AS OUTLINED IN THE CITY'S ADMINISTRATIVE MANUAL 212-1 PART I - RETIREES.

Police Department

27. FRED D. WRIGHT	\$14.42	\$30,000.00
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Mr. Wright, retiree, will continue to work as a Contract Service Specialist (CODIS Administrative Assistant) for the Laboratory Section. He will be responsible for processing Investigative Notices from the MSP Lab/Convicted Offender labs participating in the National DNA Index System and DNA Case Tracking data entry/Liaison for the Criminal Investigative Division. The period of the agreement is July 14, 2012 through July 13, 2013.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department</u> - cont'd		
28. DONALD F. KRAMER	\$14.42	\$30,000.00
<p>Mr. Kramer, retiree, will continue to work as a Contract Service Specialist for the Education and Training Section - Armory. He will be responsible for the regular maintenance of duty weapons for every entity of the agency, including Patrol and WATF, etc. Mr. Kramer will also repair weapons on sight and establish procedures for inspection and in-depth cleaning of handguns. The period of the agreement is July 14, 2012 through July 13, 2013.</p>		
29. EDNA M. PRICE	\$14.42	\$30,000.00
<p>Ms. Price, retiree, will continue to work as a Contract Service Specialist for the Property/Evidence Control Section. She will be responsible for receiving property/evidence submissions from officers/lab personnel, ensuring the accuracy of paperwork, and entering information into the tracking system. In addition, Ms. Price will be responsible releasing property to personnel for further examination/or as evidence for court. The period of the agreement is July 14, 2012 through July 13, 2013.</p>		
30. SHONDA D. WILLIAMS	\$14.42	\$30,000.00
<p>Ms. Williams, retiree, will continue to work as a Contract Service Specialist for the Central Records Section. She will be responsible for approving offense reports after the Police Report Reviewer has reviewed them and verifying information on RMS to ensure that it matches the offence report. The period of the agreement is July 14, 2012 through July 13, 2013.</p>		

MINUTES

PERSONNELPolice Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
31. KENNETH C. EYSTER	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Mr. Eyster, retiree, will continue to work as a Contract Service Specialist for the Inspections Section/Court Liaison Program. He will be responsible for meeting with Assistant State's Attorneys daily for preparation/execution of juvenile caseloads and providing contact information for officers. Mr. Eyster will also be responsible for the acquisition of case files, taped statements, photo arrays, chemical analyses, and police reports for files. The period of the agreement is July 14, 2012 through July 13, 2013.

32. LAWRENCE A. BANKS, SR.	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Mr. Banks, retiree will continue to work as a Contract Service Specialist for the Personnel/Applicant Investigation Section. He will be responsible for conducting pre-employment background investigations for civilian and sworn applicants. In addition he will canvas neighborhoods and check references, as well as conduct background investigations for promotional candidates. The period of the agreement is July 21, 2012 through July 30, 2013.

MINUTES

PERSONNELPolice Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
33. DONALD K. MATTHEWS	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Mr. Matthews, retiree will continue to work as a Contract Service Specialist for the Personnel/Employee Benefits/Retiree Unit. He will be responsible assisting in funeral arrangements of officers killed in the Line of Duty. He will assist survivors/retirees in setting up estates and obtaining benefits. In addition, he will assist retirees with pension and health care benefits and assist as a liaison with Retirement System/pre-retirement seminars and job bank. The period of the agreement is July 21, 2012 through July 30, 2013.

34. REBECCA HERRINGTON	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Ms. Herrington, retiree, will work as a Contract Service Specialist for the Personnel Section - Recruiter and Applicant Investigator. She will be responsible for contacting applicants to schedule them for the hiring process. She will conduct pre-employment investigations for sworn and civilian members; conduct local, state, and national records and warrant checks; investigate references, conduct neighborhood canvasses, interview applicants. She will interview applicants, gather all vital documents and summarize into a pre-employment file. The period of the agreement is effective upon Board approval for one year.

MINUTES

PERSONNELPolice Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
35. BARBARA D. MITCHELL	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Ms. Mitchell, retiree, will work as a Contract Service Specialist for the Grants Unit. She will be responsible for reviewing award documents for completeness and accuracy; obtaining any official documentation needed such as grant scopes, signatures and approvals; preparing all correspondence and documentation required by the Board of Estimates; preparing various types of documentation including contractual agreements, interagency agreements, memorandum of understanding and grant adjustments. The period of the agreement is effective upon Board approval for one year.

36. NAWSATH BEGUM ASHARAFF	\$14.42	\$30,000.00
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Account: 5000-599013-2044-219600-601009

Ms. Asharaff retiree, will work as a Contract Services Specialist I. Her duties will include data entry for the Ex-Parte/Protective Order Entry and Service Initiative. The period of the agreement is July 1, 2012 through June 30, 2013.

On January 3, 1996, the Board approved a waiver to administrative Manual Policy 212-1, which allowed the Police Department to hire retired police officers on a contractual basis.

MINUTES

PERSONNELPolice Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
37. ARIEL S. ERVIN	\$16.82	\$35,000.00
Account: 5000-589913-2013-688000-601009		\$33,057.00
4000-470012-2252-694205-601009		\$ 1,943.00

Ms. Ervin will continue to work as a Victim Advocate. She will be responsible for providing crisis counseling, safety planning and resource identification to victims. The period of the agreement is July 1, 2012 through June 30, 2013.

38. ROSE M. BROCK	\$200.00/scheduled	\$35,000.00
examination		
	\$100.00/no show	

Account: 1001-000000-2003-195500-603206

Ms. Brock will continue to work as a Polygraph Specialist. She will be responsible for assisting in developing an investigative plan for questioning; conducting scheduled polygraph examinations, providing written evaluations of examinations conducted in a timely manner; and developing a method of disseminating, tracing, and storing copies of the results of examinations. She will also assist in developing intelligence liaison with federal, state, and local law enforcement agencies concerning latest polygraph investigative methods. The period of the agreement is effective upon Board approval through May 31, 2013.

MINUTES**PERSONNEL**Police Dept. - cont'd39. a. Abolish the following two vacant positions:

34132 - Accounting Assistant II
 Grade 078 (\$27,958.00 - \$32,241.00)
 Job Nos. 2041-16656 and 2041-16658
 (2 positions)

b. Create the following Positions:

34426 - Chief of Fiscal Services I
 Grade 117 (\$56,000.00 - \$68,500.00)
 Job no. will be assigned by BBMR
 (1 position)

Costs: \$5,625.20 - 1001-000000-2041-195700-601001

Law Department40. **HERSH STEIN** \$33.00 **\$39,600.00**

Account: 1001-000000-5824-408970-601009

Mr. Stein will serve as a Special Assistant City Solicitor. His duties will include, but not be limited to reviewing title reports in connection with the City's acquisition of interests in real property; searching Land Records and other public records to obtain title information; rendering legal advice to the City agencies concerning acquisition of real property interests and issues of Real Property Law; reviewing and approving for legal sufficiency options, contract of sales, deeds, easements; representing the City at settlements of real property acquisitions; reviewing and approving settlement sheets, fees and other charges of title companies, and processing post settlement procedures established by the Law Department and City agencies. The period of the agreement is August 25, 2012 through August 24, 2013.

MINUTES**PERSONNEL**

Law Dept. - cont'd

41. Reclassify the following Position:

Job No. 1763-49283

From: 10198 - Assistant Solicitor
Grade 937 (\$44,200.00 - \$84,600.00)

To: 10199 - Chief Solicitor
Grade 958 (\$77,200.00 - \$121,400.00)

Costs: \$4,428.00 - 1001-000000-1763-175200-601001

The Office of Civil Rights and Wage Enforcement

42. Create the following position:

31501 - Program Compliance Officer I
Grade 087 (\$37,407.00 - \$45,218.00)
Job No. to be assigned by BBMR

Costs: \$58,302.00 - 1001-000000-6560-424800-601001

Fire Department

43. Abolish the following vacant position effective June 1, 2012

41271 - Fire Lieutenant OEM
Grade 338 (\$51,490.00 - \$70,911.00)
Job No. 2131-12726

Cost: (\$93,340.00) - 1001-000000-2131-228200-601061

MINUTES**PERSONNEL**Department of Human Resources44. Reclassify the following position:

From: 33258 - Word Processing Operator III
Grade 078 (\$27,958.00 - \$32,241.00)
Job No. 1602-44774

To: 33681 - Personnel Assistant
Grade 081 (\$30,223.00 - \$35,806.00)

Cost: \$3,229.95 - 1001-000000-1602-172500-601001

Department of Housing and Community Development (DHCD)45. a. Create the following 23 positions:

- a. 10172- Division Chief II,
Grade 952 (\$62,700.00 - \$90,900.00)
Job No. to be assigned by BBMR
one position
- b. 33129 - PC Support Technician III
Grade 111 (\$41,700.00 - \$60,500.00)
Job No. to be assigned by BBMR
one position
- c. 81172 - Senior Social Services Coordinator
Grade 086 (\$35,947.00 - \$43,361.00)
Job Nos. to be assigned by BBMR
two positions
- d. 81171 - Social Services Coordinator
Grade 084 (\$33,510.00 - \$39,984.00)
Job Nos. to be assigned by BBMR
four positions

MINUTES**PERSONNEL**DHCD - cont'd

- e. 42221 - Construction Project Supervisor I
Grade 115 (\$51,000.00 - \$72,200.00)
Job No. to be assigned by BBMR
one position
- f. 42262 - Construction Building Inspector II
Grade 090 (\$42,267.00 - \$51,371.00)
Job Nos. to be assigned by BBMR
seven positions
- g. 33215 - Office Supervisor
Grade 084 (\$33,510.00 - \$39,994.00)
Job No. to be assigned by BBMR
one position
- h. 33112 - Data Entry Operator II
Grade 078 (\$27,958.00 - \$32,241.00)
Job No. to be assigned by BBMR
one position
- i. 75333 - Energy Program Technician II
Grade 553 (\$30,262.00 - \$33,337.00)
Job No. to be assigned by BBMR
one position
- j. 34145 - Accountant Supervisor
Grade 114 (\$48,600.00 - \$68,600.00)
Job No. to be assigned by BBMR
one position
- k. 34131 - Accounting Assistant I
Grade 075 (\$26,316.00 - \$29,913.00)
Job No. to be assigned by BBMR
one position
- l. 34141 - Accountant I
Grade 088 (\$38,939.00 - \$47,176.00)
Job No. to be assigned by BBMR
one position

MINUTES**PERSONNEL**DHCD - cont'd

m. 34142 - Accountant II
 Grade 110 (\$40,000.00 - \$56,800.00)
 Job No. to be assigned by BBMR
 one position

b. Reclassify the following two positions:

a. From: 42261 - Construction Building Inspector I
 Grade 085 (\$34,562.00 - \$41,645.00)
 Job No. 5971-48482
 one position

To: 42262 - Construction Building Inspector II
 Grade 090 (\$42,267.00 - \$51,371.00)

b. From: 75332 - Energy Program Technician I
 Grade 552 (\$28,657.00 - \$30,705.00)

To: 75333 - Energy Program Technician II
 Grade 553 (\$30,262.00 - \$33,337.00)

Costs: \$1,577,887.18 - 5000-579212-5971-439503-601001

The Department of Human Resources completed classification studies of the DHCD's request to create 23 positions and reclassify two positions in its Energy Conservation Services Division.

46. Create the following position:

10171 - Division Chief I
 Grade 943 (\$51,200.00 - \$79,600.00)

Cost: \$75,528.00 - 5000-579212-5971-439503-601001

MINUTES**PERSONNEL**

Department of General Services (DGS)

47. Reclassify the following one vacant position:

From: 33111 - Data Entry Operator I
Grade 075 (\$26,316.00 - \$29,913.00)
Job No. 1890-22873

To: 33212 - Office Assistant II
Grade 075 (\$26,316.00 - \$29,913.00)

There are no costs associated with this action.

48. Reclassify the following position:

From: 33257 - Word Processing Operator II
Grade 075 (\$26,316.00 - \$29,913.00)
Job No. 1890-20057

To: 33127 - PC Support Technician I
Grade 082 (\$31,225.00 - \$36,934.00)

Cost: \$6,124.00 - 2030-000000-1890-189300-601001

49. Reclassify the following position:

From: 33258 - Word Processing Operator III
Grade 078 (\$27,958.00 - \$32,241.00)
Job No. 1982-33732

MINUTES**PERSONNEL**DGS - cont'd

To: 33232 - Secretary II
 Grade 078 (\$27,958.00 - \$2,241.00)

There are no costs associated with this action.

50. Abolish the following vacant position:

31102 - Administrative Officer II
 Grade 115 (\$51,000.00 - \$72,200.00)
 Job No. 1890-48004

Create the following position:

33562 - Storekeeper II
 Grade 080 (\$20,343.00 - \$34,518.00)
 Job No. to be assigned by BBMR

Costs: \$48,241.00 - 1001-000000-1982-192500-601001
 (\$75,259.00) - 2030-000000-1890-189300-601001

51. Reclassify the following position:

From: 33681 - Personnel Assistant I
 Grade 081 (\$30,223.00 - \$35,806.00)
 Job No. 1890-19693

To: 33127 - Personnel Assistant II
 Grade 085 (\$34,562.00 - \$41,645.00)

Cost: \$8,157.00 - 2030-000000-1890-189300-601001

Department of Finance52. Reclassify the following position:

From: 34241 - Collections Supervisor I
 Grade 085 (\$34,562.00 - \$41,645.00)
 Job No. 1480-12545

MINUTES**PERSONNEL**Dept. of Finance - cont'd

To: 34241 - Collections Supervisor II
Grade 087 (\$37,407.00 - \$45,218.00)

Costs: \$4,226.00 - 1001-000000-1480-166500-601001

Office of the State's Attorney53. Reclassify the following one position:

From: 01976 - Office Supervisor SAO
Grade 086 (\$35,947.00 - \$43,361.00)
Job No. 1150-46159

To: 01978 - Paralegal II SAO
Grade 090 (\$42,267.00 - \$51,371.00)

Costs: \$7,177.00 - 1001-000000-1150-118000-601001

Enoch Pratt Free Library54. a. Create the following new Non-Civil Service Class:

00640 - Library, IT Training Supervisor
Grade 114 (\$48,600.00 - \$68,600.00)

b. Reclassify the following filled position:

From: 00691 - Library Information Technology
Training Officer
Grade 110 (\$40,000.00 - \$46,800.00)
Job No. 4501-45415

To: 00640 - Library, IT Training Supervisor
Grade 114 (\$48,600.00 - \$68,600.00)

MINUTES**PERSONNEL**

Enoch Pratt Library - cont'd

c. Retitle the following class:

From: 00691 - Library Information Technology
Training Officer

To: 00691 - Library, IT Training Officer

Costs: (\$9,720.00 - 1001-000000-4501-339300-601001

Department of Public Works

55. Reclassify the following two positions:

From: 33112 - Data Entry Operator II
Grade 078 (\$27,958.00 - \$32,241.00)
Job No. 5601-23894

To: 33258 - Word Processing Operator III
Grade 078 (\$27,958.00 - \$32,241.00)

From: 33253 - Typist III
Grade 078 (\$27,958.00 - \$32,241.00)

To: 33213 - Office Assistant III
Grade 078 (\$27,958.00 - \$32,241.00)

There are no costs associated with this action.

MINUTES

Department of Recreation and Parks - Ratification of Services

ACTION REQUESTED OF B/E:

The Board is requested to ratify services and approve an expenditure of funds to pay the State of Maryland Department of Public Safety and Correctional Services (DPSCS).

AMOUNT OF MONEY AND SOURCE:

\$137,418.85 - 1001-000000-4781-363900-60326

BACKGROUND/EXPLANATION:

This expenditure of funds will pay the DPSCS for outstanding invoices for the provision of inmate labor details to assist with park maintenance for the period of July 1, 2010 through June 30, 2011.

On June 25, 2008, the Board approved an agreement with the DPSCS and the Department. The agreement expired on June 24, 2011. While the Department and the State of Maryland were in negotiations for a new contract, the DPSCS continued to provide services. Therefore, the Department is requesting ratification of services and payment of the outstanding invoices.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.

UPON MOTION duly made and seconded, the Board approved ratification of services and approved the expenditure of funds to pay the State of Maryland Department of Public Safety and Correctional Services.

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

June 26, 2012

Via Facsimile 410-685-4416

The Honorable President and Members

Baltimore City Board of Estimates

City Hall-Room 204

Baltimore, MD 21202

ATTN: Ms. Bernice Taylor, Clerk to the Board

Dear Mr. President:

I represent the Maryland Minority Contractors Association, Inc. ("MMCA"), its members, clients and constituents. We wish to protest the following identified items contained in Your Honorable Board's 6/27/2012 Agenda:

1. A request from the City's DGSA, on page 8, to approve an expenditure of funds to pay Associated Building Maintenance Company, Inc. for alleged services rendered after City contract BP-04161 expired;
2. A request from the City's Department of Recreation and Parks, on page 85, for Your Honorable Board to ratify certain services and approve an expenditure of funds to pay the State of Maryland Department of Public Safety and Correctional Services (DPSCS), to pay the DPSCS for outstanding invoices for the provision of prison labor details to assist with City park maintenance for the period of July 1, 2010 through June 30, 2011.

On June 25, 2008, Your Honorable Board approved an agreement with the DPSCS and the Department of Recreation and Parks for provision of such services. The agreement expired on June 24, 2011 but the DPSCS nevertheless continued to provide the services. Thus, the City's Department of Recreation and Parks is requesting Your Honorable Board's ratification of services performed and rendered after the contract expired on June 24, 2011.

3. A request from the City's Department of Recreation and Parks, on page 86, for Your Honorable Board to approve a proposed non-competitive \$900,000.00 City contract with

DPSCS to provide prisoner labor details to assist with park maintenance and other construction related work activities. The alleged period of the proposed agreement is July 1, 2011 through June 30, 2013, with one one-year renewal option. Hence, Your Honorable Board is, in essence, being requested to "ratify" one (1) full year of the contract's money amount, after the contract work tasks have allegedly been rendered.

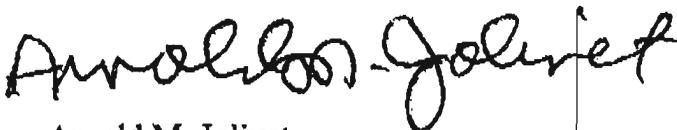
4. A request from the City's Bureau of Purchases to approve a proposed \$2,415,743.20 non-competitive "selected source agreement" with Telecommunication Systems, Inc. to allegedly provide "citywide" IT support staff services. The period of the proposed agreement is July 1, 2012 through December 31, 2012, with one (1) six-month renewal.
5. A request from the City's Bureau of Purchases for Your Honorable Board to award a proposed non-competitive \$2,077,420.00 contract to Digicon Corporation, to allegedly provide citywide IT support staff services to the Mayor's Office of Telecommunications Services.

The basic issue, common in each proposed contract award, is that they all violate the City's fundamental competitive bidding requirement as specifically delineated in Article VI, Section 11 et seq., of the City's governing charter (1966 Edition, as amended).

Protestant MMCA, its members, clients and constituents will be injured and damaged if Your Honorable Board votes to approve any of these proposed ultra vires and unlawful contracts.

Accordingly, we herein respectfully request that Your Honorable Board vote to reject all of the above cited proposed unlawful contracts. I look forward to personally addressing Your Honorable Board on these proposed contracts.

Respectfully submitted,



Arnold M. Jolivet
Managing Director

MINUTESDepartment of Recreation and Parks - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the State of Maryland Department of Public Safety and Correctional Services (DPSCS). The period of the agreement is July 1, 2011 through June 30, 2013, with one 1-year renewal option.

AMOUNT OF MONEY AND SOURCE:

\$300,000.00	-	5000-577712-4781-363900-603026
		1001-000000-4781-363900-603026
<u>600,000.00</u>	-	5000-577712-4781-363900-603026
\$900,000.00		

BACKGROUND/EXPLANATION:

This agreement will provide for inmate labor details to assist with park maintenance. The Department has found it necessary to seek alternative means of supplementing its workforce to perform park maintenance. The DPSCS is able to assist by dispatching inmate crews through its Division of Pretrial Detention Services. The inmate work crews will perform specific services designated by the City to include litter pick-up, landscaping, and building and grounds maintenance.

The agreement is late because a delay resulted in the development of an amicable Memorandum of Understanding due to several administrative transitions within both departments.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION.****A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.**

MINUTES

Recreation and Parks - Ratification/Agreement

President: "The third item on the non-routine agenda can be found on page 85, Ratification of Services. Will the parties please come forward?"

Mr. Bill Vondrasek, Acting Director of the Department of

Recreation and Parks: "Good morning, Mr. President --"

Mayor: "Lift it (mic) up."

Mr. Bill Vondrasek: "Oops. Good morning Mr. President, Madam Mayor --"

Mayor: "So you don't have to fight the --"

Mr. Bill Vondrasek: "Okay. Madam Comptroller and members of the Board, I'm Bill Vondrasek, the Acting Director of the Department of Recreation and Parks. And - uh - I'm here to talk about what we consider an Intergovernmental Agreement between the Maryland Department of Public Safety and Corrections and the Department of Recreation and Parks that we've been in for some years now that we think provides a lot of - uh - rehabilitative services for inmates in the system and through that they pick up garbage in the City parks essentially. In addressing the protest this morning, we refer to the City Charter, Section 6 or Article 6, Article 11,

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

under Procurement, Subsection e, which says that "When any services or public works are of such a nature that no advantage will result in seeking competitive bids and the using agency certifies this in writing to the Board of Estimates with written notice to the Department of Finance, the provisions of Subsection C of this section may be dispensed with and Subsection C is Formal Advertisement. The reason we believe that no advantage will result is, when we look at the cost for the inmate crews, uh - I mean inmate labor is \$2.60 per inmate per day and minimum wage, I believe, is \$7.35 an hour and so it's -- we can't figure out how somebody other than inmates can be as competitive as they are, on a cost basis."

City Solicitor: "Did the nature of workforce being used for this work come into play in any way other than the economic fact that you just identified?"

Mr. Vondrasek: "Yes."

City Solicitor: "In what respect?"

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

Mr. Vondrasek: "The fact that we were helping clients in the Department of Corrections to experience work and get out and give back to the City."

City Solicitor: "Thank you."

President: "Okay. I'll entertain -- You got more?"

Solicitor: "Well, Mr. Jolivet probably wishes to be heard."

President: "Okay."

Mr. Arnold Jolivet, Maryland Minority Contractors Association:

"I have not been heard on that issue. Thank you Madam Mayor, Mr. President, Madam Comptroller, Mr. Foxx. Thank you so much. I will -- I will be somewhat brief on this. But, I ask you to look at the exhibit, which I've given you and I submit to your Honorable Board that it is certainly laudable that we engage in programs to rehabilitate and empower our inmates. That is something that I would agree wholeheartedly and I don't want this Board in any way to think that I am in any way opposed to rehabilitating and empowering our inmates. I am for that and I would hope that the Board would and any other member of the public who are -- who are here today would fully understand that I support the rehabilitation of our inmates. However, I believe that when the

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

City awards a contract of this kind, which is in the nature of public works, the City should put a contract like this out for competitive - public competitive bids. My -- my concern also is that this contract is not in the best interest of the City and I was somewhat appalled to find out that if you look at what the Department of Public Safety and Correctional Services are asking the City to do, they're really asking on the one hand on Page 85, they're asking you to reimburse them for \$137.00 -- ah 400 and -- \$137,418.85, allegedly for contract work that took place after the formal contract had expired. Now, that's fine. But, when you look at the agreement -- the proposed agreement -- because it's not been approved by this Honorable Board, but when one looks at the proposed agreement, uh - on the second page of the exhibit I have given you, which is the proposed agreement, at the very top of Item No. A. referred to in Compensation. The proposed contract proposes that upon execution of this contract, notwithstanding the fact that the Board has already voted to approve \$137.00 -- \$137,418.00 to approve for allegedly for compensation during the period which the contract had expired.

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

The contract provides that the Board gives them another \$300,000.00 for this same period. Now, I would maintain, Mr. President, given our conditions in the City with us closing rec centers, closing three fire stations, and laying people off, this City is not in the position or should not be in a position to pay additional \$300,000.00 beyond and above what was contemplated in the contract. So, I know this is a surprise to your Honorable Board. So, I would move very strongly that the Board puts this item - uh -- under -- defer this item because I don't believe the Board was aware that the Department of Recreation and the Department of Correctional Services have structured the agreement where the Department of Correctional Services would get an additional \$300,000.00, which they're not deserving of. Because of that, I would move -- I would urge your Honorable Board to put -- to defer this matter to allow the agency to correct it. Also, there is a provision in here which also allows the option year -- there is a one-year option in the contract -- a proposed option and the proposed option reads in such a way where the decision to go forward with the option is a

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

joint decision on the part of the Department of Correction and - Public -- uh - uh - Correctional Services and the City and under the Court of Appeals opinions that the City cannot allow the contractor to be a part of the option. If the City assumes the option, the decision must be solely that of the decision. The decision must be solely that of the City. I believe that this was a error. I don't think it was intentional. I just think that maybe it was just was an oversight. But, my concern is, Mr. President, to be brief is that this is not an appropriate contract that the City should enter into, at least the way it is structured. I'm totally opposed to it per se that it is taking contract work away from our small minority firms. There are a number of minority firms who would love to have a \$900,000.00 contract, Mr. President. I know very few minority firms in the City who have -- directly with the City, a \$900,000.00 contract. It is a bad policy. It is counterproductive. It is against the law and I could think of a million of other reasons why this contract should not be approved. So, with having said that, Mr. President, I would ask this Board, in its wisdom, to clear this

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

matter up. If you're going to go forward with it, I can see under certain circumstances where it could be a limited program or where we're giving opportunities for our prison laborers to be employed and I might add that there are other agencies that are working - that other municipalities and other State agencies that are doing the same thing and are not paying anything. It's quite bothersome, Mr. President, when we find out - when this matter first came up, I researched and there are other agencies in the State that have similar programs and they're not paying a dime. So, why are we paying \$900,000.00? Uh - While the program has good merit, but we shouldn't pay \$900,000.00 when other State agencies are doing it - other agencies and even private agencies are doing it for free. It's bothersome. It's very bothersome, Mr. President, very bothersome. Nonetheless, I think I made my point and I want to kind of ask the Board to defer it, bring it back -- ask you to defer it, clean it up -- if it can be cleaned up. I don't think it can. But, nonetheless it deserves a review by the City Law Department and I don't believe that the City Law Department would put it's stamp of approval on

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

it if they were aware -- even though I think they should be aware because they had a chance to sign-off for legal sufficiency. So, you would make an assumption that they read it and they were familiar with it. But nonetheless, I just -I appreciate the opportunity to be here this morning. I want to point out to you that I'm only here because I think this contract competes unfairly with our small minority contractors, who could be doing the same thing and who are out of work."

President: "Speak in the mic."

Mr. Jolivet: "A lot of them are out of work."

President: "Speak in the mic."

Mr. Jolivet: "You should know just the countless number of minorities firms who are out of work and then you give a contract like this, without a bid. It's not fair, Mr. President. We are competing with prison labor. It's just not fair and I might add too, that the proposed rate -- hourly rate that they're paying the prison laborers is just unconscionable and it is in violation of the Fair Labor Standard Act. Because even though they're prisoners, if you're going to employ them and

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

the law has been like this for years -- if you're going to employ prison labor in the commercial industry, you have to comply with the both the State of Maryland and the Federal Fair Labor Standard Act. It is a no brainer. Paying them \$2.50 - \$2.75 an hour does not comply with those Acts and I urge your Honorable Board to defer this contract. First of all, it's a bad idea, horrible bad idea. I don't know who came up with this, but it's just an intrinsically bad idea in the City where minority contractors are out of work, don't have any work and you come up with an idea to replace them essentially with prison labor. It's just a terrible idea, Mr. President. It's -- terrible -- just terrible."

President: "Madam Comptroller."

Comptroller: "I have a question. The item before us on page 85 is for services that have been rendered from July 1, 2010 through June 30, 2011?"

Mr. Vondrasek: "That is correct."

Comptroller: "But the con -- So why doesn't it include the period July 1 through the present? Have they been paid?"

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

Mr. Vondrasek: "They're only paid for services rendered. So the amount \$100 and --"

Comptroller: "-- \$37,000.00."

Mr. Vondrasek: "\$137 -- is for services rendered while we were negotiating the new contract. The new contract -- excuse me -- says in the paperwork that Mr. Jolivet gave you, that they're only paid off of invoices that have been approved."

Comptroller: "And this contract was approved? This contract here has been approved?"

Mr. Vondrasek: "No. We're asking you to approve it."

Comptroller: "But the contract says, its says, Whereas, the Department has provided certain services for the City since July 2001, but has not been compensated. So, why doesn't the action on 85 include the services that have been provided? Why does it stop at June 30th when it says that it has provided services as July 1, which is after June 30th?"

Mr. Vondrasek: "I'm sorry?"

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

Comptroller: "You see what I'm saying? The action today says that you want the Board to approve services from July 1, 2010 through June 30, 2011."

Mr. Vondrasek: "Correct."

Comptroller: "But, then this contract says that, Whereas, the Department has provided services for the City since July 1, 2011, but has not been compensated."

City Solicitor: "My understanding, I think, and correct me if I'm wrong, Mr. Vondrasek, is that the item on page 85 covers services provided, invoiced, with invoices approved up through June 30, 2011, was the services were provided during that time?"

Mr. Vondrasek: "Correct."

City Solicitor: "Then the first item or sub-item within the matter on page 86, which is the new contract, is \$300,000.00, and under the terms of the new contract that is to provide for services rendered after July 1, 2011 and up to the present time once they are invoiced with invoices approved. Is that correct?"

Mr. Vondrasek: "Correct. Thank you."

Comptroller: "So, you've not been invoiced from July 1?"

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

Mr. Vondrasek: "No."

Comptroller: "Okay."

Mr. Jolivet: "Mr. President, may I comment on that?"

President: "Yes, briefly."

Mr. Jolivet: "Please. Mr. Nilson, if assuming your understanding of the time frame in the third year, then makes it even clearer that the Board cannot approve this contract because the Board is powerless to approve contracts that have already been performed. They've already been outlaid before. So, your argument just -- it wins my case."

City Solicitor: "I respectfully disagree."

Mr. Jolivet: "It makes my case very very winnable."

City Solicitor: "Okay."

Mr. Jolivet: "Mr. President, I would urge the Board to reject this item. I would -- I would agree that the Board can defer it and look at it and stuff. But, Mr. Nilson has made my case."

President: "I'll entertain a Motion."

City Solicitor: "I make a Motion, I've done the math - Madam - that the last item, Mr. President -I'm sorry --"

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

Comptroller: "I want to be sure of something. Are you absolutely sure that the Department of Public Safety and Corrections has not submitted invoices to the City for the period beyond June 30, 2011? I believe that people should be paid for services that they render --"

City Solicitor: "Correct."

Comptroller: "But, have they submitted invoices -- they have not submitted invoices for almost an entire year?"

Mr. Vondrasek: "I'm not going to stand here and say I can -- I would have to go back and look."

City Solicitor: "In my summary, in fairness Mr. Vondrasek, I said that it was my understanding from the collection of papers and matters submitted that the work done since July 1, 2011 and up to the present time has not, apparently not, as of this time been invoiced with invoices reviewed and approved. So, that includes the possibility that there have been some invoices for some of the work, but they haven't yet been reviewed or approved. But, that appears to be the thrust of the paperwork that's before the Board."

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

President: "Okay. There's a Motion on the floor?"

City Solicitor: "I haven't -- I probably need to finish the Motion. Having done the math in response to Mr. Jolivet, the daily rate is \$2.00 and something. Any private contractor performing this work would be required to pay a minimum of \$7.00 and something per hour. That's the basis for the Motion that no advantage could be achieved because Mr. Jolivet's members would have to violate the law in order to competitively -- in order to have a competitive proposal. I would move approval of the items on pages 85 and 86, as requested by the Department."

Mr. Jolivet: "Before you vote, before you vote -- I know the Motion is on the floor, but it is critically important to understand that - it is critically important to understand that I didn't stand here today and represent that my members --"

City Solicitor: "I question whether the presentation should continue once a Motion has been made, Mr. President."

Director of Public Works: "Mr. Chairman, I second the Motion."

President: "All those in favor say 'AYE'. Those opposed 'NAY'"

MINUTES

Recreation and Parks - Ratification/Agreement - cont'd

Comptroller: "I **ABSTAIN** uh - because I'm unclear about whether -- I believe that organizations should be paid for services rendered. But, Mr. Nilson and the uh - Department is unclear about whether other invoices have submitted. Because if they have been submitted, they should been a part of this item on page 85."

City Solicitor: "Just so the record is clear, Madam Comptroller, you're **ABSTAINING** on both items?"

Comptroller: "Uh - Yes."

President: "The Motions carries."

President: "The fourth item on the non-routine can be found on pages, I mean page 86. The agreement with the State --"

Mayor: "Page 85 and 86 were just protested."

City Solicitor: "The Motion encompassed both --"

President: "Okay, I'll entertain a Motion for page 86, as well."

City Solicitor: "I thought my Motion encompassed that, but I will make a Motion --"

President: "Okay. The Motions carries."

MINUTES

Department of Recreation & Parks - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of agreement with the Maryland Senior Olympics Commission, LTD. (MSOC). The period of the memorandum of agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$26,000.00 - 2096-796623-7960-862300-603026

BACKGROUND/EXPLANATION:

The Department of Recreation & Parks and the MSOC will cooperate to organize, promote, and conduct sports events for older athletes at various sports venues throughout the Baltimore Metropolitan Area.

The MSOC is a non-profit organization which was formed to arrange competitive sports events for athletes 50 years of age and older, and to promote healthy and active aging. The MSOC will manage the overall planning and will conduct the 2012 Maryland Senior Olympics events while complying with departmental policies and procedures. The Department will provide staff support, meeting space, and event promotion.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of agreement with the Maryland Senior Olympics Commission, LTD.

MINUTES

Office of the Labor - Grievance Settlement Agreement
Commissioner

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grievance settlement agreement between the Baltimore City Police Department (BCPD), the Office of the Labor Commissioner, and the City Union of Baltimore (CUB).

AMOUNT OF MONEY AND SOURCE:

\$226,467.35 - 1001-000000-2043-219800-601001

BACKGROUND/EXPLANATION:

On February 29, 2012, a grievance was filed by CUB on behalf of employees in the 911 operator class series. Management of the BCPD was charged with a violation of Article 26, Out-of-Title; of the current Memorandum of Understanding. A grievance hearing was conducted on March 27, 2012. As background, the BCPD requested that the Department of Human Resources conduct a study of 911 classes 33351, 33352, and 33355. The requested study was conducted and a two-grade increase was approved for each job class effective February 22, 2012. A settlement was agreed to by CUB and the BCPD for approximately one year of back-pay for the affected employees.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grievance settlement agreement between the Baltimore City Police Department, the Office of the Labor Commissioner, and the City Union of Baltimore.

MINUTES

Bureau of Water and Wastewater - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to reimburse Mr. Thak Bakhru for attendance at the ASL Awards held on February 24, 2012.

AMOUNT OF MONEY AND SOURCE:

\$35.00 - 2070-000000-5601-398400-604014

BACKGROUND/EXPLANATION:

The ASL Awards Ceremony was held at the Engineers Club at the Garret-Jacobs Mansion on February 24, 2012. Mr. Bakhru's attendance at this ceremony was imperative. The Water Facilities Engineering Section received an award for the Prettyboy Dam Restoration.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to reimburse Mr. Thak Bakhru for attendance at the ASL Awards held on February 24, 2012. The President

ABSTAINED.

MINUTES

Bureau of Water and Wastewater - Partial Release of Retainage Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a partial release of retainage agreement to Allied Contractors for Water Contract No. 1143, Ashburton Filtration Plant Washwater Lake Rehabilitation.

AMOUNT OF MONEY AND SOURCE:

\$57,692.01 - 9960-905729-9557-000000-200001

BACKGROUND/EXPLANATION:

All work on Water Contract No. 1143, Ashburton Filtration Plant Washwater Lake Rehabilitation, was completed on January 19, 2009. The contractor has requested a partial release of retainage in the amount of \$57,692.01. The City holds \$59,692.01 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City.

MWBOO HAS APPROVED THE RELEASE.

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 partial release of retainage agreement to Allied Contractors for Water Contract No. 1143, Ashburton Filtration Plant Washwater Lake Rehabilitation. The President **ABSTAINED.**

MINUTES

Department of Communication Services - Amendment to Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the 2012 Amendment to Contract with Millennium Technologies, LLC. The amendment to contract extends the period of the agreement through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$409,904.00 - 2039-000000-1330-158400-603084

(\$33,992.00 per month) Maintenance Services
(\$7,000.00 monthly estimated equipment services chargers based upon agency requests.)

BACKGROUND/EXPLANATION:

Millennium Technologies, LLC (Millennium) has been providing installation of telephone equipment, and changes to equipment and maintenance, as needed. Millennium has extensive knowledge of the condition of the City's voice infrastructure and existing equipment. Continued maintenance and services by this vendor is necessary because of the age of the City's system.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 2012 Amendment to Contract with Millennium Technologies, LLC.

MINUTES

Mayor's Office of - Head Start Advance of Funds
Human Services(MOHS)

The Board is requested to approve a two-month advance of funds to the various delegate agencies for Head Start Programs.

- | | | |
|----|--|-----------------------|
| 1. | UNION BAPTIST CHURCH SCHOOL | \$ 247,655.00 |
| | Account: 4000-486313-6051-516000-603051 | |
| 2. | ST. VINCENT DE PAUL OF BALTIMORE, INC. | \$1,019,700.00 |
| | Account: 4000-486313-6051-516700-603051 | |
| 3. | UNITY METHODIST CHURCH | \$ 216,388.00 |
| | Account: 4000-486313-6051-517000-603051 | |
| 4. | ST. VERONICA'S ROMAN CATHOLIC
CONGREGATION, INC. | \$ 341,006.00 |
| | Account: 4000-486313-6051-515900-603051 | |
| 5. | ASSOCIATED CATHOLIC CHARITIES, INC. | \$ 323,225.00 |
| | Account: 4000-486313-6051-516600-603051 | |
| 6. | ST. BERNADINE'S ROMAN CATHOLIC
CONGREGATION, INC. | \$ 224,257.00 |
| | Account: 4000-486313-6051-516410-603051 | |
| 7. | METRO DELTA EDUCATIONAL PROGRAMS, INC. | \$ 362,023.00 |
| | Account: 4000-486313-6051-516300-603051 | |

MINUTES

MOHS - cont'd

8. **YMCA OF CENTRAL MARYLAND** \$ 400,280.00

Account: 4000-486313-6051-516100-603051

9. **DAYSRING PROGRAMS, INC.** \$ 606,433.00

Account: 4000-486313-6051-515600-603051

The advance of funds to the delegate agencies will allow the continuation of operation of the Head Start Programs during the FY13.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the two-month advance of funds to the foregoing delegate agencies for Head Start Programs. The President **ABSTAINED** on Item Nos. 1

MINUTES

Department of Transportation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Baltimore Metropolitan Council (BMC). The period of the agreement is July 01, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$464,980.00 - 6000-617213-2303-596000-406001

BACKGROUND/EXPLANATION:

This agreement will allow the Department of Transportation to complete population and development projections and transportation planning work to ensure that the transportation plans will meet federal air quality standards. This agreement for Fiscal Year 2013 provides funding for expenditures. The Department of Transportation will provide in-kind services to match the grant.

This funding was provided by the Maryland Department of Transportation to the BMC. The Department of Transportation will complete work under this grant and will serve as the lead agency for the City.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Baltimore Metropolitan Council.

MINUTES

Bureau of Solid Waste - Agreement for Downtown Partnership
Management District

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Downtown Partnership of Baltimore, Inc. The period of the agreement is July 01, 2012 through June 30, 2013 with the option to renew for an additional one year term.

AMOUNT OF MONEY AND SOURCE:

\$340,000.00 - 1001-000000-5152-386200-603026

BACKGROUND/EXPLANATION:

The Bureau of Solid Waste entered into an agreement with the Downtown Partnership of Baltimore, Inc., for the period July 01, 2010 through June 30, 2011 to provide cleaning services in various areas of the Downtown Management District. The agreement contained the option to renew it for an additional term of one year, which the Board approved on June 15, 2011. The one year renewal expires on June 30, 2012. Both the Bureau of Solid Waste and the Downtown Partnership of Baltimore, Inc. would like to continue the agreement.

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 the Downtown Partnership of Baltimore, Inc. The Mayor **ABSTAINED.**

MINUTES**TRAVEL REQUESTS**Circuit Court

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Stephanie Young-Medina	NCAVD and NOMAS 2012 Conference on Ending Violence Denver, CO July 22 - 26, 2012 (Reg. Fee \$300.00)	State	\$1,629.60

The Court has prepaid the airfare in the amount of \$409.60 and the registration in the amount of \$300.00 on City issued credit card assigned to Ms. Kimberly Barranco. The disbursement to the attendee will be in the amount of \$920.00.

Police Department

2. John L. Haley Jr. John P. Jendrek	National Tech. Investigators Training Conf. Austin, TX July 8- 13, 2012 (Reg. Fee \$450.00)	Asset Forfeiture Fund	\$3,817.20
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TRAVEL REIMBURSEMENTOffice of Civil Rights & Wage Enforcement

3. Alesha Bell	Annual EEOC, FEPA Training Conference St. Louis, MO (May 30 - June 1, 2012)	Federal	\$57.50
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MINUTES**TRAVEL REIMBURSEMENT**

On May 9, 2012, the Board approved Ms. Bell's travel for the period May 29, 2012 through June 1, 2012. Due to inclement weather the return flight was cancelled and Ms. Bell was unable to return on June 1, 2012. As a result she incurred additional expenses for the additional cost of \$57.50 to cover the cost of the hotel.

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

MINUTES

Department of Human Resources (DHR) - Expenditure of Funds,
Police Sergeant Oral
Examination Expenses

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay expenses for the Police Sergeant Oral Examination to be held July 29 - August 4, 2012 at the Marriott Residence Inn Hotel.

AMOUNT OF MONEY AND SOURCE:

\$11,880.00 - Meals for 44 overnight examiners @ \$45.00/night for 6 nights
800.00 - Meals for 8 commuting examiners @ \$20.00/day for 5 days
4,608.00 - Parking for 24 examiners @ \$32.00/day for 6 days
1,280.00 - Parking for 8 commuting examiners @ \$32.00/day for 5 days
1,600.00 - Parking for 10 DHR staff @ \$32.00/day for 5 days
2,913.75 - Estimated roundtrip mileage for 5,250 miles for 17 examiners @\$.555/mile (Note: these examiners use personal vehicles. Others using government vehicles will receive no mileage reimbursement.)
6,510.00 - Estimated roundtrip airfare for 20 examiners with service fee (1) Fort Lauderdale, FL @ \$260.00; (1) Orlando, FL @\$280.00; (3) Louisville, KY @ \$660.00; (5) Nashville, TN @\$1,700.00; (1) Miami, FL @ \$270.00; (1) Detroit, MI @\$250.00; (1) Atlanta, GA @ \$320.00; (1) Savannah, GA @\$630.00; (2) Cleveland, OH @\$440.00; (2) Memphis, TN @\$940.00; and 2 Cincinnati, OH @\$760.00
800.00 - Tolls (est.)
1,400.00 - Taxi services, etc. @\$70.00 each for 20 examiners from airport
700.00 - Miscellaneous (emergency charges, etc.)
\$32,491.75 - 1001-000000-1600-172899-603026

MINUTES

DHR - cont'd

BACKGROUND/EXPLANATION:

The Police Sergeant Oral Examination will be held on July 29 - August 4, 2012 at the Marriott Residence Inn Hotel. This expenditure of funds will pay for meals, parking, mileage, and travel-related expenses incurred by 52 examiners.

The DHR will administer the oral portion of the Police Sergeant examination to approximately 411 candidates who may qualify to take the examination. The written examination was administered on June 9, 2012 and the exact numbers will be available approximately three weeks later. Fifty-two examiners have been recruited from 21 surrounding jurisdictions. The examiners will participate with the assistance of the examination consultant, Ms. Amanda Eibes and the DHR Test Development Administrator, Ms. Patricia Mulligan. Sixteen panels of three plus four alternates will interview the candidates.

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

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay expenses for the Police Sergeant Oral Examination to be held July 29 - August 4, 2012 at the Marriott Residence Inn Hotel.

MINUTES

Bureau of the Budget and - Carryover of Unexpended Fiscal 2012
Management Research Appropriations to Fiscal 2013

ACTION REQUESTED OF B/E:

In accordance with end of year procedures, approval is requested for the Department of Finance to transfer, within an agency, appropriations to meet any program deficit and/or, to meet specific carryover requests in cases where surpluses exist within any agency, but not necessarily within a particular program. Additionally, the Board's approval is requested to carry forward all encumbrances and pre-encumbrances, and to transfer from the Contingent Fund an amount sufficient to cover an agency's overall deficit if required.

In accordance with the Board of Estimates policy of prior years, the balance of unexpended special and loan funds earmarked for specific purposes will be carried over as necessary to Fiscal 2013.

AMOUNT OF MONEY AND SOURCE:

Sources and amounts for closing out appropriations will be from within each agency and fund.

Category A = Funds originally appropriated for such a purpose
Category B = Funds **NOT** originally appropriated for such purpose

BACKGROUND/EXPLANATION:

The Baltimore City Charter (1996 Edition as amended), Article VI, Section 9(c), provides that:

"Appropriations contained in the Ordinance of Estimates for a particular program, purpose, activity, or project may, upon the recommendation of the head of the municipal agency concerned and the Director of Finance, and with the approval of the Board of Estimates, be carried over to fiscal years subsequent to the one

MINUTES

BBMR - cont'd

for which the appropriation is initially made for the accomplishment of said program, purpose, activity, or project. Funds encumbered for contracts, projects or other actual commitments and funds dedicated by an act of Congress or by State law or by the terms of any private grant to some specific purpose shall be carried over to the next fiscal year. All appropriations not so carried over shall lapse at the end of the fiscal year from which made, except that any balance remaining in the fund of the water or sanitary wastewater utility (under Section 18 of this article) at the end of the fiscal year shall remain to the credit of that utility and an estimate of such a balance shall be included in that utility's budget for the next year as an estimated receipt."

A final report of recommendations and actions by the Budget Bureau will be submitted for approval by the Board of Estimates for the August 08, 2012 meeting.

Agency	Account Number	Purpose	Request	Category
Board of Municipal Zoning Appeals	1001-185-001-00-501	Office Furniture and Equipment	\$ 50,000	B
	1001-185-001-00-503	Computer Upgrades	\$ 8,000	A
	Total		\$58,000	
City Council	1001-100-001-00-603	Data Word Processing Equipment	\$ 85,000	A
	Total		\$85,000	
Convention Center	1001-855-014-00-316	Window Shades	\$ 65,000	A
	1001-855-014-00-316	Planter Waterproofing	\$ 16,500	A
	1001-855-014-00-316	Electrical Upgrades	\$ 17,350	A
	1001-855-014-00-316	Electrical Conduit Repair	\$ 15,385	A
	1001-855-014-00-316	Soffit and Sheet Metal Replacement	\$ 7,000	A
	Total		\$121,235	
Enoch Pratt Free Library	1001-788-068-00-503	Computer Replacement	\$ 250,000	A
	1001-788-040-00-540	Books and Materials - State Library Resource Center	\$ 300,000	B
	1001-788-022-00-540	Books and Materials - Neighborhood Services	\$ 300,000	B
	Total		\$850,000	
Health	1001-715-001-00-109	Contract Salaries - Special	\$ 100,000	B

MINUTES

Agency	Account Number	Purpose	Request	Category
		Assistants		
Health	1001-715-001-00-201	FICA - Special Assistants	\$ 7,650	B
	1001-715-001-00-318	Consultants	\$ 200,000	B
	1001-715-001-00-351	Shriver Fellow Stipend	\$ 15,000	B
	Total		\$322,650	
HCD	1001-740-001-00-326	Dawson House Expansion	\$ 250,000	A
	1001-745-002-00-503	Computer Upgrade	\$ 353,250	A
	1001-751-005-00-316	Plans Examining Counter	\$ 50,000	A
	1001-751-004-00-602	Ticket Machine	\$ 15,000	B
	1001-745-004-00-602	Mail Processing Machine	\$ 20,000	B
	1001-745-001-00-316	Office Renovations	\$ 200,000	B
	1001-751-004-00-501	Office Furniture	\$ 50,000	B
	1001-751-004-00-501	Permit Re-engineering Project	\$ 250,000	B
	Total		\$1,188,250	
Human Resources	1001-773-001-00-322	Subscription and Dues	\$ 175	A
	1001-773-001-00-326	Other Professional Services	\$ 18,000	A
	1001-773-001-00-402	Training Class Supplies	\$ 8,500	A
	1001-773-001-00-408	Computer/Supervisory Training Booklets	\$ 18,800	A
	1001-772-001-00-305	Municipal Telephone Exchange	\$ 7,000	A
	1001-772-001-00-310	Municipal Post Office	\$ 11,200	A
	1001-772-001-00-326	Other Professional Services	\$ 191,714	A
	1001-772-001-00-402	Office Supplies	\$ 1,770	A
	1001-772-001-00-603	Data/Word Processing	\$ 33,500	A
	1001-771-001-00-309	Municipal Post Office	\$ 30,000	A
	1001-771-001-00-326	Other Professional Services	\$ 961,650	A
	1001-771-001-00-344	Unemployment Insurance	\$ 10,450	A
	1001-770-001-00-310	Municipal Post Office	\$ 4,900	A
	1001-770-001-00-323	Subscriptions	\$ 3,800	A
	1001-770-001-00-325	Rental of Operating Equipment	\$ 1,000	A
	1001-770-001-00-326	Other Professional Services	\$ 365,000	A
	1001-770-001-00-335	Maintenance General	\$ 8,950	A
	1001-770-001-00-368	Custodial Services	\$ 37,400	A
	1001-770-001-00-402	Office Supplies	\$ 2,750	A
	1001-770-001-00-503	Data/Word Processing	\$ 21,900	A
Total		\$1,738,459		

MINUTES

Agency	Account Number	Purpose	Request	Category
Law	1001-860-01-00-502 & 1001-861-01-00-502 & 1001-862-01-00-502 & 1001-869-01-00-502	Scanners	\$ 10,000	B
Law	1001-860-01-00-320 & 1001-861-01-00-320 & 1001-862-01-00-320 & 1001-869-01-00-320	Training	\$ 30,000	A
	1001-860-01-00-501 & 1001-861-01-00-501 & 1001-862-01-00-501 & 1001-869-01-00-501	Public Area Furniture and Paint	\$ 50,000	B
	1001-860-01-00-501 & 1001-861-01-00-501 & 1001-862-01-00-501 & 1001-869-01-00-501	Office Furniture	\$ 35,000	B
	Total		\$125,000	
Legislative Reference	1001-107-001-00-326	Tools & Machinery	\$ 20,000	B
	1001-107-001-00-326	Tools & Machinery	\$ 16,500	B
	1001-106-001-00-408	Printing	\$ 20,000	B
	Total		\$56,500	
Liquor License Board	1001-851-001-00-326	Outstanding invoices	\$ 16,000	A
	1001-851-001-00-313	Rental Payment	\$ 4,000	A
	1001-851-001-00-313	Rental Payment	\$ 30,000	A
	Total		\$50,000	
Office of Civil Rights	1001-656-001-00-503	Computers	\$ 14,000	B
	Total		\$14,000	
Office of Inspector General	1001-836-001-00-326	Other Professional Services	\$ 3,836	A
	1001-836-001-00-331	Rental of City Motor Equipment	\$ 6,348	A
	1001-836-001-00-401	Motor Vehicle Fuels	\$ 1,400	A
	1001-836-001-00-414	Food for Human Consumption	\$ 1,400	A
	1001-836-001-00-301	Travel	\$ 1,000	A
	1001-836-001-00-347	Confidential Fund Expenditure	\$ 59,203	A
	Total		\$73,187	
Office of the Labor Commissioner	1001-128-001-00-374	Rental/Lease Copier Expenses	\$ 7,000	A
	1001-128-001-00-503	Data/Word Processing Laptops	\$ 11,481	A

MINUTES

Agency	Account Number	Purpose	Request	Category
	Total		\$18,481	
Orphans Court	1001-817-001-00-402	Office Equipment Replacement	\$ 6,000	B
	1001-817-001-00-408	Estate Administration materials and legal books	\$ 1,500	A
Orphans Court	1001-817-001-00-305	Repair of Office Equipment	\$ 1,500	B
	Total		\$9,000	
Planning	1001-763-001-00-326	Zoning Code rewrite	\$ 95,000	A
	Total		\$95,000	
Public Works	1001-664-012-00-604	Bull Dozer and Transfer Trailers	\$1,000,000	B
	1001-663-006-00-316	Upgrade of Citizen Drop-off Center/ Eastern District Administration Building Replacement	\$1,500,000	B
	3001-674-004-00-326	DPW Outreach Program	\$ 380,000	B
	3001-674-001-00-326	Storm Drain Collection Systems	\$ 850,000	B
	3001-674-005-00-326	Electronic Documentation system	\$ 200,000	B
	3001-674-004-00-506	Scanning Equipment	\$ 150,000	B
	Total		\$4,080,000	
Recreation and Parks	1001-644-008-00-316	Admin Building Maintenance	\$ 20,000	A
	1001-644-008-00-338	Security Equipment	\$ 25,000	A
	1001-644-009-00-326	Support for Partnerships Office	\$ 56,000	A
	1001-648-017-00-316	Rec Center Administration Maintenance	\$ 50,000	A
Total		\$151,000		
State's Attorney	1001-781-001-00-326	Moving Expenses	\$ 250,000	B
	1001-781-001-00-501	New Telephones	\$ 50,000	B
	1001-781-001-00-501	Office Furniture	\$ 300,000	B
Total		\$600,000		
Sheriff	1001-882-001-00-605	Security Enhancements	\$ 385,000	B
	Total		\$385,000	
Transportation	2076-693-007-00-350	Vehicles- Scofflaw	\$ 280,000	A
	2076-693-007-00-350	Furniture	\$ 30,000	A
	2076-693-007-00-350	Tow Yard Security Cameras	\$ 150,000	B
	2076-693-007-00-350	Tow Yard Facilities	\$ 500,000	B
	2076-693-007-00-350	Computers, Software, Etc.	\$ 300,000	A
	3001-688-001-00-105	Snow Removal	\$1,200,000	A
Total		\$2,460,000		
	Grand Total		\$12,480,762	

MINUTES

Agency	Account Number	Purpose	Request	Category
Category A = Funds originally appropriated for such a purpose.				
Category B = Funds NOT originally appropriated for such a purpose.				

UPON MOTION duly made and seconded, in accordance with end of year procedures, the Board approved the request for the Department of Finance to transfer, within an agency, appropriations to meet any program deficit and/or, to meet specific carryover requests in cases where surpluses exist within any agency, but not necessarily within a particular program. The Board further approved the request to carry forward all encumbrances and pre-encumbrances, and to transfer from the Contingent Fund an amount sufficient to cover an agency's overall deficit, if required. The Mayor **ABSTAINED** on the items for the Convention Center and the Liquor Board only. The President **ABSTAINED** on the City Council item only.

MINUTES

Bureau of Budget and Management Research - Federal Fund Appropriation Transfer

ACTION REQUESTED OF B/E:

The Board is requested to approve a Federal fund appropriation to transfer funds in the Mayor's Office of Employment Development:

From:

Program 800 - Workforce Services for WIA Funded Youth

To:

Program 797 - Workforce Services for Out-of-School Youth - Youth Opportunity

AMOUNT OF MONEY AND SOURCE:

\$1,848,450.00 - Program 800 - Workforce Services for Out-of-School Youth

BACKGROUND/EXPLANATION:

This transfer is necessary to provide the appropriation necessary for acceptance of five new special services grant awards:

Department of Labor	- \$1,462,226.00
Governor's Office of Crime Control and Prevention	- \$ 130,713.00
Family League, Inc.	- \$ 110,527.00
Department of Juvenile Services	- \$ 99,984.00
Department of Labor, Licensing and Regulations	- \$ 45,000.00

UPON MOTION duly made and seconded, the Board approved the Federal fund appropriation to transfer funds in the Mayor's Office of Employment Development.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTION

* * * * *

On the recommendations of the City agency
hereinafter named, the Board,
UPON MOTION duly made and seconded,
awarded the formally advertised contracts
listed on the following page:

2573 - 2580

to the low bidders meeting the specifications,
and rejected the bid as indicated
for the reasons stated.

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

The President **ABSTAINED** on Item nos. 6 - 13.

The Protests were not heard on Item no. 11, because all
the bids were rejected by the Board.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1. TR 10016, Recon- M. Luis Construction \$719,403.00
 struction of Co., Inc.
 Footways Citywide

MBE: National Construction, \$200,000.00 27.80%
 Inc. d/b/a
 National Concrete*

WBE: Fallsway Construction \$ 72,500.00 10.08%
 Co., Inc.

*National Construction, Inc. d/b/a National Concrete is not in good standing with the Maryland Department of Assessment and Taxation. The bidder will be allowed to substitute an approved MBE if National Concrete is not is good standing at the time of award.

MWBOO FOUND THE VENDOR IN COMPLIANCE.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 152,950.00 MVR	9950-903300-9504 Constr. Reserve Tree Roots/Foot	
120,639.00 MVR	9950-904100-9504 Constr. Reserve Footway Paving	
553,725.00 Other	" "	
<u>\$ 827,314.00</u>		
 \$ 719,403.00	 -----	 9950-904442-9504-6 Struc. & Improv.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO</u> <u>ACCOUNT/S</u>
71,940.30	-----	9950-904442-9504-5 Inspections
35,970.70	-----	9950-904442-9504-2 Contingencies - Recon. of Footways Citywide
<u>\$ 827,314.00</u>		

This transfer will provide funds to cover costs associated with the award of TR 10016, Reconstruction of Footways Citywide to M. Luis Construction Co., Inc.

- 3. TR 08046, Rehabilitation of Broening Highway from Holabird Ave. to Colgate Creek American Infrastructure-MD, Inc. \$14,700,000.00

DBE: Priority Construction Corp. \$2,352,000.00 16.00%

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 4,010,963.19	9950-906301-9528	
State Revenue	Constr. Reserve	
	Broening Highway	
8,200,000.00	" "	
Federal		
1,218,036.81	9950-902106-9528	
Federal	Constr. Reserve	
<u>\$13,429,000.00</u>	Canton Industrial Park	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation - cont'd

\$12,200,560.42	-----	9950-908301-9527-6 Struc. & Improv.
818,959.72	-----	9950-908301-9527-5 Inspections
409,479.86	-----	9950-908301-9527-2
<u>\$13,429,000.00</u>		Contingencies - Rehab. of Broening Highway

This transfer will provide funds to cover costs associated with the award of TR 08046, Rehabilitation of Broening Highway from Holabird Avenue to Colgate Creek to American Infrastructure - MD, Inc.

5. \$ 900,000.00	9962-930003-9563	
Other	Constr. Reserve - New Conduit Maint. Facility	
\$ 259,439.58	-----	9962-907060-9562-6 Struc. & Improv.
427,039.90	-----	9962-907060-9562-5 Inspections

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation - cont'd

213,520.52	-----	9962-907060-9562-2
\$ 900,000.00		Contingencies -

This transfer will provide funds to cover the costs associated with conduit construction of the award of project TR 08046, Rehabilitation of Broening Highway from Holabird Avenue to Colgate Creek to American Infrastructure.

Bureau of Water & Wastewater

6.	\$2,700,000.00	9960-907101-9558	
	Water Revenue	Constr. Reserve	
	Bonds	Small Water Mains	

	256,800.00	9960-909100-9558	
	Water Revenue	Constr. Reserve	
	Bonds	Small Water Mains	
	<u>\$2,956,800.00</u>		

	\$ 224,000.00	-----	9960-906623-9557-2
			Extra Works
	224,000.00	-----	9960-906623-9557-3
			Design
	134,400.00	-----	9960-906623-9557-5
			Inspection

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Dept. of Transportation/Bur. of Water & Wastewater - cont'd

2,240,000.00	-----	9960-906623-9557-6 Construction
<u>134,400.00</u>	-----	9960-906623-9557-9 Administrative
\$2,956,800.00		

This transfer will provide funds to cover the cost associated with the award of TR 08046.

Bureau of Water & Wastewater

7. W.C. 1236 - Meter Setting Installations and Replacements North Baltimore	Spiniello Companies	\$4,503,375.00
MBE:	Fallsway Construction Co., LLC	\$ 25,000.00 0.56%
	Machado Construction Co., Inc.	500,000.00 11.10%
	W.C.S. Hughes, Inc.	<u>61,000.00</u> 1.35%
		\$586,000.00 13.01%
WBE:	R&R Contracting Utilities, Inc.	\$136,000.00 3.02%

MWBOO FOUND THE VENDOR IN COMPLIANCE.

8. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$5,944,455.00 Water Revenue Bonds	9960-936001-9558 Constr. Reserve Unallocated	
\$ 450,337.50	-----	9960-906653-9557-2 Extra Work

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

\$ 450,337.50	-----	9960-906653-9557-3
		Engineering
270,202.50	-----	9960-906653-9557-5
		Inspection
4,503,375.00	-----	9960-906653-9557-6
		Construction
270,202.50	-----	9960-906653-9557-9
<u>\$5,944,455.00</u>		Administration

This transfer will provide funds to cover the costs associated with the award of WC 1236, Meter Setting Installation and Replacement - North Baltimore.

9. WC 1237, Meter Spiniello Companies \$5,733,000.00
 Setting Installation and
 Replacements,
 North East
 Baltimore

MBE:	Fallsway Construction	\$ 50,000.00	0.87%
	Co., LLC		
	Machado Construction	90,000.00	1.57%
	Co., Inc.		
	W.C.S. Hughes, Inc.	606,000.00	10.57%
		<u>\$746,000.00</u>	<u>13.01%</u>
WBE:	R&R Contracting	\$172,000.00	3.00%
	Utilities, Inc.		

MWBOO FOUND THE VENDOR IN COMPLIANCE

10. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$7,567,560.00	9960-936001-9558	
Water Revenue	Constr. Reserve	
Bonds	Unallocated	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

\$ 573,300.00	-----	9960-906653-9557-2 Extra Work
573,300.00	-----	9960-906653-9557-3 Engineering
343,980.00	-----	9960-906653-9557-5 Inspection
5,733,000.00	-----	9960-906653-9557-6 Construction
<u>343,980.00</u>	-----	9960-906653-9557-9 Administration
\$7,567,560.00		

This transfer will provide funds to cover the costs associated with the award of WC 1238, Meter Setting Installation and Replacement, Northeast Baltimore.

11. S.W.C. 7760, Leakin
Park Stream Restora-
tion at Fairmount
Storm Drain

REJECTION - On February 1, 2012, the Board opened five bids. It is the opinion of the Department that the rejection of all bids is in the best interests of the City. The Department will request permission to re-advertise at a later date.

A PROTEST WAS RECEIVED FROM BALTIMORE PILE DRIVING & MARINE CONSTRUCTION, INC.

12. B50002308, Recycle Containers (Bur. of Solid Waste)	Mid-Atlantic Waste Systems	\$ 90,000.00
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MWBOO GRANTED A WAIVER.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

13. B50002343, Liquid Oxygen (Bur. of Water & Wastewater)	Air Liquide Industrial U.S. LP	\$ 40,035.00
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MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

- | | | |
|--|--------------------|--------------------|
| 1. <u>ACTIVU CORPORATION</u> | <u>\$45,743.78</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - LCD Display Maintenance and Support - Department of Transportation - Req. No. R605067 | | |

The vendor is the sole provider of this proprietary software that is used at the Baltimore Traffic Management Center. The period of the award is June 27, 2012 through June 26, 2013, with three 1-year renewal options.

- | | | |
|---|--------------------|----------------|
| 2. <u>LYNN PEAVEY COMPANY</u> | <u>\$ 9,000.00</u> | <u>Renewal</u> |
| Solicitation No. B50001600 - Evidence Tape - Police Department - Req. No. R552781 | | |

On September 1, 2010, the Board approved the initial award in the amount of \$9,000.00. The award contained five 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$9,000.00 is for the period September 1, 2012 through August 31, 2013, with three 1-year renewal options remaining.

- | | | |
|--|--------------------|--------------------|
| 3. <u>AMES, INC.</u> | <u>\$28,601.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Aurora Pump - Department of Public Works - Req. No. R604594/R606294 | | |

The vendor is the sole authorized supplier/distributor of these required pumps in our area.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

4. US FOODSERVICE	\$10,000.00	Extension
Solicitation No. 06000 - Provide Bulk Foods - Department of Housing and Community Development - Req. No. R579615		

On July 8, 2011, the City Purchasing Agent approved the initial award in the amount of \$24,950.00. An extension is necessary to solicit bids for this previously non-competitive contract. This extension in the amount of \$10,000.00 is for the period July 11, 2012 through October 11, 2012 and will make the total award amount \$34,950.00.

5. WEIR FLOWAY INC.	\$73,952.00	Sole Source
Solicitation No. 08000 - Weir Floway Pump - Department of Public Works, Bureau of Water and Wastewater - Req. No. R603068		

This requirement is specific for the replacement of existing installed pumps, which must be replaced with identical pumps. The vendor is the OEM manufacturer and supplier of these pumps.

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 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

6. ROCKY MOUNTAIN HOLDINGS, LLC	\$250,000.00	Renewal
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Solicitation No. 06000 - Non-Emergent Air Transportation Services - Health Department - Req. No. R605780

On June 16, 2010, the Board approved the initial award in the amount of \$250,000.00. The award contained three 1-year renewal options. On June 29, 2011, the Board approved the first renewal in the amount of \$250,000.00. This renewal in the amount of \$250,000.00 is for the period July 1, 2012 through June 30, 2013, with one 1-year renewal option remaining.

7. WALTERS RELOCATION, INC.	\$ 0.00	Renewal
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Solicitation No. B50001094 - Moving Services for Lead Abatement Program - Health Department - P.O. No. P509951

On August 12, 2009, the Board approved the initial award in the amount of \$133,929.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal is for the period August 12, 2012 through August 11, 2013.

This is a requirements contact, therefore dollar amounts will vary.

MWBOO SET GOALS OF 10% MBE AND 0% WBE.

MBE: James Johnson, d/b/a J & J 10%
Moving & Hauling

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

8. KEMIRA WATER SOLUTIONS	\$300,000.00	Increase
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Solicitation No. B50001140 - Ferric Chloride - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P510045

On August 26, 2009, the Board approved the initial award in the amount of \$77,825.00. Subsequent actions have been approved. This increase in usage of this chemical is caused due to stoppage of the RG Steel Plant located in Sparrows Point which has stopped producing/supplying Ferrous Chloride to the Back River Wastewater Treatment Plant. This increase in the amount of \$300,000.00 will make the award amount \$627,825.00. The contract expires on September 30, 2013.

MWBOO GRANTED A WAIVER.

9. FIRST CALL

WOODLAWN MOTOR COACH

SECOND CALL

SIVELS TRANSPORTATION, INC.	\$ 0.00	Extension
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Solicitation No. B50000406 - General Charter Transportation - Recreation and Parks - Req. Nos. Various

On June 25, 2008, the Board approved the initial award in the amount of \$1,500,000.00. Subsequent actions have been approved. An extension is necessary to allow the new solicitation B50002366 to be awarded. Bids are due on July 25, 2012.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

10. DEPENDABLE RELIABLE SERVICE \$ 23,223.40

PB HEALTH HOME CARE	28,497.15	
AGENCY, INC.	<u>\$ 51,720.55</u>	Extension

Solicitation No. B50000747 - Provide In-Home Personal Care/Homemaker Services - Health Department - P.O. No. P510613

On November 26, 2008, the Board approved the initial award in the amount of \$505,000.00. Subsequent actions have been approved. The third vendor, Personal Touch Home Care is not in good standing with SDAT. A new solicitation for this requirement B50002394 has been issued with bids due on July 25, 2012. An extension is necessary to maintain continuity of services until a new contract is awarded. This extension in the amount of \$53,270.55 will make the award amount \$1,431,015.26.

MWBOO GRANTED A WAIVER.

11. F & F AND A

JACOBS & SONS, INC.

HOWARD UNIFORM	\$ 0.00	Extension
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Solicitation No. B50000293 - Uniforms for D.O.T. Safety - Department of Transportation - P.O. Nos. P502039 and P511864

On May 28, 2008, the Board approved the initial award in the amount of \$300,000.00 to F & F and A Jacobs & Sons, Inc. This requirement was recently bid as Solicitation No. B50002404 and the bids were opened on June 6, 2012. Additional time is required to evaluate the bids and recommend an award.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

12. PETROLEUM MARKETING

<u>GROUP</u>	<u>\$</u>	<u>AWARD BASIS</u>
	0.00	Extension

Solicitation No. B50000905 - Bio-Diesel and Ethanol Fuels -
Department of General Services - P.O. No. P511027

On July 22, 2009, the Board approved the initial award in the amount of \$6,760,000.00. On October 14, 2009, the Board approved the addition of vendors to the contract. This contract contains two one-year extension options. An extension in lieu of a renewal is needed to maintain continuity of services until a new contract is put in place.

MWBO SET MBE GOALS AT 10% AND WBE GOALS AT 0%.

MBE: Apex Petroleum Corporation	\$0.00	0%
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MWBO FOUND VENDOR IN NON-COMPLIANCE

13. CD THOMAS TRUCKING CO. INC.	\$	0.00	
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PHIPPS CONSTRUCTION	\$320,000.00		
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CONTRACTORS

TOP SOILS, ETC	\$	0.00	Renewal
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Solicitation No. B50001059 - Top Soils, Common Borrow, Diamond Mix and Recycled Stones - Various Agencies - Req. Nos. Various

On June 10, 2009, the Board approved the initial award in the amount of \$670,000.00. On March 30, 2011, the Board approved an increase in the amount of \$860,000.00. The Board is requested to approve the first renewal in the amount of \$320,000.00.

This is a requirements contract, therefore dollar amounts will vary.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of PurchasesCD Thomas Trucking Co., Inc.

MBE: G&W Trucking Corporation	10%
Load Runner Trucking, Inc.	8%
WBE: McCall Trucking, Inc.	1%
Barbies Recycling & Hauling, Inc.	6%

MWBOO FOUND VENDOR IN COMPLIANCEPhipps Construction Contractors

MBE: Hammerhead Trucking, Inc.	10%
WBE: D&O Contracting Services	7%

MWBOO FOUND VENDOR IN COMPLIANCETopsoils, Etc.

MBE: KL Phillips Trucking, LLC	10%
WBE: A2Z Environmental Group, LLC	7%

MWBOO FOUND VENDOR IN COMPLIANCE

14. TELECOMMUNICATION	Selected Source
SYSTEMS, INC.	Agreement
\$2,415,743.20	
Solicitation No. 06000 - Citywide IT Support Staff Services	
Agreement - Agencies - Various - Req. Nos. Various	

The Board is requested to approve and authorize execution of an agreement with Telecommunication Systems, Inc. The period of the agreement is July 1, 2012 through December 31, 2012, with one 6-month renewal option.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

On November 9, 2005, the Board awarded Contract BP-05136 Citywide Network Support and Services to Telecommunication Systems, Inc. which will expire on July 1, 2012. This agreement will allow time to transition key personnel listed in the submitted Exhibit A of the agreement to City employees or transfer their knowledge to City employees.

On June 14, 2012, it was determined that no goals would be set because of no opportunity to segment the contract. However, the vendors supplying the personnel under this agreement include 29% MBE and 18% WBE subcontractors. MWBOO Concurs.

The \$2,415,743.20 is for the initial six month term and the six-month renewal option in the amount of \$2,415,743.20 if needed and approved by the Board at a later date will make the total award amount \$4,831,486.40.

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 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MBE/WBE PARTICIPATION:

MBE: 29%

WBE: 18%

MWBOO GRANTED A WAIVER.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.

(FILE NO. 57301)

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS & EXTENSIONS

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

Bureau of Purchases

15. DIGICON CORPORATION	\$2,077,420.50	Agreement
Solicitation No. 06000 - Citywide IT Support Staff Services		
Agreement - Agencies - Various - Req. Nos. Various		

The Board is requested to approve and authorize execution of an agreement with Digicon Corporation, Inc. The period of the agreement is July 1, 2012 through December 31, 2012, one 6-month renewal option.

On November 15, 2006, the Board awarded Contract BP-06162 Citywide Network Support and Services to Digicon Corporation which will expire on July 1, 2012. This agreement will allow time to transition key personnel listed in the submitted Exhibit A of the agreement to City employees or transfer their knowledge to City employees.

On June 14, 2012, it was determined that no goals would be set because of no opportunity to segment the contract. However, the vendors supplying the personnel under this agreement include 32% MBE and 24% WBE subcontractors. MWBOO concurs.

The \$2,077,420.50 is for the initial six-month term and the six-month renewal option in the amount of \$2,077,420.50 if needed and approved by the Board at a later date will make the total award amount \$4,154,841.00.

MINUTES

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

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

MBE/WBE PARTICIPATION:

MBE: 32%

WBE: 24%

MWBOO GRANTED A WAIVER.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.

(FILE NO. 57301)

Bureau of Purchases Item Nos. 14 and 15 - cont'd

President: "The fifth item on the non-routine agenda can be found on pages 120-121 item no. 14, Citywide IT Support Staff Services Agreement with Telecommunication Systems, Inc. Will the parties please come forward?"

Mr. Joe Mazza, City Purchasing Agent: "Good morning Mr. President, Madam Mayor, Madam Comptroller, members of the Board. My name is Joe Mazza I am the City Purchasing Agent. The Board is requested to approve two Citywide IT Support Staff Services Agreements. One on Page 120 no. 14 with Telecommunication Systems, in the amount of \$2,415,743.20 and the second on Page

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

122 no. 15 with Digicon Corporation in the amount of \$2,077,420.50. The period covered is July 1, 2012 through December 31, 2012 with one 6-month renewal at the City's sole discretion. As background, Government IT Systems have shown that they cannot provide suitable qualified IT personnel quickly enough to keep up with ever changing IT skills and needs. Because of this, government IT managers at every level, the local, state and federal have found it necessary to turn to the private sector to obtain appropriately qualified IT professionals to augment their internal workforce. Beginning in the Schmoke Administration and continuing to the present, the City has likewise relied on contractor personnel to support its IT workforce. The current contracting model which was begun in 2006 during the tenure of Elliot Schlanger who was the CIO Chief Information Officer during the O'Malley administration established two separate contracts with staggered expiration dates so that if an incumbent contractor were to be displaced by a new one only half the contractor personnel working for the City would have to be replaced minimizing the impact of their loss. TCS and Digicon are the current contractors under this model and these contracts have served the City well. Nevertheless, these contracts were sometimes used for projects

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

which while appropriate under them may have benefitted from expanded competition. As it happens, the State of Maryland has awarded an IT Services Support contract that contains 436 vendors and is structured such that individual requirements can be expeditiously bid among the participating vendors at prices not to exceed those that they originally bid, allowing competition among many vendors for each requirement.

The Bureau of Purchases will soon ask the Board to allow the City to piggy-back on this contract to replace the current ones with TCS and Digicon. This request was submitted earlier. It was withdrawn from the June 20th agenda to modify the MBE/WBE portion and it will re-submitted on July 11th. Now the current contracts with TCS and Digicon expire on June 30th. So, in order to maintain continuity of IT services and support the disruption that would be caused by losing all the City's current contractor personnel at one time, a temporary contract is needed to bridge the transition to the State contract. To that end, the Bureau of Purchases has negotiated contracts with TCS and Digicon that will allow the City to retain current contractor

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

personnel for six months. This will provide the City time to either bring key contractor personnel on board as City employees or transfer their knowledge to others. These contracts are based on the previously awarded contracts to TCS and Digicon, but their scope has been greatly reduced to cover only the personnel currently provided and only for as long as a particular individual is needed. I will also note that on the Agenda both

of these items show MBE participation and also show that MWBOO granted a waiver. That might be a little bit confusing."

Mr. Jolivet: "It is."

Mr. Mazza: "Yes Sir, and the reason for that is largely administrative. We have to -- we the Bureau of Purchases have to recommend to the MWBOO Office whether or not a contract is segmentable so that parts of that contract could be awarded to minority vendors. In this case, its specific individuals that the City needs, so there really is no wiggle room it's just those folks that we need. The numbers that are shown on the Board agenda reflect the personnel who are currently being

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

provided by minority sub-contractors under the previous contract and will continue to be provided by those minority sub-contractors. Thank you."

President: "Thank you. Mr. Jolivet you will be speaking to both items."

Mr. Arnold Jolivet, MMCA: "Ah, yes of course."

President: "Okay."

Mr. Jolivet: "Are you talking about the Digicon?"

President: "Yes."

Mr. Jolivet: "I think the argument at least my argument would be applicable to both of them so I agree and let me just say that, we seem to, we as minority firms seem to lose out at both levels. We -- at the first level --."

President: "Can I be -- go ahead. Okay. Go ahead."

Mr. Jolivet: "At the first level Mr. President, the MWBOO Office, the City's MWBOO Office seems to say that this contract is not subject to minority participation. But, yet the initial contract when it was initially awarded had substantial minority

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

participation. So I wonder what changed to facilitate the difference where now, it's the same contract it is my understanding, it is just being renewed. So, we lose out on that opportunity, minority firms lose out, minority subcontracting firms and I don't have a clue what this figure here this 29 point percent and 18%, the public doesn't have a clue as to what that particular figure represents on page 121 because it is -- Mr. Mazza tried to explain it. But when we look at what Mr. Corey said in terms of there being a waiver, the contract is subject to a waiver, it's a real puzzle. It's a real confusing situation and Mr. Mazza did not actually adequately explain it. But nonetheless, my concern is, this figure this 29, 18 does not actually represent businesses. This obviously represents workers and fine. We support minority workers. We think minority workers should have an equal opportunity. But, we should not represent this to the public as being minority business enterprises. The way it's stated on here, the public could easily get the

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

impression that these are minority and it's inaccurate. It's inaccurate. It's totally inaccurate and I would urge your Honorable Board to defer it to correct this, because this gives the public a totally wrong impression as to who's getting the contract benefits. In addition to this Mr. President, I know that they say that this is contract is an exception to the Board to Article VI, Section 11 Charter requirements for public competitive bidding, but we all know that it isn't. The only reason that they are bringing it before the Board today, because the original contract expired or expires on June 30th. So what it is in fact a mere continuation of the old contract disguised as a new extension. It is not an extension, because clearly they cannot extend the contract. Mr. Nilson's aware of that. A contract the durational term of a contract is like any other term of a contract and once it expires, the contract expires and the only way that you can continue with it is a new line of competitive bidding; been a law for 25, 30, 100 years and yet you're going to tell me that they are going to do it that way. It is not correct."

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

City Solicitor: "I have two questions for Mr. Mazza. Have the terms of the two contracts expired number one and is Mr. Jolivet's statement that your numbers are totally inaccurate correct?"

Mr. Mazza: "Well, the current contracts expire on the 30th of June. They are not expired currently, and uh - I am happy to support the percentages that we provided in the agenda. This, if I might, this is not this contract is not with individuals Mr. Jolivet. This contract is with TCS and Digicon and those companies provide us with the individuals. Some of them are provided through the minority sub-contractors on their current contract. They will continue to be provided by those minority sub-contractors, and if you work out the numbers of individuals who are provided by minority and women businesses contracts versus those coming directly from TCS, you come up with the fractions."

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

Mr. Jolivet: "Well, why was it necessary for Mr. Corey to make a pronouncement that there was no participation required because he waived it?"

Mr. Mazza: "Well that's really a --."

Mr. Jolivet: "It's confusing."

Mr. Mazza: "It is confusing I understand that. It's a technical issue. The fact that we cannot say that these are fixed individuals. There's no wiggle room in this contract. It's these folks provided by these people. Therefore, technically it could not be -- nothing could be segmented out of that."

Mr. Jolivet: "The first contract was."

Mr. Mazza: "The first contract was because another statement you made was that, was that this is a continuation of a current contract, no it is not at all like the current contract. It is like the current contract, except it is greatly limited. It is solely for these individuals for this purpose of time or this

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

period of time and not for the normal course of how that contract was done in the past."

Mr. Jolivet: "Mr. President, I just need to put on the record that nonetheless, notwithstanding Mr. Mazza's statement that it is not the same contract. It is in fact the same contract. It grew out of the same contract. The purpose of the contract is the same. They used the same people, exact the number of people that are going to work on the old contract are going to work on the new contract. So, it's just not true that Mr. Mazza could make a statement and the public should not understand that it is a different contract. It may be somewhat changed, yeah, but nonetheless it is essentially and fundamentally the same contract."

Mr. Corey: "Thomas Corey, Chief of the Minority and Women's Business Opportunity Office. We granted a waiver based on the understanding that this is a contract dealing with just people. Putting the City in a position where it would take these employees that have this priority knowledge of the City's system to be placed on the City's payroll and since it is a people-

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

oriented contract or transaction it can't be segmented. So therefore we granted a waiver. We have no way of saying that we could not grant a waiver on that."

City Solicitor: "May I make a Motion?"

Comptroller: "Payroll are they going to be contractual?"

Mr. Corey: "No. They are going to be transit -- as I understand it they are going to be transitioned on to the City's payroll as full time employees."

Comptroller: "and receive benefits?"

Mr. Corey: "And receive benefits --."

Mr. Mazza: "If I could clarify that. It is the plan of the Mayor's Office of Information & Technology to transition these people to government employees. That is the plan, or if that doesn't work because as we know in public HR situations you are not ever assured of who is going to get a job to provide time to transfer that critical knowledge that these folks have to others."

City Solicitor: "Yeah, I think in fairness you did say in your initial remarks that this has been a real challenge for

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

governments all around the country to be able to employ their full MOIT or equivalent workforce as regular City employees. So the consultant's model has become pretty common. So we're trying to get away from that, but it's not going to be easy."

Mr. Jolivet: "One final statement and I will end my presentation and I want --."

Mayor: "Why is he interrupting?"

President: "Do you want to go first?"

Comptroller: "Well I just --."

President: "You have to speak into the mic."

Comptroller: "Sure. This contract says it's through December 31, 2012, but on the document it says December 31, 2013. Is there a reason why?"

Mr. Mazza: "That yes. That's an error and the reason is."

Comptroller: "Okay, I just wanted to know."

Mr. Mazza: "We --."

Comptroller: "Okay."

Mr. Mazza: "We considered the term

Comptroller: "It's an error."

Mr. Mazza: "And made it even shorter."

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

Comptroller: "Okay. It's an error."

Mr. Jolivet: "Pardon."

President: "Mr. Jolivet."

Mr. Jolivet: "Mr. President this might -- again I want to ask or strongly suggest to the Board if there is a reason behind Article VI, Section 11 of the Charter to bring fairness, to prevent fraud, collusion and to prevent favoritism uh - for one contractor over the other, and I would just hope that the City would find a way to be more accommodating of the intent and purpose of the Charter, Article VI, Section IV. So all the bidders, every qualified bidder, no matter where they're located would have a fair and equal opportunity to compete and Mr. President, I might submit, I suggest very strongly or assert very strongly that right now this is not the case. There's tremendous favoritism in this City when it comes to bidding and when the City selects one contractor over another, without a bid Mr. President, I suggest very strongly to you that the City has no way of knowing the full price, whether the price they are getting is reasonable and fair. So, the City cheats itself by

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

selecting these contractors without a bid. Now it says here selected source on the Digicon. There is absolutely no mention at all in the City Charter Article VI, Section 11 or otherwise of selected sources. None at all and I challenge Mr. Mazza or even the Solicitor to tell me where in the Charter does it say provide for selected sources where contractors can just be given a contract when other contractors are left in the cold."

President: "Madam Comptroller can you make your comment?"

Comptroller: "Yeah I realize that Digicon and TCS have knowledge and experience that City employees do not have. But my concern is that based on Mr. Nilson's opinion he's saying that the City can take bits and pieces of a personnel contract and a hardware contract and not competitively bid it and so therefore I'm opposed to these two contracts based on your opinion that you can take a personnel contract and a hardware contract, merge the two together. Take bits and pieces of each and not competitively bid."

Mr. Dashiell: "Mr. President, my name is Robert Dashiell. I represent Digicon Corporation and I simply want to advise the

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

Board that as far as we're concerned there is no waiver of the MBE or WBE participation notwithstanding what Mr. Corey said. The subcontractors who are currently performing, this is a labor supply agreement that's all anybody is doing. I mean Digicon, the sub, we are all just providing labor; specialized labor albeit, but simply labor. The subcontractors who are providing labor, to service the specific services that the City desires currently are the same ones who are going to continue to provide during this period and the same minority participation and WBE participation. I am not going to comment on the issue of the legality of an extension versus a renewal that's Mr. Nilson's thing and the Board doesn't have a history of necessarily following my opinion anyway. So, so, so I just want you to know we haven't asked for a waiver. We are not seeking a waiver and we are not accepting a waiver."

President: "I entertain a Motion."

City Solicitor: "Move approval of both of the uh - two items under protest as submitted by Purchasing on behalf of MOIT."

Director of Public Works: "Second."

MINUTES

Bureau of Purchases Item Nos. 14 and 15 - cont'd

President: "All those in favor say AYE. All Opposed NAY."

Comptroller: "NAY."

President: "Please NOTE that the Comptroller votes **NO** and I **ABSTAIN** from this. The Motion carries."

* * * * *

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, the increase to a contract, and extensions. The Board further approved and authorized execution of Item No. 14, the agreement with Telecommunication Systems, Inc. and Item No. 15, the agreement with Digicon Corporation. The President **ABSTAINED** on Item Nos. 5, 8, 14, and 15. The Comptroller voted **NO** on Item Nos. 14 and 15.

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

June 26, 2012

Via Facsimile 410-685-4416

The Honorable President and Members

Baltimore City Board of Estimates

City Hall-Room 204

Baltimore, MD 21202

ATTN: Ms. Bernice Taylor, Clerk to the Board

Dear Mr. President:

I represent the Maryland Minority Contractors Association, Inc. ("MMCA"), its members, clients and constituents. We wish to protest the following identified items contained in Your Honorable Board's 6/27/2012 Agenda:

1. A request from the City's DGSA, on page 8, to approve an expenditure of funds to pay Associated Building Maintenance Company, Inc. for alleged services rendered after City contract BP-04161 expired;
2. A request from the City's Department of Recreation and Parks, on page 85, for Your Honorable Board to ratify certain services and approve an expenditure of funds to pay the State of Maryland Department of Public Safety and Correctional Services (DPSCS), to pay the DPSCS for outstanding invoices for the provision of prison labor details to assist with City park maintenance for the period of July 1, 2010 through June 30, 2011.

On June 25, 2008, Your Honorable Board approved an agreement with the DPSCS and the Department of Recreation and Parks for provision of such services. The agreement expired on June 24, 2011 but the DPSCS nevertheless continued to provide the services. Thus, the City's Department of Recreation and Parks is requesting Your Honorable Board's ratification of services performed and rendered after the contract expired on June 24, 2011.

3. A request from the City's Department of Recreation and Parks, on page 86, for Your Honorable Board to approve a proposed non-competitive \$900,000.00 City contract with

DPSCS to provide prisoner labor details to assist with park maintenance and other construction related work activities. The alleged period of the proposed agreement is July 1, 2011 through June 30, 2013, with one one-year renewal option. Hence, Your Honorable Board is, in essence, being requested to "ratify" one (1) full year of the contract's money amount, after the contract work tasks have allegedly been rendered.

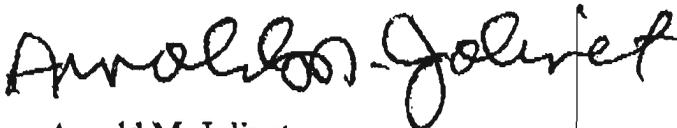
4. A request from the City's Bureau of Purchases to approve a proposed \$2,415,743.20 non-competitive "selected source agreement" with Telecommunication Systems, Inc. to allegedly provide "citywide" IT support staff services. The period of the proposed agreement is July 1, 2012 through December 31, 2012, with one (1) six-month renewal.
5. A request from the City's Bureau of Purchases for Your Honorable Board to award a proposed non-competitive \$2,077,420.00 contract to Digicon Corporation, to allegedly provide citywide IT support staff services to the Mayor's Office of Telecommunications Services.

The basic issue, common in each proposed contract award, is that they all violate the City's fundamental competitive bidding requirement as specifically delineated in Article VI, Section 11 et seq., of the City's governing charter (1966 Edition, as amended).

Protestant MMCA, its members, clients and constituents will be injured and damaged if Your Honorable Board votes to approve any of these proposed ultra vires and unlawful contracts.

Accordingly, we herein respectfully request that Your Honorable Board vote to reject all of the above cited proposed unlawful contracts. I look forward to personally addressing Your Honorable Board on these proposed contracts.

Respectfully submitted,



Arnold M. Jolivet
Managing Director

MINUTES

Department of Real Estate - Renewal of Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve the second renewal option of the lease agreement with Mr. Andrew J. Bartenfelder, tenant for 20 acres more or less of the property known as Fullerton Reservoir, located at 4566 Ridge Road. The period of the renewal is July 1, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$1,273.08

BACKGROUND/EXPLANATION:

On August 18, 2010, the Board approved the initial agreement for the period July 1, 2010 through June 30, 2011. The agreement contained two additional 1-year renewal options. This is the second renewal option.

(FILE NO. 57208)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the second renewal option of the lease agreement with Mr. Andrew J. Bartenfelder, tenant for 20 acres more or less of the property known as Fullerton Reservoir, located at 4566 Ridge Road.

MINUTESParking Authority - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Desman Associates (Desman). The period of the agreement is effective upon Board approval for 180 days.

AMOUNT OF MONEY AND SOURCE:

\$80,000.00 - 2075-000000-5800-408600-603016

BACKGROUND/EXPLANATION:

Desman will provide professional services related to capital repairs at the Guilford garage. The Guilford Garage requires immediate structural repairs. The floor surfaces need protection through a waterfront membrane due to the advanced level of contamination and corrosion to the concrete and steel reinforcing structure. Further, the facility has cracked and deteriorated mortar joints and walls throughout the entire structure. Stair doors and door frames are corroded, and the hand railings are unsafe. Deteriorated asphalt is present throughout the asphalt-on-grade slabs and there are a number of leaking cracks and joints within these slabs. Overall, the garage is in very poor condition and poses a significant health and safety risk. Desman Associates was retained by the Parking Authority to provide a condition analysis and a capital repair and maintenance plan. Through this agreement, Desman Associates will be responsible for preparation of contract documents for the repairs, assisting in getting pricing for the repairs, and engineering oversight during the construction.

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 Desman Associates.

MINUTES

Baltimore Police Department - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Adjustment Notice (GAN) from the U.S. Department of Justice, Community Oriented Policing Services for the COPS Hiring Recovery Program. The GAN extends the period of the award from June 30, 2012 to December 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$10,131,050.00 - 4000-485310-5750-647600-600000

BACKGROUND/EXPLANATION:

On October 7, 2009, the Board approved acceptance of a grant award agreement for the COPS Hiring Recovery Program. This grant was provided to the Baltimore Police Department to hire 50 new police officers. The funding supports both salaries and fringe benefits for three years.

APPROVED FOR FUNDS BY FINANCE**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Adjustment Notice (GAN) from the U.S. Department of Justice, Community Oriented Policing Services for the COPS Hiring Recovery Program.

MINUTESCircuit Court for Baltimore City - Consultant Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a consultant agreement with Andre Cherry. The period of the agreement is July 01, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$ 30,000.00	-	1001-00000-1100-109501-603026
		Cooperative Reimbursement grant
61,500.00	-	4000-401512-1100-116802-603026
		Pre-Trial Competency grant
13,500.00	-	5000-500713-1100-117400-603026
<u>\$105,000.00</u>		

BACKGROUND/EXPLANATION:

The amount of the consultant agreement is \$60.00 per hour, not to exceed a total of \$105,000.00 in fiscal year 2013. Funding for the consulting cost is split between the general fund and the grant budget accounts.

The Grant Accounting position has been changed to include responsibilities of the Fiscal Administrator due to budget cuts in fiscal 2013. The Acting Fiscal Administrator/Grant Accountant will manage the Circuit Court's general fund appropriation and grants on a daily basis to ensure fiscal accuracy and proper reporting. Under the direction of the Administrative Judge, this position is the first point of contact on all fiscal matters related to Circuit Court's general fund appropriations and grants received from external organizations.

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 consultant agreement with Andre Cherry.

MINUTESDepartment of Human Resources - Employee ContractDepartment of Finance

Mr. Virts, retiree, will work as a Systems Analyst II in the Mayor's Office of Information Technology. His duties will include but are not limited to providing support for the legacy based pension tracking system for the City Fire and Police Employees' Retirement System. The period of the agreement is July 1, 2012 through July 31, 2012.

AMOUNT OF MONEY AND SOURCE:Hourly Rate

\$5,091.25 - 1001-000000-1472-165800-601009

\$40.73

THE DEPARTMENT OF FINANCE IS REQUESTING A WAIVER OF THE SALARY CAP AND THE NUMBER OF HOURS WORKED, AS OUTLINED IN THE CITY'S ADMINISTRATIVE MANUAL 212-1 PART I - RETIREES

THE PERSONNEL MATTER HAS BEEN APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the employee contract with Mr. Virts, retiree. The President **ABSTAINED**.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve a grant agreement with the State of Maryland, Department of Housing and Community Development. The period of the agreement is July 1, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$1,715,866.00 - 5000-94113-5971-439500-603051

BACKGROUND/EXPLANATION:

The Baltimore City Weatherization Assistance Program (WAP) has been operating for many years with Federal funding passing through the State of Maryland. The American Recovery and Reinvestment Act of 2009 (ARRA) greatly expanded funding for this program nationally as part of the national effort to reduce the impacts of economic recession, to stimulate the economy and increase energy conservation. The ARRA dramatically increased funding for weatherization in Maryland and Baltimore City with \$15,700,000.00 over three years. In addition and at the same time, the Department of Energy funds the traditional WAP. This proposed grant agreement represents the regular or traditional program. The appropriation is approximately one third of the appropriation in the previous fiscal year; with the ARRA funds the City will weatherize over 227 housing units in the coming fiscal year.

MBE/WBE PARTICIPATION:

Minority and Women's Business Enterprise requirements were applicable to heating system replacements that will be conducted

MINUTES

DHCD - cont'd

by contractors through the DHCD WAP. MBE/WBE participation was waived for standard weatherization contractors at the outset of contracts and stimulus-funded weatherization, July 1, 2009.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the State of Maryland, Department of Housing and Community Development.

MINUTES

Mayor's Office - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the Experience in Action, Inc., also known as Experience in Action. The Board is further requested to approve monthly expenditure of funds upon receipt of invoices from Experience Corps. The period of the grant agreement is September 1, 2011 through August 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$180,000.00 - 1001-000000-4460-692100-607001

BACKGROUND/EXPLANATION:

The Experience Corps recruits and trains older adults to serve in the Baltimore City Public Schools (BCPS) through a structured program to improve academic outcomes and decrease behavioral issue referrals within the schools.

The Experience Corps is a national program in twenty-three cities. The Baltimore City Experience Corps began in 1998 as a partnership of the Johns Hopkins University's Center on Aging and Health and the Greater Homewood Community Corporation. Program operations are now the responsibility of Greater Homewood Community Corporation with COAH providing evaluation and recruitment support. Older adult volunteers are placed in BCPS K-3 classrooms and perform a range of roles, determined by the principal and under the direction of a teacher. Common roles are tutoring in literacy and math, support of library functions and behavioral support. Volunteers do not perform the range of roles of a classroom aide. Volunteers receive training and are coordinated by a team leader provided by the Experience Corps program.

MINUTES

Mayor's Office - cont'd

In 2011 - 2012, Experience Corps will place teams of approximately 15 - 20 older adults in 22 Baltimore City elementary schools. Volunteers are required to serve a minimum of 15 hours each week.

Experience Corps organizes, oversees, and owns the intellectual property rights to the Experience Corps Program and has affiliated nationally in the past with the local independent agencies such as Greater Homewood Community Corporation and Intergenerational Community Services, Inc. to provide the services of the Experience Corps program. Starting September 1, 2012, by a Transitional Program Agreement, Experience Corps licensed the intellectual property rights to the Experience Corps program in Baltimore City to ICSI so it could become the local affiliate of Experience Corps and by its transitional Program Agreement, ICSI agreed that Experience Corps would provide the actual programmatic services for the Experience Corps program in Baltimore and would subcontract with the Greater Homewood Community Corporation (GHCC) for certain administrative services.

The grant agreement is late because the original documents that were submitted for approval were misplaced. The Office only discovered recently that the documents were not approved and placed on the Board agenda.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Experience in Action, Inc., also known as Experience in Action. The Board further approved monthly expenditure of funds upon receipt of invoices from Experience Corps. The Mayor **ABSTAINED**.

MINUTES

Department of Public Works - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the East Baltimore Community School, Inc. The period of the MOU is effective upon Board approval and shall remain in full force and effect until the installation of the Sheeting is complete.

AMOUNT OF MONEY AND SOURCE:

The City should be responsible to pay all costs in excess of \$500,000.00.

BACKGROUND/EXPLANATION:

The East Baltimore Community School, Inc. has entered into an agreement to acquire the following described parcels of land from the City being known as (i) Ward 7, Section 2, Blocks 1588 and 1589 including the streets and alleys which lie within the perimeter of said aforementioned blocks and (ii) the bed of Collington Avenue which lies between the aforementioned blocks between Ashland Avenue on the south and E. Eager Street on the north for the purposes of developing a community school.

This MOU outlines the general understanding and agreement of the parties as it relates to the installation of sheeting which will provide access to the City's Sewer line.

MBE/WBE PARTICIPTION:

The East Baltimore Community School Inc. has signed the commitment to comply with the Minority and Women's Business Enterprise Program of Baltimore City.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the East Baltimore Community School, Inc. The President **ABSTAINED**.

MINUTES

Parking Authority - Amendment to Agreements

The Board is requested to approve and authorize execution of an agreement with the various organizations. The amendment to agreement will extend the period of the agreement for 18 months.

<u>VENDOR</u>	<u>FACILITY</u>
1. PMS PARKING, INC	CAROLINE STREET GARAGE
\$271,190.00 - 2075-000000-5800-408200-603016	Maint. & Repair
77,027.00 - 2075-000000-5800-408200-603026	Mgmt. & Incent.
1,810.00 - 2075-000000-5800-408200-603038	Security
<u>\$350,027.00</u>	

The original agreement was approved in the amount of \$340,260.00. This amendment to agreement in the amount of \$350,027.00 will make the total agreement amount \$690,287.00.

2. PMS PARKING, INC.	LITTLE ITALY GARAGE
\$300,852.00 - 2075-000000-2321-407900-603016	Maint. & Repair
78,696.00 - 2075-000000-2321-407900-603026	Mgmt. & Incent.
7,815.00 - 2075-000000-2321-407900-603038	Security
<u>\$387,363.00</u>	

The original agreement was approved in the amount of \$346,906.00. This amendment to agreement in the amount of \$387,363.00 will make the total agreement amount \$734,269.00.

3. PMS PARKING, INC/LAZ PARKING MID-ATLANTIC LLC	ST. PAUL PLACE GARAGE
\$371,362.00 - 2075-000000-2321-408100-603016	Maint. & Repair
126,306.00 - 2075-000000-2321-408100-603026	Mgmt. & Incent.
36,000.00 - 2075-000000-2321-408100-603038	Security
<u>\$533,668.00</u>	

MINUTES

Parking Authority - cont'd7. **LANDMARK PARKING, INC.****FLEET AND EDEN GARAGE**

\$395,273.00	-	2075-000000-2321-408200-603016	Maint. & Repair
108,000.00	-	2075-000000-2321-408200-603026	Mgmt. & Incent.
4,000.00	-	2075-000000-2321-408200-603038	Security
<u>\$507,273.00</u>			

The original agreement was approved in the amount of \$442,158.00. This amendment to agreement in the amount of \$507,273.00 will make the total agreement amount \$949,431.00.

The original agreement was for the period April 1, 2011 through June 30, 2012, term and the compensation was based on a monthly base management fee and calculation for the incentive fee, with reimbursement for approved operating expenses at the parking facility. This amendment to the agreement extends the period of the agreement for an additional 18 months. This amendment to the original agreement provides additional funding to pay for anticipated operating expenses and compensates the organization during the extended term upon the original compensation structure.

The Parking Authority has been working toward award of longer term agreements for groups of facilities to management firms, but these efforts have been delayed due to the Parking Authority experiencing significant disruption in the personnel charged with oversight and administration of this and other management agreements, and the procurement of new management agreements.

MINUTESParking Authority - cont'd

The Parking Authority has made the requisite personnel changes and is prepared to move forward with seeking award of a new agreement for the various facilities.

MWBOO FOUND VENDOR IN COMPLIANCE.

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 agreements with the aforementioned organizations.

MINUTESParking Authority of Baltimore City - Staffing Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a staffing agreement with the Landmark Parking, Inc. The period of agreement is July 1, 2012 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$43,205.40 - 2076-000000-2321-612900-603026

BACKGROUND/EXPLANATION:

This agreement will provide personnel at the parking lot located between Guilford Avenue, E. Pleasant Street, N. Holliday Street, and the Fallsways, known as the JFB Lot or MAPS lot.

The Parking Authority was tasked with finding a means of relocating parking for members of the Managerial and Professional Society of Baltimore (MAPS), so that Healthcare for the Homeless could develop their new facility on the parking lot that MAPS used for their members. After carefully examining all available options, the PABC determined the JFB lot to be the closest and best available alternative to the location where MAPS had been parking.

The PABC, on behalf of the City, negotiated the lease of a portion of the JFB lot with MAPS and obtained the approval of the Board of Estimates on December 12, 2007. As part of the lease agreement, proper staffing and security was to be provided on the lot to secure the spaces for MAPS members. The staffing is assigned to enforce the terms of the lease agreement.

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 staffing agreement with the Landmark Parking, Inc.

MINUTES

PROPOSAL AND SPECIFICATIONS

1. Dept. of Public Works/ - WC 1238, Locating & Resetting
Bureau of Water and Meter Vaults and Renew Water
Wastewater Supply Services
BIDS TO BE RECV'D: 07/25/2012
BIDS TO BE OPENED: 07/25/2012

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Proposal and Specifications to be advertised for receipt and opening of bids on the date indicated. The President **ABSTAINED** on Item No. 1.

MINUTES

ACKNOWLEDGEMENTS

President: "First I would like to defer to Mr. Nilson."

City Solicitor: "I would like to introduce somebody here in the audience, if you Nijah White would stand up? Nijah is the Law Department's Youth Works person for the summer. Uh She will I am sure be as terrific an asset as our other Youth Works people have been in past years. She is sitting now with Richard Kagan sort of an iconic figure in Board of Estimates law and history over the last decades, and is under the watchful eye of Elva Tillman who is our award winning public service lawyer in the Law Department. Nijah goes to Western High School and --

(Applause)

we all hope she enjoys her summer with us. Thanks for being here Nijah."

Mayor: "She looks like a Westernite."

President: "I would also like to welcome Nina Bankova and her delegation from Russia who are here today as part of the Exposure Tour for the Master's Program Candidates in Public Administration. The delegation spent all week in the Library of Congress. They came to Maryland to spend a day in Annapolis and

MINUTES

ACKNOWLEDGEMENT - Youth Works - cont'd

Baltimore to learn about the local government. The members of the delegation are all professionals from Russia working on a comparative law study as a part of their Masters in Public Administration Degree. Again welcome."

(Applause)

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MINUTES

ACKNOWLEDGEMENTS

President: "Madam Mayor."

Mayor: "Yes. Thank you very much. I would ask Mr. Mazza to please stand. I believe this is your official last BOE meeting, sir."

Mr. Joe Mazza, City Purchasing Agent: "Yes, Madam Mayor."

Mayor: "I have a proclamation designating June 27, 2012, as Joe Mazza Day in Baltimore."

(applause)

City Solicitor: "Would Mr. Jolivet like to come forward to protest Mr. Mazza."

Mayor: "I have to read the whole thing. I have to read the whole thing then maybe we'll have a protest. WHEREAS Joe Mazza began his career in Baltimore City government as principal program analyst within the Finance Director's office and WHEREAS, he has served as both Deputy and Bureau Chief for the Bureau of Purchases and also successfully lead the implementation of the CitiBuy Procurement System saving the City a significant amounts of money and WHEREAS, for the past 17 years, Mr. Mazza has been instrumental in providing leadership

MINUTES

ACKNOWLEDGEMENT - Mr. Mazza - cont'd

to the Bureau of Purchases and WHEREAS, the citizens of Baltimore owe Mr. Mazza a tremendous debt of gratitude for his unwavering years of commitment to the City of Baltimore, and we wish him the best for his well deserved retirement. You certainly will be missed."

Mr. Mazza: "Thank you Madam Mayor."

(applause)

Comptroller: "Mr. Mazza, congratulations and enjoy your retirement."

Mr. Mazza: "Thank you. I would just like to say very, very briefly, when I came here 17 years ago, was the first time I would be involved with local government and as we all know local government sometimes have a bad reputation and I didn't quite know what to expect, but I was very pleased to find that we had dedicated straightforward elected officials who have never pressured me in any way toward any particular agenda and also my colleagues have been very professional and hardworking as professional hardworking as any group I've ever worked with. It has been a pleasure to serve you and to serve with them. Thank you."

MINUTES

ACKNOWLEDGEMENT - Mr. Mazza - cont'd

President: "Congratulations to you and I wish you the best in your retirement."

(applause)

There being no more business before the Board, the meeting will recess until bid opening at twelve noon, and as a reminder, there's no Board of Estimates meeting next Wednesday, which is July 4th. Thank you.

* * * * *

MINUTES

Comptroller: "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 date for receipt and opening of bids on the following contract. There were no objections.

Bureau of Purchases - B50002431, Residential Plastic Water
Meter Pit Lids
CANCELLED

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 Water and Wastewater - WC 1222, RG Steel East
Billing Meter Improvements

CPP Construction Company Inc.
The Whiting-Turner Contracting Co.

MINUTES

Department of Recreation and Parks - RP 08822, Cimaglia Park at Fort Holabird

Allied Contractors, Inc.
 Potts & Callahan, Inc.
 P. Flanigan & Sons, Inc.
 JLN Construction Services, LLC
 Broughton Construction Company
 Bensky Construction Co., LLC
 McDonnell Landscape Inc.

Department of transportation - TR 05308, Dundalk Avenue Streetscape from Eastern Avenue to City Line

Civil Construction, LLC
 Gray & Son, Inc.
 Monumental Paving & Excavating, Inc.
 Potts & Callahan, Inc.
 P. Flanigan & Sons, Inc.
 Daisy Concrete Inc. of MD
 Facchina Construction Company, Inc.

Department of transportation - TR 09037, National Aquarium Access Improvement

Potts & Callahan, Inc.

Bureau of Purchases - B50002417, Industrial Bearing and Related Seals

Motion Industries, Inc.
 Bearing Distributors Inc.
 Applied Industrial Technologies

MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, July 11, 2012.

JOAN M. PRATT
Secretary