

MINUTES

REGULAR MEETING

Honorable Bernard C. "Jack" Young, President
Honorable Stephanie Rawlings-Blake, Mayor
Honorable Joan M. Pratt, Comptroller and Secretary
George A. Nilson, City Solicitor
Rudolph S. Chow, Director of Public Works
David E. Ralph, Deputy City Solicitor
S. Dale Thompson, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk - **ABSENT**

President: "Good Morning, the April 20, 2016, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiency of these hearings, persons who are disruptive to the hearings will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board members attention to the memorandum from my office dated April 6 -- April 18--"

President: "I will direct the Board members attention to the memorandum from my office dated April 18, 2016, identifying matters to be considered as 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."

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City Solicitor: "MOVE 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 has been adopted."

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MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

Barnard Construction Company, Inc.	\$1,119,465,000.00
Caribbean Piping & Welding, Inc.	\$ 1,500,000.00
CIP Concrete, LLC	\$ 1,500,000.00
Kinsley Construction, Inc.	\$ 602,802,000.00
Malstrom Electric Inc.	\$ 1,500,000.00
Midasco, LLC	\$ 122,508,000.00
MSI Controls, Inc.	\$ 4,689,000.00
Ruff Roofers, Inc.	\$ 8,000,000.00
Spiniello Companies	\$ 198,441,000.00
W. Concrete, 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:

ATCS, P.L.C.	Engineer
Cho Benn Holback & Associates, Inc.	Architect
CityScape Engineering, LLC	Engineer
Frederick Ward Associates, Inc.	Architect Land Survey Engineer

MINUTES

BOARDS AND COMMISSIONS - cont'd

iDesign Engineering, Inc.	Engineer
MIN Engineering, Inc.	Engineer
Whitman, Requardt and Associates, LLP	Land Survey Engineer Land Architect Architect

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

MINUTES

Law Department - Settlement Agreement and Release

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Settlement Agreement and Release of a litigation action brought by The Estate of Bessie Tracey, Plaintiff, by Crystal Furlong, Personal Representative, against the City and Sepidah Payami. The Plaintiff claims that the decedent, Bessie Tracey, was injured as a result of a motor vehicle collision that occurred at the intersection of Roland Avenue and W. 40th Street.

AMOUNT OF MONEY AND SOURCE:

\$55,000.00 - 2036-000000-1752-175200-603070

BACKGROUND/EXPLANATION:

The Plaintiff was a passenger in a vehicle traveling northbound on Roland Avenue, at or near its intersection with W. 40th Street. At the same time and place, a vehicle operated by a City employee was traveling eastbound on W. 40th Street. A collision ensued between the two vehicles, resulting in significant property damage and personal injuries. As a result of the accident, the Plaintiff sustained serious injuries to her body with medical bills totaling \$39,709.03.

In order to resolve this litigation economically and to avoid the expense, time, and uncertainties of further protracted litigation, the parties have agreed to offer the Plaintiff payment of \$55,000.00, for complete settlement of the case, including attorney's fees.

Based on a review by the Settlement Committee of the Law Department, it recommends that the Board of Estimates approve the settlement of this case as outlined herein.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Law Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement and Release of a litigation action brought by The Estate of Bessie Tracey, Plaintiff, by Crystal Furlong, Personal Representative, against the City and Sepidah Payami.

MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

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UPON MOTION duly made and seconded,
the Board approved the
Extra Work Orders and Transfer of Funds
listed on the following pages:
1318 - 1319
All of the EWOs had been reviewed and approved
by the
Department of Audits, CORC,
and MWBOO, unless otherwise indicated.
The Transfer of Funds was approved
SUBJECT to receipt of a favorable report
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

MINUTES**EXTRA WORK ORDERS**

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

Department of Transportation

1. EWO #004, \$669,007.16 - TR 12314, Roland Avenue and Northern Parkway Improvements and Traffic Calming

\$3,899,000.00 \$2,140,258.61 M. Luis Construc- 115 85
tion Co., Inc.

The authorization request is for additional work to protect the trees along Roland Avenue, between Cold Spring Lane to Wyndhurst Avenue. This work will be completed at the request of the community to Baltimore City Department of Parks and Recreation. The Department also strongly recommends this work to be done. Additionally, this work will require 115 day compensatory time extension for additional items of work that were added to the contract by the Department: brick paver replacement along the sidewalk in front of Gilman and Roland Park Elementary; complete storm drain design and construction at Wyndhurst Avenue and Roland Avenue; ADA ramp adjustments at Oakdale/Roland and Uplands/Roland; roadway crown adjustments to improve drainage flow across same intersections. This third request for time will result in a completion date of June 30, 2016.

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$615,486.59 Federal	9950-944002-9507 Constr. Reserve	
157,134.49 <u>MVR</u>	9950-902528-9507 Constr. Reserve Federal Resurfacing Northwest	
\$772,621.08	-----	9950-904782-9508-2 Contingencies Roland Park Complete Streets

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation - cont'd

This transfer will fund the costs with Change Order No. 4 on Project TR 12314, Roland Avenue & Northern Parkway Improvements and Traffic Calming with M. Luis Construction Co., Inc.

Department of Public Works/Office of Engineering & Construction

3. EWO #001, \$0.00 - WC 1226, McElderry and Various Streets
Water Main Replacement and Relocation
 \$ 3,954,122.85 - Monumental Paving 83 85
 & Excavating, Inc.

The Office of Engineering and Construction/Environmental Engineering Project Delivery System is requesting a 83-day non-compensable time extension in order to complete placement of the remaining water lines, water valves, fire hydrants and water meter settings for phase three of this contract (WC 1226). The new completion date is May 24, 2016. The existing contract funding is sufficient for the completion of the contract.

4. EWO #091, \$41,677.68 - SC 852R, Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant
\$115,688,000.00 \$2,271,621.93 Balfour Beatty - -
 Infrastructure,
 Inc.

The contractor was directed to revise the 18-inch draft bypass piping as requested by facilities personnel. Credits from the original scope have been included in their proposal. The contractor submitted a cost proposal, which was reviewed and approved by the Design Consultant, Rummel, Klepper & Kahl, LLP. The contract expired on February 28, 2015. However, the City, while preserving all legal rights, is allowing the contractor to proceed and liquidated damages are being assessed in accordance with the contract documents.

MINUTES

Mayor's Office of Human Services - Continuum of Care
Program Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Continuum of Care Program Agreement with Jobs, Housing and Recovery, Inc. The period of the Agreement is January 1, 2016 through December 31, 2016.

AMOUNT OF MONEY AND SOURCE:

\$210,968.00 - 4000-407016-3572-755801-603051

BACKGROUND/EXPLANATION:

The organization will provide support services to 29 individuals. The services will include, but will not be limited to case management, employment assistance and job training, substance abuse treatment, and the provision of food to clients.

The Continuum of Care Program Agreement is late because of delays at the administrative level.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Continuum of Care Program Agreement with Jobs, Housing and Recovery, Inc.

MINUTES

TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfer of Funds

listed on the following page:

1322

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>		
1. \$ 51,630.00	9910-902873-9600	9910-911301-9601
21 st EDF	Constr. Res.	Warner Street
	Brownfield Incen-	Steamline
	tive Fund	
38,370.00	9910-905575-9600	9910-911301-9601
21 st EDF	Constr. Res.	Warner Street
	E. Balto. Ind. &	Steamline
	Coml.	
347,317.00	9910-920994-9600	9910-911301-9601
23 rd EDF	Constr. Res.	Warner Street
<u>\$437,317.00</u>	Citywide Indus-	Steamline
	trial Dev.	

This transfer will provide funds associated with the cost of installing new steamlines inside the Warner Street garage to replace the old and failing steamlines.

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

The Board is requested to approve an expenditure of funds to pay the Maryland Association of County Health Officers (MACHO) and the National Association of County and City Health Officials (NACCHO) dues for Ms. Leana S. Wen, Commissioner of Health.

AMOUNT OF MONEY AND SOURCE:

\$6,888.00 - Annual Dues - Regular - MACHO 2016
1,660.00 - Annual Dues - NACCHO 2016
\$8,548.00 - 1001-000000-3001-599000-603022

BACKGROUND/EXPLANATION:

The funds will be used to pay the Health Commissioner's 2016 annual MACHO membership dues and 2016 annual NACCHO membership dues.

MBE/WBE PARTICIPATION:

N/A

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

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay the Maryland Association of County Health Officers and the National Association of County and City Health Officials dues for Ms. Leana S. Wen, Commissioner of Health.

MINUTES

Health Department - Agreements and Notification of Grant Award

The Board is requested to approve and authorize execution of the following Agreements. The period of the Agreement is September 30, 2015 through September 29, 2016, unless otherwise indicated.

1. **CHASE BREXTON HEALTH SERVICES, INC.** **\$210,677.00**

Account: 4000-484816-3023-513200-603051

Chase Brexton Health Services, Inc. will be one of the primary providers for Pre-Exposure Prophylaxis (PrEP) targeting Men who have Sex with Men (MSM) and the transgender community and will participate with the REACH Institute in providing training on best practices for providing PrEP. The organization will hire peer navigators to assist clients in accessing PrEP when appropriate and ensuring the obstacles to care are overcome.

2. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$704,929.00**

Account: 4000-484716-3023-513200-603051

The JHU Center for Child & Community Research will develop and implement a social marketing campaign regarding Pre-Exposure Prophylaxis (PrEP), targeting Men who have Sex with Men (MSM) and transgender persons to reduce the risk of acquiring HIV.

3. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$132,101.00**

Account: 4000-484816-3023-513200-603051

The JHU Harriet Lane Clinic (HLC) is a primary care community-based clinic on the City's eastside that has been serving children, youth, and their families since 1912. The HLC is a comprehensive youth and family-centered medical home to 3,500 adolescents and young adults aged 13-25.

MINUTES

Health Department - cont'd

Specifically for this project, the HLC will be one of the primary providers for pre-exposure prophylaxis (PrEP) to the young Men who have Sex with Men (MSM) and the transgender of color community.

The Agreements are late because this is a new grant from the Department of Health and Human Services, Centers for Disease Control and Prevention, which was approved by the Board on November 4, 2015. Awards to sub-grantees were made in late November, 2015. The sub-grantees were asked to submit a budget, budget narrative, and scope of services. The department thoroughly reviews the entire package before preparing a contract and submitting it to the Board. These budgets are many times revised because of inadequate information from the providers. This review process is required to comply with the grant requirements.

4. **LIGHT HEALTH AND WELLNESS COMPREHENSIVE SERVICES, INC.** **\$ 61,000.00**

Account: 5000-569716-3023-274418-603051

Light Health and Wellness Comprehensive Services, Inc. will provide Non-Medical Case Management (Client Advocacy) services to 45 low-income individuals who are infected with HIV/AIDS. Client Advocacy services will consist of providing advice and assistance to People Living with HIV/AIDS in obtaining medical, social community, legal, financial and other needed support services. The Client Advocate will also make sure that the client has access to special HIV resources not offered by other service providers. The period of the agreement is July 1, 2015 through June 30, 2016.

The Agreement is late because the Infectious Disease and Environmental Health Administration programmatically manages State Special services. The providers are asked to submit a budget, budget narrative, and scope of services.

MINUTES

Health Department - cont'd

The Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board. These budgets are many times revised because of inadequate information from the providers. This review process is required to comply with the grant requirements.

5. **PROJECT PLASE, INC.** **\$93,704.00**

Account: 5000-569716-3023-274427-603051

Project PLASE, Inc. will provide case management services to an estimated 50 HIV infected homeless or recently homeless clients annually. Clients will be selected from the at-risk population (African American women, male youth, Men who have Sex with Males, Gay, Bi-Sexual, Lesbian, Transgendered) considering additional factors such as lack of medical assistance, those who are newly diagnosed and currently not in care, and those who have multiple needs including mental health or substance abuse. In collaboration with the individual, medical staff, and psychosocial counselor, the case managers will develop and implement an individual treatment care plan with the client. The period of the agreement is July 1, 2015 through June 30, 2016.

The Agreement is late because the State of Maryland Department of Health and Mental Hygiene's Prevention and Health Promotion Administration programmatically manages Ryan White State Special services. The providers are asked to submit a budget, budget narrative, and scope of services. The BCHD thoroughly reviews the entire package before preparing a contract and submitting it to the Board.

These budgets are many times revised because of inadequate information from the providers. This review process is required to comply with the grant requirements.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

6. **THE AFTER-SCHOOL INSTITUTE, INC. (TASI)** **\$ 25,000.00**

Account: 4000-499016-3023-513200-603051

TASI will provide services in the area of an annual Youth Sexual Health Conference to increase awareness, knowledge, risk education measures, and change in behavior that lead to the prevention of new HIV infections among African American youth in Baltimore. The period of the agreement is January 1, 2016 through December 31, 2016.

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

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION.**NOTIFICATION OF GRANT AWARD

7. **MARYLAND DEPARTMENT OF AGING** **\$ 16,117.00**

Account: 5000-575916-3044-273300-405001

This grant will allow the Department to expand outreach, education, and counseling services to Medicare beneficiaries. As a result of outreach services, beneficiaries will obtain help to apply for benefits related to Medicare.

By accepting this grant, the Department agrees to abide by the Older Americans Act, as amended, and all applicable Federal and State policies, rules and procedures. The period of the grant award is September 30, 2015 through September 29, 2016.

MINUTES

Health Department - cont'd

The Notification of Grant Award is late because it was just received from the Department.

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 foregoing Agreements and the Notification of Grant Award.

MINUTESDepartment of Audits - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the expenditure of funds for the registration of staff members to attend two one-day seminars, sponsored by the Maryland Association of Certified Public Accountants (MACPA) on April 29, 2016 and the Association of Government Accountants (AGA) on May 18, 2016.

AMOUNT OF MONEY AND SOURCE:

\$4,600.00 - 1001-000000-1310-157800-603020 - MACPA

\$4,420.00 - 1001-000000-1310-157800-603020 - AGA

BACKGROUND/EXPLANATION:

Government Audit Standards require that each auditor obtain 80 hours of continuing professional education (CPE) every two years. The foregoing program is part of the Department's scheduled training for calendar year 2016 and will provide training for 24 auditors for the MACPA training and 34 auditors for the AGA training. Each auditor will earn 16 CPE credits. The average cost per staff training hour will be about \$20.00, which is well below the industry average in relation to other training of this nature.

In order to take advantage of a special group registration rate for the MACPA training, one member of the Enoch Pratt Free Library's Finance Office is included with this request. The Enoch Pratt Free Library will reimburse the Department for the cost of registration for its attendee.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds for the registration of staff members to attend two 1-day seminars, sponsored by the

MINUTES

Department of Audits - cont'd

Maryland Association of Certified Public Accountants on April 29, 2016 and the Association of Government Accountants on May 18, 2016.

MINUTES

Department of Planning - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Grant Agreement with the Parks and People Foundation, Inc. The period of the Grant Agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$46,200.00 - 9910-910635-9588-900000-704047

BACKGROUND/EXPLANATION:

The Parks and People Foundation, Inc. is a non-profit organization that has a sound track record of assisting community groups as they develop sustainable greening projects on vacant lots, and has project management and grant making expertise that focuses on awarding small neighborhood greening grants.

Under this Agreement, Parks and People Foundation, Inc. will run the Care A Lot Program, which will support selected non-profit community groups in maintaining smaller vacant lots in their neighborhood. The Care A Lot Program will grant 8 community groups up to \$5,000.00 each to improve their neighborhoods by mowing up to 25 currently grassy vacant lots in their neighborhoods throughout the growing season. Funding of \$40,000.00 will be awarded to the community groups. The funds for this program are drawn from the Growing Green Initiative Blight Elimination Funds.

The Parks and People Foundation, Inc. will recruit non-profit community associations, community development corporations, and churches for Care A Lot participation. It will provide technical support in lot selection, application completion, will execute grant agreements with non-profit organizations, and award funding.

MINUTES

Department of Planning - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the Parks and People Foundation, Inc. The Mayor **ABSTAINED**.

MINUTES

Department of Planning - First Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a First Amendment to Agreement with The Baltimore Office of Promotion & the Arts.

AMOUNT OF MONEY AND SOURCE:

\$39,761.00 - 9910-910635-9588-900000-704047

BACKGROUND/EXPLANATION:

On July 22, 2015, the Board approved a grant agreement with The Baltimore Office of Promotion & the Arts for \$43,000.00. The funding has been utilized to provide grants to winning City applicants of the Lots Alive program to implement their winning ideas for temporary public art in vacant lots.

The Department is requesting additional funds because the number of applicants far exceeded the funding amount. In addition, the Growing Green Initiative would like to provide funding for additional projects in targeted neighborhoods including Druid Heights, Penn North, Sandtown Winchester, Upton, Broadway East, Park Heights, and Coldstream Homestead Montebello.

The terms and condition of the Agreement remain unchanged.

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 First Amendment to Agreement with The Baltimore Office of Promotion & the Arts.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

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On the recommendations of the City agencies

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

1335 - 1337

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The President voted **NO** on item nos. 1, 2, and 3.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation

1. TR 15017, Conduit Cuddy & Associates, \$1,441,526.00
 Manhole Recon- LLC
 struction at
 Various Locations

MBE: Priority Construction Corporation	\$346,437.02	24.03%
Chavis Enterprises, L.L.C.	18,000.00	1.25%
DM Enterprises of Baltimore, LLC	6,000.00	0.42%
Kim Engineering, Inc.	4,000.00	0.28%
L. Johnson Tree Service, LLC.	12,675.00	0.88%
A Halcon Contractors, Inc.*	See Note	0.00%
	Below	

\$387,112.02	26.86%
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WBE: Cuddy & Associates, LLC ^**	\$ 32,434.34	2.25%
Rowen Concrete, Inc.	32,000.00	2.22%
Priceless Industries, Inc.	18,000.00	1.25%
A2Z Environmental Group, LLC.	34,000.00	2.36%
	\$116,434.34	8.08%

^ Indicates Self-Performing

Bidder did not achieve the MBE/WBE goals.

* The dollar amount and percentage to be performed by the MBE was not indicated on the Statement of Intent form

** Cuddy & Associates, LLC; failed to properly execute Statement of Intent to Self-Perform

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

The department recommends approval with the stipulation that the vendor come into compliance within ten days of the award.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation - cont'd2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,511,929.72	9962-903521-9563	
Other	Constr. Reserve	
	Conduit Manhole	
	Reconstruction	
145,825.18	9962-938001-9563	
Other	Constr. Reserve	
<u>\$1,657,754.90</u>	Unallotted	
\$1,441,526.00	-----	9962-908068-9562-6
		Struc. & Improv.
144,152.60	-----	9962-908068-9562-5
		Inspection
72,076.30	-----	9962-908068-9562-2
<u>\$1,657,754.90</u>		Contingencies
		Conduit System
		Construction TR 15017

This transfer will fund the costs associated with Award of Project TR 15017, Conduit Manhole Reconstruction at Various Locations with Cuddy & Associates, LLC.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of General Services

3.	GS 14857, Old Town Firehouse Roof Replacement	Patuxent Roofing and Contracting, Inc.	\$ 263,900.00
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MBE:	G.E. Frisco Co.	\$3,958.50	1.5%*
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WBE:	See Note Below
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*Bidder did not achieve the MBE/WBE goals. Bidder listed G.E. Frisco Co. for MBE participation; however, they are not listed for lumber or plywood, for which they are a manufacturer. Bidder also listed Knox Building Supply for WBE participation; however, Knox Building Supply is not certified as a WBE with Baltimore City.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

The Department recommends approval with the stipulation that the vendor come into compliance within ten days of the award.

4.	GS 15813RR, MECU Building Envelope Improvements	Hascon, LLC	\$1,478,000.00
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MBE:	JM Murphy Enterprises, Inc.	\$148,000.00	10.0%
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WBE:	Atlantic Enterprises, LLC	\$ 30,000.00	2.0%
	Cherry Hill Fabrication Inc.	28,000.00	1.9%
		<u>\$ 58,000.00</u>	<u>3.9%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

Department of Public Works/Office - Agreement for Water Contract
of Engineering and Construction 1327 Chlorine Handling Safety
 Improvements

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Agreement for Water Contract 1327, Chlorine Handling Safety Improvements with Whitman, Requardt & Associates, LLP, Consultant. The period of the Agreement is effective upon Board approval for three years or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,191,089.13	-	Water Revenue Bonds
808,674.35	-	Baltimore County
<u>\$1,999,763.48</u>	-	9960-905696-9557-900020-703032

BACKGROUND/EXPLANATION:

The Consultant will provide engineering services for the design of the new sodium hypochlorite facilities to replace the existing gas chlorine system, which is a potential safety hazard for the Montebello Water Filtration Plant and several remote facilities in Baltimore City and Baltimore County. The Consultant will review existing contract documents and drawings for existing structures on-site for the development of a new laboratory facility at the Montebello Water Filtration Plant.

The Consultant will also conduct multi-discipline field inspections to examine the current conditions of the facility. The Consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission.

MWBOO SET GOALS OF 22% MBE AND 10% WBE.

MBE: Shah & Associates, Inc.	\$154,630.39	7.7%
Dhillon Engineering, Inc.	92,613.80	4.6%
	<u>\$247,244.19</u>	

MINUTES

DPW - cont'd

WBE: Carroll Engineering, Inc.	\$ 95,202.38	4.8%
Phoenix Engineering, Inc.	217,842.13	10.9%
	<u>\$313,044.51</u>	

Due to a limited budget, the City removed some services from the proposal. As such, it has been determined that Whitman, Requardt & Associates exercised good faith efforts in meeting the goals.

MWBOO FOUND VENDOR IN COMPLIANCE.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,369,914.50	9960-906696-9558	
Water Rev. Bonds	Constr. Res.	
	Chlorine Handling	
	Safety Improve.	
930,085.50	" "	
Counties		
<u>\$2,300,000.00</u>		
\$1,999,876.92	-----	9960-905696-9557-3
		Engineering
300,123.08	-----	9960-905696-9557-9
<u>\$2,300,000.00</u>		Administration

The funds are required to cover the cost of WC 1327, Chlorine Handling Safety Improvements.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for Water Contract 1327,

MINUTES

DPW - cont'd

Chlorine Handling Safety Improvements with Whitman, Requardt & Associates, LLP, Consultant. The Transfer of Funds was approved, **SUBJECT** to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President voted **NO**.

MINUTES

Department of Public Works/Office - Task Assignment
of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve assignment of Task No. 023 to Arcadis U.S., Inc. under Project 1303 On-Call Project and Construction Management Assistance. The period of the Task Assignment is approximately 6 months.

AMOUNT OF MONEY AND SOURCE:

\$ 60,460.36 - 9960-903710-9557-900020-706063 (WC 1173R)

60,460.37 - 9960-901917-9557-900020-706063 (WC 1120R)

\$120,920.73

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is in need of assistance from Arcadis U.S., Inc. to provide construction management assistance services on various projects including, but not limited to, W.C. 1173R Guilford Finished Water Reservoir Improvements and W.C. 1120R Guilford Water Pumping Station Rehabilitation Design for the Bureau of Water & Wastewater, Department of Public Works.

MWBOO GRANTED APPROVAL.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved assignment of Task No. 023 to Arcadis U.S., Inc., under Project 1303 On-Call Project and Construction Management Assistance. The President voted **NO**.

MINUTES

Department of Public Works/Office- Amendment No. 1 to Agreement
of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to Agreement with Transviron, Inc., under Project 1185.6 (WC 1314 and WC 1315) Small Water Main Replacement and Rehabilitation Design at Various Locations. The Amendment No. 1 to Agreement will extend the agreement through December 18, 2017.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On June 18, 2014, the Board approved the two-year agreement with Transviron, Inc. for the projects. The projects were suspended December 5, 2014, before the 70% submittal was due. Both projects were then picked back up on August 5, 2015.

The current contract will expire on June 18, 2016. The Amendment No. 1 will extend the contract for 18 months. All other terms and conditions will remain unchanged.

MWBOO GRANTED APPROVAL.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Agreement with Transviron, Inc., under Project 1185.6 (WC 1314 and WC 1315) Small Water Main Replacement and Rehabilitation Design at Various Locations. The President voted **NO**.

MINUTES

Department of Public Works/Office - Task Assignment
of Engineering and Construction (DPW)

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 017 to Rummel, Klepper & Kahl, LLP (RK&K), under Project No. 1402, (WC 1234, WC 1264, WC 1268, and WC 1260) On-Call Project and Construction Management Assistance Services Inspection Services. The original contract will expire on June 10, 2017.

AMOUNT OF MONEY AND SOURCE:

(\$ 16,539.39)	-	9960-905658-9557-900020-705032	(WC 1234 Task 2)
(18,635.93)	-	9960-905136-9557-900020-705032	(WC 1264 Task 4)
(40,996.79)	-	9960-905136-9557-900020-705032	(WC 1268 Task 6)
(223,247.02)	-	9960-905659-9557-900020-705032	(WC 1260 Task 8)
(\$299,419.13)			

BACKGROUND/EXPLANATION:

The Office of Engineering & Construction is requesting RK&K to provide a credit of unused funds from various tasks including: WC 1234 (Task No. 002), WC 1264 (Task No. 004), WC 1268 (Task No. 006), and WC 1260 (Task No. 008). All of the listed tasks have expired. This credit will increase the agreement upset limit and allow other tasks to be developed.

MWBOO GRANTED APPROVAL.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

DPW - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 017 to Rummel, Klepper & Kahl, LLP, under Project No. 1402, (WC 1234, WC 1264, WC 1268, and WC 1260) On-Call Project and Construction Management Assistance Services Inspection Services. The President voted **NO**.

MINUTES

Department of Public Works/Bureau - Employee Expense Statement
of Water and Wastewater

ACTION REQUESTED OF B/E:

The Board is requested to approve the Employee Expense Statement for Mr. Craig Lane for the month of May 2015 for reimbursement for his Water Distribution - (1) Temporary License.

AMOUNT OF MONEY AND SOURCE:

\$100.00 - 2071-000000-5521-632440-603022

BACKGROUND/EXPLANATION:

Mr. Lane is entitled to reimbursement for obtaining his Water Distribution - (1) Temporary License. Mr. Lane did not turn in his paper work in a timely manner, as he was unaware that he was eligible for reimbursement until 40 days after May 1, 2015. This time frame exceeded the 40 work-day period for submission of the expense report to the Bureau of Accounting and Payroll Services. Mr. Lane has been made aware of the proper procedures for submitting reimbursements and other eligible activities.

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

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

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statement for Mr. Craig Lane for the month of May 2015 for reimbursement for his Water Distribution - (1) Temporary License.

MINUTES

Baltimore Development Corporation - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Lease Agreement with Control Power, Inc., Tenant, in Suite 202-D of the Business Center @ Park Circle located at 2901 Druid Park Drive. The period of the Agreement is March 1, 2016 through February 28, 2018, with one 2-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installment</u>
\$3,933.72	\$327.81

The rent will escalate 4% annually to allow for any increases in the Landlord's operating costs.

BACKGROUND/EXPLANATION:

Control Power, Inc. is an electronic contractor and a minority business enterprise that has been in the building since 1999. The company has up to two employees.

The space is leased on an "As Is" basis and does not require the landlord to make any modifications. The Tenant will be responsible for any improvements or build-out of the premises.

All other Landlord services such as utilities, limited janitorial services, maintenance, and repairs to the premises are included in the initial base rent.

In addition, the Tenant is obligated to maintain and keep in force general public liability, contractual liability, and property damage insurance protection for the premises and name the City as additionally insured under the insurance policies.

MBE/WBE PARTICIPATION:

N/A

MINUTES

BDC - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with Control Power, Inc., Tenant, in Suite 202-D of the Business Center @ Park Circle located at 2901 Druid Park Drive.

MINUTES

Baltimore Development Corporation (BDC) - Amendment No. 2 to
Land Disposition
Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 2 to the Land Disposition Agreement (LDA) with CBAC Borrower, LLC. This Amendment No. 2 to the LDA will extend the Option Property notification period through April 2018.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On October 31, 2012, the Board approved a LDA with CBAC Gaming, LLC for the construction of a garage and a Ground Lease Agreement (Ground Lease) for the construction and operation of the Horseshoe Casino (Casino). The rights of CBAC Gaming, LLC as developer were assigned to CBAC Borrower, LLC (Developer) to facilitate the financing pursuant to the Memorandum of Omnibus Assignment and Assumption dated July 1, 2013 and recorded in the land records of Baltimore City in Liber FMC 15462, folio 137.

On August 21, 2013, the Board approved Amendment No. 1 to the LDA which made the list of enumerated permitted transfers of ownership the same as the terms contained in the Ground Lease. All other terms and conditions of the original LDA remain unchanged.

Both the LDA and the Ground Lease allow for certain permitted dispositions of interests in the ownership entity which are necessary in order to obtain both the equity and borrowed funds to build the garage and the Casino.

MINUTES

BDC - cont'd

The LDA also granted the Developer the option to purchase from the City two additional properties identified as Lots A and B, as described in Exhibits A and B of the LDA and collectively referred to as the "Option Properties."

The LDA further provides that if the Developer desires to exercise its option to purchase one or both of the Option Properties, it will provide at least 120 days prior written notice of the designated Option Property Settlement Date for each Option Property.

The City and the Developer desire to amend the LDA to extend both the Option Property notification dates and the Option Property Settlement Date (for both option properties), from April 2016 to April 2018 with the Option Property Settlement date to occur no later than the date that is the fourth anniversary of the VLT Facility (Casino) opening or through April 2018. The extension is necessary to allow the Developer additional time to study potential land use and redevelopment plans for Lots A and B.

MBE/WBE PARTICIPATION:

The Developer has agreed to comply with the MBE requirements as described in Title 14, Subtitle 3 of the State Finance and Procurement Article in the Ground Lease and LDA.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 2 to the Land Disposition Agreement with CBAC Borrower, LLC. The Comptroller voted **NO**.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | | |
|---|--------------------|-------------|---------|
| 1. | RACKSPACE US, INC. | \$15,000.00 | Renewal |
| Contract No. 06000 - Production Server Hosting for Integrated Financial Budget System - Department of Finance - P534398 | | | |

On July 30, 2015, the City Purchasing Agent approved the initial award in the amount of \$21,158.18. On March 31, 2016, the City Purchasing Agent approved an increase in the amount of \$10,579.03. This renewal in the amount of \$15,000.00 is for the period May 1, 2016 through June 30, 2016, with additional renewals subject to agreement of the parties.

- | | | | |
|--|--------------------------------|-------------|---------|
| 2. | LEISURE FITNESS EQUIPMENT, LLC | \$25,497.00 | Low Bid |
| Solicitation No. B50004528 - Fitness Equipment - Recreation & Parks - Req. No. R723506 | | | |

- | | | | |
|--|-------------|-------------|---------------------------|
| 3. | INFAX, INC. | \$39,376.00 | Sole Source/
Agreement |
| Contract No. 08000 - Upgrade to Electronic Docket Display System and Support - Circuit Court for Baltimore City - Req. No. R725103 | | | |

The Board is requested to approve and authorize execution of an Agreement with Infax, Inc. The period of the agreement is April 20, 2016 through April 19, 2019, with one 3-year renewal option.

The vendor is the sole source provider for the hardware, software, and system support. Therefore, a sole source is being requested for the upgrade and support of the Judicial System.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

4. ATLANTIC EMERGENCY

SOLUTIONS, INC.	\$1,422,492.00	Selected Source
Contract No. 07-1835 - Mid-mount Aerial Snorkel Truck - Department of General Services - Req. No. R726191		

The unit will be purchased from cooperative inter-local contract agreement #07-1835 with the Baltimore Regional Cooperative Purchasing Committee and Houston-Galveston Area Council. The unit will replace an older piece of fire apparatus in the fleet.

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.

MWBOO GRANTED A WAIVER.

5. AMERICAN LIMOUSINES, INC. \$ 97,000.00 Renewal Contract No. B50004035 - Provide Daily Roundtrip Transportation for Non-Ambulatory & Other Children - Department of Recreation and Parks and Various - P.O. No. P531682

On June 17, 2015, the Board approved the initial award in the amount of \$97,000.00. The award contained four 1-year renewal options. This renewal in the amount of \$97,000.00 is for the period June 17, 2016 through June 16, 2017, with three 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---|--------------|---------|
| 6. CLIENTTRACK, INC. | \$ 93,600.00 | Renewal |
| Contract No. B50002737 - Homeless Management Information System - Mayor's Office of Human Services - P.O. No. P523147 | | |

On April 24, 2013, the Board approved the initial award in the amount of \$215,000.00. The award contained five 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$93,600.00 is for the period April 10, 2016 through April 9, 2017, with three 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

7. FIRST CALL
EQ NORTHEAST, INC.

SECOND CALL
TOTAL ENVIRONMENTAL
CONCEPTS, INC.

	\$1,000,000.00	Renewal
Contract No. B50002228 - Environmental Remediation Service - Department of Housing and Community Development, Department of General Services and others - P.O. Nos. P520056 and P520055		

On March 21, 2012, the Board approved the initial award in the amount of \$800,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$1,000,000.00 is for the period April 8, 2016 through April 7, 2017. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 5% MBE AND 2% WBE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONSVENDOR AMOUNT OF AWARD AWARD BASISBureau of PurchasesEQ Northeast, Inc.

	<u>Commitment</u>	<u>Performed</u>	
MBE: K & K Environmental Services, LLC	5%	\$ 40,094.94	6.6%
WBE: A2Z Environmental Group, LLC	2%	\$ 32,814.70	5.4%

MWBOO FOUND VENDOR IN COMPLIANCE.Total Environmental Concepts, Inc.

	<u>Commitment</u>	<u>Performed</u>	
MBE: First Potomac Environmental	5%	\$115,702.00	60.8%
WBE: Cleo Enterprises	2%	*See note below	

*Cleo Enterprises is no longer in business. Vendor has not shown a good faith effort in replacing Cleo Enterprises.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

Total Environmental Concepts, Inc. was found non-compliant on April 12, 2016, and renewal is recommended subject to vendor providing MWBOO an acceptable plan to come in compliance by replacing a subcontractor who is no longer in business.

8. DRESSER-RAND GROUP, INC. \$ 117,898.05 Increase
 Contract No. 08000 - Liquid Oxygen Compressor Service/Rebuild
 - Department of Public Works - Water Facilities - P.O. No. P533952

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

On December 23, 2015, the Board approved the initial award in the amount of \$137,618.10. This increase in the amount of \$117,898.05 is necessary to complete the rebuild and repairs to the #1 Oxygen Plant Compressor located at Patapsco Wastewater Treatment Plant. The extent of hardware deterioration was not known until the disassembly occurred. This increase will make the award amount \$255,516.15. The contract expires one year after final acceptance.

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.

- | | | | |
|----|---|----------------|----------|
| 9. | P. FLANIGAN & SONS, INC. | \$1,500,000.00 | Increase |
| | Contract No. B50002931 - Furnish and Deliver Aggregate Materials - Department of Public Works - Bureau of Water and Wastewater, Department of Transportation, etc. - P.O. No. P524497 | | |

On July 31, 2013, the Board approved the initial award in the amount of \$431,500.00. The award contained two 1-year renewal options. Subsequent increases have been approved. Due to the City's aging underground utility infrastructure, a record number of water main breaks throughout the City have resulted in a substantial increase in usage of this contract to provide materials for the necessary fill and road restoration work. This increase in the amount of \$1,500,000.00 will make the award amount \$2,981,500.00. The contract expires on July 30, 2016 with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 7% MBE AND 3% WBE.

MINUTES

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

	<u>Commitment</u>	<u>Performed</u>	
MBE: L&J Waste Recycling, LLC	8.76%	\$120,834.20	10.3%
WBE: Morgan Construction Services, Inc.	3.24%	\$ 85,303.46	7.3%

MWBOO FOUND VENDOR IN COMPLIANCE.

10. ASSOCIATED BUILDING
 MAINTENANCE CO., INC. \$ 264,000.00 Extension
 Contract No. B50001547 - Provide Janitorial Services for Area
 B - Police Department and Department of General Services -
 P.O. No. P515603

On November 24, 2010, the Board approved the initial award in the amount of \$388,032.00. The award contained two renewal options. Subsequent actions have been approved and both renewal options have been exercised. This extension in the amount of \$264,000.00 is necessary to allow time for the Department of General Services to revise the specifications prior to advertising the new solicitation. The period of the extension is May 1, 2016 through July 31, 2016.

MWBOO SET GOALS OF 17% MBE AND 9% WBE.

	<u>Commitment</u>	<u>Performed</u>	
MBE: CJ Maintenance	17%	\$79,135.00	26.5%
WBE: My Cleaning Services, Inc.*	9%	\$21,312.34	7.1%

*WBE has withdrawn from the contract. Vendor has committed to replace with another certified WBE.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Board also approved and authorized execution of the Sole Source Agreement with Infax, Inc. (item no. 3). The Comptroller **ABSTAINED** on item no. 9.

MINUTES

Fire Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement with the Maryland Stadium Authority (MSA). The period of the Agreement is March 1, 2016 through February 28, 2017 with the option to renew for four additional 1-year terms.

AMOUNT OF MONEY AND SOURCE:

\$35,000.00 - 1001-000000-3191-308700-601065

BACKGROUND/EXPLANATION:

On March 16, 2011, the Board approved the agreement with the MSA for Emergency Medical Services for Orioles' games at Camden Yards Stadium. This Agreement stipulates that minimally one medic unit with two staff members will be provided for Emergency Medical Services located at Camden Yards during the Orioles' home games.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with the Maryland Stadium Authority.

MINUTES

Department of Housing and - Community Development Block
Community Development Grant Agreements

The Board is requested to approve and authorize execution of the Community Development Block Grant Agreements.

1.	BALTIMORE OFFICE OF PROMOTION & THE ARTS, INC. (BOPA)	\$ 75,969.00
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Accounts: 9999-913333-9593-903003-706047	\$ 10,969.00
2089-208916-5930-716103-603051	\$ 65,000.00

The Baltimore Community Arts Program works with artists and neighborhood groups to abate graffiti, revitalize blighted areas, beautify the streetscape, and employ local artists. The art forms are created by professional artists in collaboration with neighborhood residents in a variety of mediums and placed on properties located in low and moderate-income neighborhoods that are primarily residential. One mural and another art form will be produced under this agreement. Also, a mural entitled Equilibrium produced under a previous BOPA Agreement will be installed. The period of the agreement is January 1, 2016 through December 31, 2016.

MWBOO GRANTED A WAIVER.

2.	REBUILDING TOGETHER BALTIMORE, INC.	\$ 66,500.00
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Account: 2089-208916-5930-431155-603051

The purpose of this Agreement is to provide CDBG funding for Rebuilding Day, (April 30, 2016) to repair the housing of low and moderate-income owner-occupied households that reside in a targeted neighborhood within the City that was chosen through a competitive application process. Funding will also be used for a "Fix-It Program" to provide urgent and critical home repairs for low and moderate-income owner-occupants that reside outside of the targeted neighborhood. Priority will be given to homeowners who are elderly, disabled and families with children. The period of the agreement is October 1, 2015 through September 30, 2016.

MINUTES

DHCD - cont'd

FOR FY 2016, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$31,000.00, AS FOLLOWS:

MBE: \$ 8,370.00

WBE: \$ 3,100.00

On June 17, 2015, 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 2015 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME
3. Emergency Solutions Grant (ESG)
4. Housing Opportunities for Persons with AIDS (HOPWA)

Upon approval of the resolution, the DHCD's Contracts Section began negotiating and processing the CDBG Agreements as outlined in the Plan to be effective July 1, 2015 and beyond. Consequently, these agreements were delayed due to final negotiations and processing.

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 Community Development Block Grant Agreements.

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 a Land Disposition Agreement with Ms. Yvette Warrington, Developer, for the property located at 2901 Norfolk Avenue, in the Park Heights Community.

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The purchase price for the property will be \$10,000.00 and will be paid by a credit of \$3,500.00 to the Developer at settlement for her stewardship of the subject property as well as a Purchase Money Mortgage to the City for \$6,500.00. The Purchase Money Mortgage will be due to the City upon sale or refinance of the property.

The Developer will occupy the property as her primary residence.

The City may dispose of the property by virtue of Article II, Section 15 of the Baltimore City Charter (2010 Edition) and Article 28, Subtitle 8 of the Baltimore City Code.

Pursuant to the provisions under Baltimore City Code, Article 13 §2-7(h)(2)(ii)(c) all terms and conditions of the agreement have been approved.

The property was journalized on December 22, 2010.

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

The statement of purpose and rationale does not apply. The property was priced pursuant to the appraisal policy of Baltimore City at \$10,000.00 and is being sold to Ms. Warrington for \$10,000.00.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The Developer will purchase this property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation; therefore, MBE/WBE is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Ms. Yvette Warrington, Developer, for the property located at 2901 Norfolk Avenue, in the Park Heights Community.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Grant Agreement with the Housing Authority of Baltimore City (HABC). The period of the Grant Agreement is effective upon Board approval through August 8, 2017.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 9910-908530-9588

BACKGROUND/EXPLANATION:

The State's Community Legacy Program provides funds for neighborhood revitalization projects. In FY 2015, the DHCD was awarded \$100,000.00 on behalf of the HABC for the renovation of 1435 North Broadway which is currently vacant. When renovations are complete, the property will be occupied by a public housing family.

On January 13, 2016, the Board approved a Community Legacy Agreement, in the amount of \$100,000.00, with the State of Maryland's Department of Housing and Community Development allowing the DHCD to accept funds on behalf of the HABC.

This Grant Agreement will allow the DHCD to provide funds to the HABC. The funds are being provided on a reimbursement basis, after which the HABC will seek reimbursement from the State.

MBE/WBE PARTICIPATION:

The HABC has signed the Commitment to Comply with the Minority and Women's Business Enterprise Program of Baltimore City.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
\$ 75,000.00	9910-903998-9587	
State Funds	State Funding for	
	City Revitalization	
	(Reserve)	
25,000.00	9910-903990-9587	
<u>State Funds</u>	Neighborhood Plan-	
	ning & Revitali-	
	zation (Reserve)	
\$100,000.00	-----	9910-908530-9588
		Community Legacy
		Agreement FY15

This transfer will provide State funding for the Community Legacy Program that provides funds for neighborhood revitalization projects. In FY 2015, the Department was awarded \$100,000.00 on behalf of the Housing Authority of Baltimore City for the renovation of 1435 North Broadway, which is currently vacant. When renovations are complete the property will be occupied by a public housing family.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the Housing Authority of Baltimore City. The Transfer of Funds was approved,

MINUTES

DHCD - cont'd

SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - 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. 242 S. Broadway	Young Jeum Kim	One awning w/ signage 53.64'
Annual Charge: \$	147.84	
2. 10 Light Street	Metropolitan Baltimore, LLC	Outdoor seating 635 sq. ft. on Light Street, 315 sq. ft. on E. Redwood Street
Annual Charge: \$	12,517.50	
3. 788 Washington Boulevard	Marc J. Smith	One bracket sign 2'6" x 2'8"
Annual Charge: \$	52.70	
4. 1201 S. Charles Street	IMA Pizza, LLC	Outdoor Seating 17'1" x 3' on Charles Street, 17'1" x 3' on E. West Street
Annual Charge: \$	675.00	

MINUTES

DOT - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
5. 1214 N. Charles Street	QAB Associates, LLC	One set of steps 8' x 4'

Flat Charge: \$ 35.20

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

UPON MOTION duly made and seconded, the Board approved the foregoing Minor Privilege Permits.

MINUTES

Department of Transportation - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) between the Department of Transportation and Port Covington Master Developer, LLC and 120-250 W. Dickman Street, LLC. The period of the MOU is effective upon Board approval for 25 years, unless terminated earlier.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The MOU establishes the framework for the owner to design, build, implement and maintain the Phase I Bike Path and conduct the Bike Path Actions within the Bike Path Easement Areas. The maintenance will be at the sole cost and expense of the owner during the term of the agreement.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding between the Department of Transportation and Port Covington Master Developer, LLC and 120-250 W. Dickman Street, LLC.

MINUTES

Department of Transportation/ - Task Assignment
Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 7 to Rummel, Klepper & Kahl, LLP/Johnson, Mirmiran & Thompson, Inc. (Joint Venture), Consultant, under Project No. 1175, On-Call Bridge Design Services. The duration of the task is February 27, 2013 through February 27, 2016.

AMOUNT OF MONEY AND SOURCE:

\$281,375.83 - 9950-907824-9508-900020-703032

BACKGROUND/EXPLANATION:

This authorization will provide for continuing design engineering services in connection with the Waterview Avenue Bridge East Abutment. The scope of services includes, but is not limited to the following design efforts: 1. Waterline; 2. Roadway; 3. Structures; 4. Maintenance of Traffic Management Plan; 5. Geotech; 6. Modify landscape plans for the new cemetery wall; 7. Project coordination; 8. Design Phase Work Remaining; 9. Public Meeting; and 10. Bid Phase.

MBE/WBE PARTICIPATION:

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

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

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

DOT - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 101,137.86 MVR	9950-901824-9509 Constr. Reserve Maisel Street Pedestrian Bridge	
208,375.55 <u>MVR</u>	9950-903416-9507 Constr. Reserve Hawkins Point Rd Bridge	
\$ 309,513.41	-----	9950-907824-9508-3 Design Maisel Street Pedestrian Bridge

This transfer will fund the deficit and costs associated with Task No. 7, Project 1175, "On-Call Bridge Design Services" with Rummel, Klepper & Kahl, LLP/Johnson, Mirmiran & Thompson, Inc. (Joint Venture).

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 7 to Rummel, Klepper & Kahl, LLP/Johnson, Mirmiran & Thompson, Inc. (Joint Venture), Consultant, under Project No. 1175, On-Call Bridge Design Services. The Transfer of Funds was approved, **SUBJECT** to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President voted **NO**.

MINUTES

Department of Transportation (DOT) - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay Class Act Catering for services provided on February 8, 9, 15 and March 3, 2016.

AMOUNT OF MONEY AND SOURCE:

\$80,945.00 - 1001-000000-5015-382300-604014
11,950.00 - 1001-000000-5015-382300-603026
\$92,895.00

BACKGROUND/EXPLANATION:

The Department of Transportation is seeking payment to Class Act Catering for food provided to DOT, Solid Waste, Recreation and Parks, Water & Wastewater, and General Services while working the snow emergencies. Jay's Catering has the contract with the City, but was unable to provide the quantity of food that was needed at these times. Class Act Catering was called and was able to provide the food that was needed. This request includes a cancellation fee of \$7,812.00 due to the cancellation of a snow shift, and prepared food was not needed.

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

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay Class Act Catering for services provided on February 8, 9, 15 and March 3, 2016.

MINUTES

Department of Transportation - B50000482, Shuttle/Transit
Services - Time Extension

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a time extension to contract B50000482, Shuttle/Transit Services with Veolia Transportation, Inc. d/b/a Transdev. The period of the extension is January 11, 2015 through January 11, 2018.

AMOUNT OF MONEY AND SOURCE:

\$10,577,021.50 - 6000-617417-2303-248700-603026

BACKGROUND/EXPLANATION:

On February 11, 2009, the Board approved a five-year agreement with Veolia Transportation, Inc. for the operation of the Downtown Circulator scheduled to begin operations in late summer 2009. The original period coverage was January 11, 2010 through January 11, 2015. The five year contract with Veolia became effective upon service on the first route of the Charm City Circulator which began on January 11, 2010.

On Wednesday, February 25, 2015, the Board authorized ratification of the contract term for 18 months to allow the Department to prepare and execute a new Request for Proposal (RFP) for competitive bids which resulted in an expiration date of July 11, 2016.

This request is necessary in order to extend the term for an additional 18 months to complete the review of the RFP, advertise for bids, and transition from one vendor to another.

MINUTES

Department of Transportation - cont'd

MBE/WBE PARTICIPATION:

The vendor will continue to comply with the MBE goals of 17% and WBE goals of 10% established in the original agreement.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board **DEFERRED** the foregoing item for one week.

MINUTES

Department of Human Resources - Agreements and Expenditure
 Authorization Request for
 Police Sergeant Promotional
 Assessment Administration
Expenses 2016

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of License Agreement with the Baltimore Convention Center (BCC) for the 2016 Police Sergeant Oral promotional written examination. The event is scheduled for June 18, 2016. The Board is also requested to approve and authorize execution of a Group Sales Agreement with the Red Lion Hotels, Inc. d/b/a RL Hotel for the Police Sergeant Oral promotional examination. The event is scheduled for August 15 - 20, 2016. The Board is also requested to approve payment by expenditure authorization for airfare, per diem, and ancillary expenses.

AMOUNT OF MONEY AND SOURCE:**BCC - JUNE 18, 2016**

\$ 5,400.00 Rental of BCC for Multiple Choice Test

520.00 Rental of Audio Visual Equipment at the BCC for Multiple Choice Test

5,200.00 **Ancillary Expenses - 52 Examiners x \$100.00 Each**

Other (reimbursement of travel expenses, luggage fees, cab/shuttle fees, travel to and from the airport, parking)

Red Lion Hotel: August 15-20

Oral Assessment

Overnight Guestrooms

August 14 - August 20, 2016

73,250.10 60 Guest suites x 7 nights @ \$151.00 + 15.5% tax/night

MINUTES

DHR - cont'd

20,056.58 23 Test rooms x 5 days @ \$151.00 + 15.5% tax/night

0.00 1 Training/Registration Room x 6 days @
Complimentary0.00 1 Hospitality Suite x 60 guests x 5 days @
Complimentary

0.00 LCD Projector (training day) @ Complimentary

0.00 Parking for 60 cars x 7 nights @ Complimentary

2,678.40 Catered Lunch (orientation/training 60
Guests @ \$36.00 +24%)0.00 Coffee Service/Beverage Snack x 5 days
(60 at a time) @ ComplimentaryExaminers' Airfare (Roundtrip):
Traveling from Various Locations

20,800.00 Roundtrip for 52 (examiners) @ \$400.00

Per Diem (Meal Allowance):

Per Diem Rate - \$46.00 per day x 6 days = \$276.00

14,352.00 52 Examiners - \$276.00 x 52**\$142,257.08** - 1001-000000-1603-172500-603026**BACKGROUND/EXPLANATION:**

The Police Sergeant exam occurs once every two years. The assessment includes written and oral exam components and is being scheduled to take place on June 18, 2016 and August 15, 2016 through August 20, 2016 respectively. Eighty three (83) rooms will be necessary to administer the exam.

Sixty (60) rooms will be rented for overnight accommodation for the fifty-two (52) examiners and eight (8) assessment administrators.

MINUTES

DHR - cont'd

Twenty three (23) rooms will be rented for the examiners training/orientation, and administration of the exam.

The number of candidates who will be scheduled for the oral portion of the exam will not be available until after the written, multiple-choice component of the exam has been administered (on June 18, 2016) and scored. Following scoring, a testing schedule for the oral exam will be created and the number of testing days will confirmed. To ensure adequate accommodations are available, room reservations must be arranged well in advance. The submitted quote is based upon the maximum anticipated usage and may be reduced.

Most examiners will arrive in Baltimore on Sunday, August 14, 2016. It is anticipated that the oral examination process will begin on Monday, August 15, 2016, with training/orientation and run through Saturday, August 20, 2016. Some examiners will depart the hotel the morning of August 21, 2016, due to the length of testing on Saturday and the distance back to their respective jurisdictions.

Due to the early start and long working hours, a beverage break will be made available to the examiners each morning. Estimated cost for hotel parking for the examiners at the hotel is also included as some examiners may have vehicles. Audio visual equipment which is required for training at the hotel and for use at the BCC during the multiple-choice assessment is also included.

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 License Agreement with the Baltimore Convention Center for the 2016 Police Sergeant Oral promotional

MINUTES

DHR - cont'd

written examination. The event is scheduled for June 18, 2016. The Board is also requested to approved and authorized execution of the Group Sales Agreement with the Red Lion Hotels, Inc. d/b/a RL Hotel for the Police Sergeant Oral promotional examination. The event is scheduled for August 15 - 20, 2016. The Board also approved payment by expenditure authorization for airfare, per diem, and ancillary expenses.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department</u>			
1. Thomas Ryan	Investigations Hazardous Devices School Huntsville, AL April 18 - May 27, 2016	Asset Forfeiture Funds	\$6,458.76
2. Thomas Herbert	2016 Nantong Forensic DNA Science Forum Qidong City, Nantong China April 12 - 15, 2016	N/A	\$ 0.00

The travel is sponsored and paid by SeqGen, Inc.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request form if the trip will require travel outside the continental United States regardless of the source of funds, cost of trip, or length of absence.

Department of Public Works

3. Amy Purves	2016 Water & Waste- water CIO Forum Oakland, CA April 18 - 21, 2016	N/A	\$ 0.00
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All expenses will be paid for by the Water and Wastewater CIO Forum.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Public Works</u>			
4. Rosanna LaPlante	2016 Environmental and Water Resources Institute Congress West Palm Beach, FL May 22 - 26, 2016 (Reg. Fee \$ 0.00)		\$ 0.00

The travel is of no cost to the City, it will be paid for in full by the Maryland Section of the American Society of Civil Engineers.

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENTFire Department

5. Ryan McByrne	Homeland Security Special Topics: Annual Update State College, PA Aug. 3 - 7, 2015 (Reg. Fee \$995.00)	General Funds	\$1,521.49
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Mr. McByrne traveled to State College, Pennsylvania on August 3 - 7, 2015 for the Annual Homeland Security Update Program.

The subsistence rate for this location was \$154.00 per day. The hotel rate was \$89.00 per night, plus \$4.45 per night for hotel taxes and \$5.34 per night for State taxes.

MINUTES

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENTFire Department - cont'd

The registration fee in the amount of \$995.00 was prepaid on a City-issued credit card assigned to Mr. Connor Scott. Mr. McByrne personally incurred the costs of the hotel, hotel taxes, the State taxes, and meals. Therefore, Mr. McByrne requests reimbursement of \$526.49.

TRAVEL REIMBURSEMENT

\$ 356.00	- Hotel (@ \$89.00 x 4)
17.80	- Hotel Tax (@ \$4.45 x 4)
21.36	- State Tax (@ \$5.34 x 4)
131.33	- Meals
<u>(995.00)</u>	- Registration (Prepaid)
\$ 526.49	- Total Reimbursement

The retroactive travel approval is late because there was a procedural misunderstanding. Therefore, the travel approval was not requested prior to travel.

UPON MOTION duly made and seconded, the Board approved the travel requests and the retroactive travel approval/reimbursement.

MINUTES

Department of Transportation - Request for Preparation of RFP
and Approval of Exceptions to
the Design Build Resolution for
TR 16020 Comprehensive Conduit
Facilities Management Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the preparation of an RFP seeking the procurement of a Program Manager at Risk for the Conduit Facilities Program, Project No. TR 16020 and to approve the exceptions, noted below, to the Design Build Resolution approved by the Board on November 2, 2011 ("DB Resolution").

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In accordance with the DB Resolution, the Department of Transportation ("DOT") submitted a Design Build Procurement Plan ("Plan"), proposing the use of a modified Design Build approach for Project TR 16020, to the Design Build Executive Committee ("DBEC"). On April 13, 2016, the DBEC unanimously approved the Plan and authorized DOT to seek Board approval to advertise for responses to a Request for Proposal (RFP). The Department is requesting Board approval to procure responses under the guidance of the Design Build Resolution but with the exceptions as follows and as set forth on Ex. A:

- 1) DOT will not request Statements of Qualifications as mandated by the Resolution but will request proposers to respond to the RFP, submitting both technical and price proposals. The RFP will require that responders fully set forth their qualifications as part of the technical proposal and qualifications will be a part of the scoring of the RFP.

MINUTES

Department of Transportation - cont'd

- 2) Given the extremely tight time frame to complete procurement, responses will be due twenty (20) calendar days from the issuance of the RFP rather than in 42 days or longer as required under the Resolution.
- 3) Responses to the proposals will not be received by the Board of Estimates but instead by the Office of Boards and Commissions ("OBC"), which will receive both the technical and price proposal and will follow the same security and chain of custody procedures as that office uses in A/E procurements.
- 4) Upon receipt of the proposals OBC will refer only the technical proposal to DOT.
- 5) After completion of the scoring of the technical proposals by DOT, OBC will refer the price proposals to DOT.
- 6) Price will be weighted at 40% as opposed to 50% as set out in the Resolution
- 7) Once the evaluations and scoring are complete, or if there is a BAFO process, the Department will make a recommendation of award to this Board of the highest ranked scored firm.

Upon approval of this request, DOT will proceed with preparation of the RFP and when complete will present it to this Board for authority to advertise the RFP. If approved, the Project will be advertised by OBC and sealed Technical and Financial Proposals will be received until 12:00 noon, Eastern Standard Time on a date which is no later than 20 days after advertisement of the RFP, by OBC at 4 South Frederick Street Baltimore, Maryland 21202. All requirements in the 2006 Edition of the City of Baltimore, Department of Public Works, Specifications for Materials, Highways, Bridges, Utilities and Incidental Structures, and Amendments thereto, will still be strictly enforced.

MINUTES

Department of Transportation - cont'd

EXHIBIT A

PROJECT NO. TR16020 COMPREHENSIVE CONDUIT FACILITIES MANAGEMENT SERVICES

Page No.	Sec/Item	Per - Design Build Resolution	DBR Exception Explanation
3	Z	Request for Proposals (RFP) - A written solicitation issued by the City to solicit proposals for design and construction services in a two step design-build procurement process. The RFP includes: Step One: Request for Qualifications and Step Two: Request for Technical and Price Proposal.	DOT will not request SOQs but instead will request proposers to respond to a RFP, submitting both technical and price proposals. these steps are employed to maximize the use of available funding (sec. III d. page 4) and due to the expedited scheduling requirements (sec III c. pg 4) 3. DOT scoring will include a weighted calculation that includes technical 60% and price 40% note DBR states pricing cannot be less than 50% see sec. iv #5. pg 6.
3	AA	Request for Qualifications (RFQ) - the first step in the two step RFP process, the RFQ is the written solicitation issued by the City seeking SOQ's to be used to identify and create a Reduced Candidate List (RCL) of the most highly qualified D-B Proposers to receive the Step Two: Request for Technical and Price Proposals for the PROJECT.	
4	IV 1. a.	As early as reasonable in the project development phase, and at a minimum prior to achieving 30% design approvals, request evaluation by the Design-Build Executive Committee of the Contracting Agency's Design Build Procurement Plan.	DOT will require the selected PMAR team to develop 100% design.
6	IV 5	Proposal scoring for Best Value procurements shall be calculated using points and may include pass/fail factors for mandatory requirements. The Design Build Executive Committee shall not approve any scoring methodology in which the value of the price proposal is less than 50%	DOT will use a price scoring factor of 40%.
6	IV 6	Except when the Director of Finance has declared that an emergency pursuant to Section 11(e) of the City Charter, the Design-Build Executive Committee may not recommend to the Board of Estimates any duration for the advertisement of the Invitation for Bids which is less than 42 calendar days.	DOT will seek BOE approval to advertise for RFP on April 22, 2016, with a due date of May 12, 2016, for 20 calendar days not 42 days specified in the DBR.
8	V 3	See Below	DOT will employ a modified Best Value procurement process in selecting a PMAR team to recommend to the BOE for approval of award.
8	V 3 a.	Upon approval of the Board of Estimates to advertise the RFP, Step One Request for Qualifications, the Board shall receive and refer the Statement of Qualifications by all Proposers to the Contracting Agency for evaluation.	Upon BOE approval to advertise the RFP, OBC shall receive and refer to DOT the technical proposal only for evaluation and the price proposal at a later date.

MINUTES

EXHIBIT A

PROJECT NO. TR16020 COMPREHENSIVE CONDUIT FACILITIES MANAGEMENT SERVICES

Page No.	Sec/Item	Per - Design Build Resolution	DBR Exception Explanation
8	V 3 b.	The Proposal Evaluation Team shall evaluate the Statement of Qualifications and establish the Reduced Candidate List, pursuant to the Design Build Procurement Plan. The reduced candidate list shall be limited to no more than 5 Proposers.	The Proposal Evaluation Team (PET) shall evaluate the RFP (not SOQ) and establish a Reduced Candidate List (RCL). The RCL shall be limited to no more than 5 Proposers.
8	V 3 c.	The Contracting Agency shall request that the Board of Estimates notify the Proposers of the Reduced Candidate List and provide the RFP: Step Two Technical and Price Proposal to only the Reduced Candidate List.	DOT shall notify the proposers of the RCL and schedule interviews. The proposers will be ranked/scored by the PET. 6d, OBC shall refer the technical and price proposals to BCDOT at the designated time.
8	V 3 d.	Upon receipt of the Technical and Price Proposals from the Reduced Candidate List, the Board of Estimates shall receive and refer the Technical Proposal only to the Contracting Agency.	OBC shall refer the technical and price proposals to BCDOT at the designated time.
8	V 3 e.	After evaluation scoring of the Technical Proposals is complete, the Board of Estimates shall refer the Price Proposals to the Contracting Agency for scoring. The Project Evaluation Team shall combine the Technical and Price scores to establish the total score for each Proposer. If the Project Evaluation Team decides not to solicit a Best and Final Offer pursuant to Paragraph G of this Section, the Contracting Agency shall recommend to the Board of Estimates award of the contract to the highest scoring Proposer.	After evaluation and scoring of the technical proposals is complete, the OBC shall refer the price proposals to DOT for scoring. The PET shall combine the technical and price scores to establish the total score for each proposer. If the PET decides not to solicit a Best and Final Offer pursuant to Paragraph G of the DBR DOT shall recommend to the BOE award of the contract to the highest scoring proposer.
9	V 3 g.	Proposers scoring at least 70% of the total score and within 10% of the top scoring proposer, including the top scoring proposer, shall be considered within the Competitive Range. The Proposal Evaluation Team may, as its sole discretion, request Proposers within the Competitive Range: i. Further develop or refine certain concepts into a Best and Final Offer. ii. Meet with the Proposal Evaluation Team in a Confidential Meeting to discuss the Proposal, its strengths and weaknesses, and any other information necessary for the proposer to develop a Best and Final Offer.	Proposers scoring at least 70% of the total score and within 10% of the top scoring proposer, including the top scoring proposer, shall be considered within the competitive range.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the preparation of the RFP seeking the procurement of a Program Manager at Risk for the Conduit Facilities Program, Project No. TR 16020 and to approve the exceptions, noted above, to the Design Build Resolution approved by the Board on November 2, 2011.

MINUTES

Bureau of the Budget and - Appropriation Adjustment Order
Management Research

ACTION REQUESTED OF B/E:

The Board is requested to approve the Appropriation Adjustment Order (AAO) to transfer Federal funds within the Baltimore City Health Department from Service 715 (Health Administration) to Service 316 (Youth Violence Prevention).

AMOUNT OF MONEY AND SOURCE:

\$149,989.00 - From: 4000-400016-3001-568000-404001
Unallocated Federal Funds
(Service 715)

To: 4000-484516-3160-308600-404001
(Service 316)

BACKGROUND/EXPLANATION:

The source of the Federal funds is a grant award and cooperative agreement, in the amount of \$999,564.00, from the U.S. Department of Justice (DOJ), Office of Justice Programs, and Office for Victims of Crimes. On November 18, 2015, the Board approved acceptance of the grant for the project entitled "Safe Streets Supporting Male Survivors of Violence."

The transfer is necessary to provide funding to support the Health Department's Office of Youth Violence Prevention Safe Streets Program. With this AAO, funding will be moved from a revenue account for supplemental grants, in accordance with the actual grant award.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

MINUTES

Bureau of the Budget and - cont'd
Management Research

UPON MOTION duly made and seconded, the Board approved the Appropriation Adjustment Order to transfer Federal funds within the Baltimore City Health Department from Service 715 (Health Administration) to Service 316 (Youth Violence Prevention).

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Fire and Police Employees' Retirement System</u>			
1. Robert Haukdal	Certificate of Achievement in Public Plan - Pensions Part II Boston, MA June 8 - 11, 2016 (Reg. Fee \$1,045.00)	Special Funds Fire & Police	\$2,685.78

The subsistence rate for this location is \$316.00 per night. The cost of the hotel is \$299.00 per night plus hotel taxes of \$43.20 per day. The Department is requesting additional subsistence in the amount of \$23.00 per day for meals and incidentals.

Mayor's Office of Information Technology

2. Lisa Allen	311 CS Week Synergy Group Phoenix, AZ April 23 - 27, 2016 (Reg. Fee \$199.00)	General Fund	\$1,701.26
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The subsistence rate for this location is \$179.00 per night. The cost of the hotel is \$199.00 per night plus taxes of \$25.01 per night. The Department is requesting additional subsistence of \$20.00 per day to cover the cost of the hotel and \$40.00 per day for meals and incidentals. The transportation in the amount of \$386.20 and registration fee in the amount of \$199.00 were prepaid using a City-issued credit card assigned to Lisa Allen. Therefore, the disbursement is \$1,116.06.

UPON MOTION duly made and seconded, the Board approved the foregoing travel requests. Item no. 2 was **WITHDRAWN**. The Comptroller **ABSTAINED** on item no. 1.

MINUTES

Department of Housing and - Memorandum of Understanding
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) regarding Inclusionary Housing in Port Covington with Sagamore Development Company, LLC (Developer). 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:

No City Funds Requested.

BACKGROUND/EXPLANATION:

The Developer is undertaking the New Port Covington project (the Project) in the City of Baltimore. The City Council will consider legislation to issue Tax Increment Financing (TIF) bonds to support the project.

The TIF is considered to be a public subsidy under the City's Inclusionary Housing Law (the IH Law) and triggers a review by the Department of Housing and Community Development. The required DHCD review of the project determined how many, if any, Inclusionary Housing units must be built in conjunction with the development. Based on the provisions of the IH Law in this case, the Housing Commissioner determined that the project is exempt from the requirement to create affordable housing under the IH Law.

However, the Developer supports the policy goals of Inclusionary Housing and has agreed to provide either on-site affordable housing units or contribute money to the City in support of Inclusionary Housing. This MOU sets forth the terms and conditions of the agreement. The following summarizes the key point of the MOU:

- The Affordable Housing goal will be 10% of all on-site residential units.

MINUTES

DHCD - cont'd

- Affordable Housing is housing to be made available to households whose annual income is less than 80% of the Area Median Income for the Baltimore metropolitan region, as established by the United States Department of Housing and Urban Development (hereinafter, Affordable Housing).
- Affordable Housing units will be primarily one, two or three bedroom units (or as otherwise agreed by the parties), of comparable quality and design as other residential housing in the Project and managed in accordance with the same standards as other residential units within the Project.
- Developer will use commercially reasonable efforts to apply for public sources of subsidy for the Affordable Housing including but not limited to Low Income Housing Tax Credits.
- The City will make housing program resources available subject to funding availability, approval by the Board of Estimates, and compliance with Federal, State, and local law programmatic requirements and guidelines for the Affordable Housing.
- The City will support any applications for Low Income Housing Tax Credits or other programs which are competitive and/or require local government support. If the publicly subsidized Affordable Housing units cannot be constructed on a financially reasonable basis, Developer will contribute an amount to the Inclusionary Housing Fund.
- In lieu of and as an offset to the payment to the Fund, the Developer may count the value of any Affordable Housing unit that is not publicly subsidized and provided within the Project (each, a Developer Subsidized Unit) as a contribution under this MOU.

MINUTES

DHCD - cont'd

- Pursuant to this MOU, within six months of the effective date, the parties will negotiate and execute an agreement setting forth the terms under which (a) the Developer will report on the status of residential construction, including Developer Subsidized Units, and (b) the City will monitor and enforce the income and occupancy requirements of the Developer Subsidized Units.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

A PROTEST WAS RECEIVED FROM MARYLAND LEGAL AID REPRESENTING THE CHERRY HILL DEVELOPMENT CORPORATION.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. However, it will not be heard. The protest has been sent to the submitting agency to respond directly to her.



MARYLAND LEGAL AID

Advancing
**Human Rights and
Justice for All**

STATEWIDE ADVOCACY SUPPORT UNIT

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Director, Joining Forces Project
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April 19, 2016

Harriette Taylor
Secretary of the Board of Estimates
100 N. Holliday Street
Baltimore Maryland 21202

Re BOE Agenda items; Non Routine Items p46-48; p49-50; p. 70

Dear Ms. Taylor

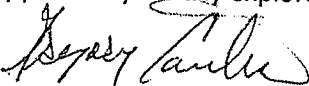
I represent the Cherry Hill Development Corporation which is protesting the above referenced Board Agenda items and the Board's consideration of them without adequate community review.

These Memorandum of Understandings in particular those MOU's between DHCD and Sagamore pertaining to inclusionary housing and MOED and Sagamore pertaining to community hiring and employment stemming from the project are premature and have not been subject to community review.

These MOU's pertain directly to issues of concern to the Cherry Hill community and are presently the subject of discussion between Sagamore and Cherry Hill. This development and its impact on members of the African American community and in particular those majority African American communities, which border this development, have the possibility of future benefit but without a thorough assessment of potential impacts the development also may lead to real harm. Those harms include gentrification and displacement of poor African Americans and disruption of their communities, in particular the community of Cherry Hill. Those harms extend to the possibility that the promise of future jobs will not manifest in the long years ahead.

Those harms and others can be mitigated and the Cherry Hill community and a coalition of communities are in discussion with Sagamore about those mitigation strategies. These MOU agreements which deal with issues of jobs, housing and minority business development are too important to conclude without a full hearing on their potential impacts. Those impacts cannot be ascertained without a rigorous assessment. There has been no assessment of those impacts.

Therefore we ask the Board to delay approval or reject these MOU's until the Cherry Hill Community and its partners in the adjacent communities have an opportunity to fully explore and discuss these issues.


Gregory Countess

EXECUTIVE STAFF

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Executive Director

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Chief Counsel

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Chief Operating Officer

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(410) 951-7777
(800) 999-8904 (Toll Free)
(410) 951-7818 (Fax)
www.mdlalab.org

04.12.16



Kim A. Trueheart

April 19, 2016

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:

Pages 46 - 48, City Council President and members of the Board of Estimates, BOE Agenda dated April 20, 2016, if acted upon:

- a. This Memorandum of Understanding (MOU) regarding Inclusionary Housing in Port Covington with Sagamore Development Company, LLC (Developer).is premature;
- b. The Memorandum of Understanding (MOU) regarding Inclusionary Housing in Port Covington with Sagamore Development Company, LLC (Developer) fails to accommodate the complete absence of community input, recommendation or comments regarding the pending approval of this development initiative by the city council or this board;
- c. In the interest of promoting greater transparency with the public this board should first disclose the financial details of this pending development, specifically the terms and conditions of the proposed TIF;
- d. Lastly this board should present to the public a thorough proposal of this proposed development and the subsidies being considered before any actions are presented to this board for consideration.

3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various agencies and

Email: kimtrueheart@gmail.com

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Mayor's Office of Minority and Women-Owned Business Development - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve a Memorandum of Understanding (MOU) with Sagamore Development Company, LLC (Developer) relating to inclusion of Minority and Women-Owned Business in the New Port Covington Project.

AMOUNT OF MONEY AND SOURCE:

NO CITY FUNDS ARE REQUESTED

BACKGROUND/EXPLANATION:

This MOU relates to the cooperation between parties to establish a process to ensure the inclusion of minority and women-owned business in the New Port Covington Project and for monitoring and compliance.

The Developer, either directly or through affiliates, is or will be developing approximately 250 acres of land located on the South Baltimore peninsula, south of I-95, into a transformative, mixed-use, waterfront project, that will include more than 12 million square feet of new development (the New Port Covington).

The development of the New Port Covington is projected to result in (a) more than \$5.5 billion in construction expenditures; (b) \$7.6 billion in construction-related economic activity; (c) 42,000 construction and multiplier jobs supported or created; and, (d) \$242 million in combined state and local government revenues.

The MOU between the Minority and Women-Owned Business Development and the Developer will outline each party's responsibilities for inclusion of City certified minority and women-owned business in the New Port Covington Project. These responsibilities include but are not limited to creating on-going outreach programs, ensuring contracting opportunities for M/WBEs, and hiring an independent consultant to monitor the Project's goals.

MINUTES

Mayor's Office of Minority and - cont'd
Women-Owned Business

MBE/WBE PARTICIPATION:

The Developer has signed the Commitment to Comply with the Minority and Women's Business Enterprise Program of Baltimore City.

APPROVED FOR FUNDS BY FINANCE

A PROTEST WAS RECEIVED FROM MARYLAND LEGAL AID REPRESENTING THE CHERRY HILL DEVELOPMENT CORPORATION.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. However, it will not be heard. The protest has been sent to the submitting agency to respond directly to her.



MARYLAND LEGAL AID

Advancing
**Human Rights and
Justice for All**

STATEWIDE ADVOCACY SUPPORT UNIT

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Director, Joining Forces Project
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apetkovsek@mdlalab.org

April 19, 2016

Harriette Taylor
Secretary of the Board of Estimates
100 N. Holliday Street
Baltimore Maryland 21202

Re BOE Agenda items; Non Routine Items p46-48; p49-50; p. 70

Dear Ms. Taylor

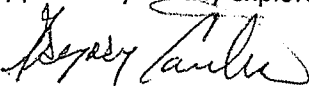
I represent the Cherry Hill Development Corporation which is protesting the above referenced Board Agenda items and the Board's consideration of them without adequate community review.

These Memorandum of Understandings in particular those MOU's between DHCD and Sagamore pertaining to inclusionary housing and MOED and Sagamore pertaining to community hiring and employment stemming from the project are premature and have not been subject to community review.

These MOU's pertain directly to issues of concern to the Cherry Hill community and are presently the subject of discussion between Sagamore and Cherry Hill. This development and its impact on members of the African American community and in particular those majority African American communities, which border this development, have the possibility of future benefit but without a thorough assessment of potential impacts the development also may lead to real harm. Those harms include gentrification and displacement of poor African Americans and disruption of their communities, in particular the community of Cherry Hill. Those harms extend to the possibility that the promise of future jobs will not manifest in the long years ahead.

Those harms and others can be mitigated and the Cherry Hill community and a coalition of communities are in discussion with Sagamore about those mitigation strategies. These MOU agreements which deal with issues of jobs, housing and minority business development are too important to conclude without a full hearing on their potential impacts. Those impacts cannot be ascertained without a rigorous assessment. There has been no assessment of those impacts.

Therefore we ask the Board to delay approval or reject these MOU's until the Cherry Hill Community and its partners in the adjacent communities have an opportunity to fully explore and discuss these issues.


Gregory Countess

EXECUTIVE STAFF

Wilhelm H. Joseph, Jr., Esq.
Executive Director

C. Shawn Boehringer, Esq.
Chief Counsel

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Chief Operating Officer

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Attn: Clerk
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Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:

Pages 49 - 50, Mayor's Office of Minority and Sagamore Memorandum of Understanding, if acted upon:

- a. This Memorandum of Understanding (MOU) regarding inclusion of Minority and Women-Owned Business in Port Covington with Sagamore Development Company, LLC (Developer).is premature;
- b. The Memorandum of Understanding (MOU) regarding inclusion of Minority and Women-Owned Business in the New Port Covington Project fails to accommodate the complete absence of community input, recommendations or comments regarding the pending approval of this development initiative by the city council or this board;
- c. In the interest of promoting greater transparency with the public this board should first disclose the financial details of this pending development, specifically the terms and conditions of the proposed TIF;
- d. Lastly this board should present to the public a thorough proposal of this proposed development and the subsidies being considered before any actions are presented to this board for consideration.

3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various agencies and

Email: kimtrueheart@gmail.com

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departments of the Baltimore City municipal government which potentially cost myself and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending.

4. Remedy I desire: The Board of Estimates should immediately stop any actions regarding the Port Covington development until the public is fully informed of the proposed development and city subsidies, financial or otherwise, being considered.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on April 20, 2016.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) with Sagamore Development Company, LLC (Sagamore). The period of the MOU is effective upon Board approval for five years with an automatic renewal for an additional five year term on each fifth anniversary of the effective date thereafter unless earlier terminated by the written agreement of both the City and Sagamore.

AMOUNT OF MONEY AND SOURCE:

\$ 400,000.00 - 6000-603516-6311-483200-406001
750,000.00 - 6000-603516-6311-483200-406001
\$1,150,000.00

BACKGROUND/EXPLANATION:

The MOU relates to the cooperation between the parties to establish a process for the promotion of hiring Baltimore City residents for the New Port Covington Project.

The MOU between MOED and the Developer will outline each party's responsibilities for local hiring in the New Port Covington Project. More specifically, the MOU addresses the hiring and management of a Port Covington Local Hiring Coordinator by MOED to provide support in meeting the goal of the agreement. Sagamore will pay MOED an amount not to exceed \$80,000.00 annually, to cover the costs of employing the Local Hiring Coordinator. The MOU also addresses Sagamore's commitment to pay MOED at least \$150,000.00 annually to fund Youth Works jobs or other comparable positions for young people.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Mayor's Office of Minority and - cont'd
Women-Owned Business Development

A PROTEST WAS RECEIVED FROM MARYLAND LEGAL AID REPRESENTING THE CHERRY HILL DEVELOPMENT CORPORATION. THE PROTEST WAS RECEIVED LATE. HOWEVER, IT WILL BE HEARD.



MARYLAND LEGAL AID

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STATEWIDE ADVOCACY SUPPORT UNIT

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April 19, 2016

Harriette Taylor
Secretary of the Board of Estimates
100 N. Holliday Street
Baltimore Maryland 21202

Re BOE Agenda items; Non Routine Items p46-48; p49-50; p. 70

Dear Ms. Taylor

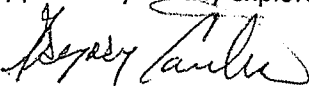
I represent the Cherry Hill Development Corporation which is protesting the above referenced Board Agenda items and the Board's consideration of them without adequate community review.

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Those harms and others can be mitigated and the Cherry Hill community and a coalition of communities are in discussion with Sagamore about those mitigation strategies. These MOU agreements which deal with issues of jobs, housing and minority business development are too important to conclude without a full hearing on their potential impacts. Those impacts cannot be ascertained without a rigorous assessment. There has been no assessment of those impacts.

Therefore we ask the Board to delay approval or reject these MOU's until the Cherry Hill Community and its partners in the adjacent communities have an opportunity to fully explore and discuss these issues.


Gregory Countess

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04.12.16



MINUTES

President: "The first three items on the non-routine agenda can be heard together. They are pages 46-48, Department of Housing and Community Development, Memorandum of Understanding; pages 49-50, Mayor's Office of Minority and Women-Owned Business Development, Memo -- memorandum of Understanding; page 70, Mayor's Office of Employment Development, Memorandum of Understanding, will the parties please come forward?"

Mr. Paul Graziano: "Um -- any particular order?"

President: "Any order you want."

Mr. Graziano: "Um -- Okay, uh -- Good Morning, uh -- my name is Paul Graziano, Housing Commissioner. I will be speaking about the MOU related to inclusionary housing at Port Covington. Um -- I think you have before you a -- an action memo. Uh -- let me briefly describe, what the program -- uh -- what the MOU proposes. Um -- the -- uh -- Port Covington, as we know is proposed to have several thousand uh -- uh -- housing units in addition to re--"

Ms. Kim Trueheart: "We already know that -- you know that."

Mr. Graziano: "Uh--"

MINUTES

President: "Madam, would you please um--"

Ms. Trueheart: "--no--"

President: "--keep quiet please."

Ms. Trueheart: "--we don't know those facts."

President: "Madam, please keep quiet, I'm have to ask you to leave please."

Ms. Trueheart: "You can ask me--"

President: "Please be quiet, continue."

Mr. Graziano: "Okay--"

Ms. Trueheart: "Give us some facts--"

President: "Madam, any other outbursts, I'll ask that you be removed."

Ms. Trueheart: "You're right."

Mr. Graziano: "As it's been widely reported, the New -- uh -- New Port Covington development will be a very large uh -- multi-use project that will include uh -- several thousand units of housing along with retail, commercial, manufacturing and so forth. The purpose of this MOU -- uh -- the focus of this MOU is related to the housing and to ensure that there will be a broad mix of housing uh - within uh -- the footprint of this

MINUTES

project. Uh -- so um -- what this uh -- MOU does is to establish a goal of 10% of the units being affordable at or below 80% of area median income, with a -- actually a range of incomes below 80% of area median income. Um -- it also compels the developer uh -- to submit applications for uh -- low income housing tax credits uh -- in each tranche of units that are built, and we've divided into tranches of 1,000 units each for purposes of measuring uh -- where we are. So, in other words, in the first 1,000 units that are built, uh -- 10% of the units uh -- the developer shall um -- um -- make application for Low--Income Housing Tax Credits um -- and that um -- the City will support those applications as we traditionally do um -- with uh -- say, HOME funds or -- or other City gap funding, uh -- we're making no commitment for extraordinary support for just what we routinely -- routinely, I'm sorry, uh -- do for Low Income Housing Tax Credit project. Um -- so the goal is that out of each 1,000 units that are built um -- there will be 100 low income housing tax credit units. Uh -- they would be eligible for people, uh -- households with incomes at or below 60% of area median income. It is also anticipated that there

MINUTES

will be uh -- the provision of project based vouchers uh -- for some number of the units to get the -- to make them affordable uh -- at a much lower level than the 60%, actually even to below 30% of area median income for some number of units. Now, should it be infeasible um --31 to uh -- receive uh -- low income housing tax credits for a particular tranche or if they weren't able to produce all 100, um -- there -- the developer has agreed to uh -- make payments uh -- on a scale uh -- that increase over time that is outlined in Section 5 -- it starts with \$3,000.00 fee per unit for the first 1,000 units uh -- rising to \$5,000.00 per unit uh -- for anything over 5,000 units. Um -- so that fee would go into that -- those dollars will go into an affordable housing program for the City to do other projects in other places. However, there's also a provision uh -- and this was put in at the developer's request that they have the opportunity even if they were not able to do the full 100 units as tax credits that they in lieu of paying the fee to the City, um -- that they would put that money back in to subsidize -- the production of some number of affordable units on the site that would not be receiving tax credits and would not receive City

MINUTES

subsidy. Um -- so that would be obviously a much smaller number. So, that in essence is the uh -- is the plan -- um -- it -- it -- we're asking for primarily units of one, two, and three bedroom. Uh -- the proposal uh -- speaks of a significant number of efficiency apartments, we've indicated we're not interested in efficiencies. That's really not where the demand is uh -- and so we're pushing for one -- primarily for ones, twos, and threes and the -- obviously we can deviate from that on project to project by -- by um -- as we look at an individual project but um -- that is the goal. Um -- and it will be reflective of the relevant need, for instance, on the Housing Authority waiting list will be one of the sources we use to determine the bedroom distribution. Um -- also we're saying that the um -- the -- the quality of the housing, the designs, so forth should be comparable, and the management should be comparable to the market rate units as well. Um -- so that's pretty much a summary of what's in the agreement."

Mr. Gregory Countess: "So, uh -- Mr. President--"

Comptroller: "Identify yourself."

MINUTES

Mr. Countess: "My name is Gregory Countess, I'm with the Legal Aid Bureau. I filed a protest um -- for the Cherry Hill Development Corporation, I have um -- the CEO of that corporation here today. I want to make a couple brief comments and then I will turn it over to him. The nature of our protest went to uh -- two uh -- concerns. Uh -- one is the process, whether or not there was adequate -- adequate transparency in that process. Our concern revolves around whether or not in fact um -- these MOU's comply with already City Council approved and adopted plans for the Middle Branch and also for Cherry Hill in terms of jobs, uh -- affordable housing and also, particularly in the Middle Branch plan, it speaks to sustainable communities and whether or not this development in and of itself the impact that it will have on those communities. Um -- we're concerned that without a full hearing on a potential impact, that those impacts cannot be ascertained without a vigorous assessment. Um -- further we want to acknowledge here -- because we've had conversations with Sagamore. We notice that in the MOU, it talks about working with partners -- I'll let Mr. Middleton address uh -- the issue in terms of partnerships. We

MINUTES

feel confident that -- that Sagamore will, in fact, speak to the communities uh -- about their concerns as -- in regard to uh -- whether it be housing, jobs and other issues that -- that -- that are um -- of great concern for the community. Um -- Mr. Middleton."

Mr. Michael Middleton: "Good Morning members of the Board, my name is Michael Middleton. I work for the Cherry Hill Development Corporation, I'm also Chairman of the Cherry Hill Community Coalition and I'm also a member of what is known as SB6 Coalition, which represents the South Baltimore six communities surrounding uh -- the development in question today. That would include Westport, Mount Winans, Lakeland, uh -- Brooklyn, and Curtis Bay along with Cherry Hill. See, we're all communities that have a great deal of interest in the Sagamore Development. My concern with, particularly the three matters brought here is that the Memorandum of Understanding has been presented between the City and Sagamore for which the communities in which Sagamore has been negotiating and we believed at that time negotiating in good faith, we had no notice nor knowledge of any of these matters. The three matters

MINUTES

that are addressed were matters of a particular concern for us. And it may be in fact that we have no opposition in relationship to the substance of the bill, but what we do have opposition to is not having any type of knowledge, or the opportunity to participate in the process to be -- to be presented to this Board which affects Baltimore City and in particular those surrounding communities that are most affected by this development. We're asking, at least at a minimum, is to defer on ruling on this matter until we have had the opportunity to make sure that the interest of our communities are taken care of. We been negotiating with Sagamore for now, closely two months, and we believe that those representatives have talked with us in good faith, but not as transparent. Had we known that a Memorandum of Understanding between the City in relationship to jobs was to be presented today, we would have made sure that a relationship for how the Mayor's Office of Employment Development um -- brought out jobs that maybe Cherry Hill or Westport had a certain percentage of the overall amount that we're talking about. But because this bill is being submitted, we have no opportunity to have that discussion or

MINUTES

know the imminence of any of the matters for which we as communities have concerns would have the opportunity to be discussed. We don't want to miss an opportunity to have the issues that concern us and if we have issues such as this brought about before a community, before the City has an opportunity to discuss it in detail, we think such opportunities will be missed. Thank you."

Mr. Graziano: "--any other--"

Mayor: "I just want to -- if I may Mr. President?"

President: "Madam Mayor."

Mayor: "--make a point to uh -- Mr. Middleton. Number one, thank you for being here uh -- and I just want to - want to make sure that you're clear that this -- the MOU's that we're discussing today address the compliance with City ordinances. Uh -- this is the beginning, it's not the end. The public process will be -- will continue to be vigorous, it will go through the Board of Finance and it will go through the City Council process and you're very familiar with that process. So, with respect to uh -- the community -- your specific community concerns and the concerns of SB6, um -- there is a vigorous and open process that will allow specific community concerns to be

MINUTES

raised and agreements to be made on all of those things that you made -- that -- that -- the issues that you raised. This is -- these MOU's moving forward today simply speak to the compliance with the ordinances that must be addressed before it can go through, you know, start through the more public process."

President: "But, I think the issue that he's speaking to is unlike this process when we went through Harbor Point, it didn't come to the Board of Estimates until after we had did our second um -- reader in City Council. So, this process -- I'm in agreement with you, I don't like the way this has gone because it did not go through the Council process like we did with Harbor Point and I don't know why we're here today because I had no knowledge of this either. We were just informed last week, the Comptroller and I and I'm asking for a deferral as well, because this should go before the City Council and we should vet this before it even come before this Body. So, I'm in total agreement with you that this is not the venue to have this come before the Board of Estimates. I was not a part of this negotiation, nor was the Comptroller and I want a deferral on this too, until it comes before the City Council of Baltimore.

MINUTES

This is not the process."

Comptroller: "Also -- also, may I speak?"

President: "You can go ahead and speak."

Comptroller: "Also, I have -- I was briefed last week and some of the changes that I requested have been made but my major concern is that there is a goal to have 10% and I believe it should be a requirement, because if we're saying for this new Port Covington project that we really want to be inclusionary then it shouldn't be a goal because -- Commissioner Graziano, I heard you say that if they were not 10%, that there would be a formula that if they were not 10%, that there would be a formula, \$3,000.00 that escalates to \$5,000.00 and that it would have affordable housing elsewhere in the City. But if we want to be inclusion, it should be on the site. I have a problem with the word goal. I think it should be a requirement. If we really want to include affordable housing, it should be on the project site."

Mr. Graziano: "And we agree and that is the way it's structured that--"

Comptroller: "--but they have an option out--"

MINUTES

Mr. Graziano: "--but only if--"

Comptroller: "--but they have an option out--"

Mr. Graziano: "--they actually don't have an option, they have to -- 'the Developer shall use commercially reasonable efforts to apply for Low Income Housing Tax Credits. If they don't apply -- they must apply for the tax credits--"

Comptroller: "--but if--"

Mr. Graziano: "--if they don't apply for the tax credits, they are in breach of the agreement, and the remedy is not to pay the \$3,000.00. The first requirement is that they must apply for the tax credits, and uh -- with my experience with the Tax Credit Program, I would say that any project -- in this -- in this tax credit application -- in this project area would do very well. Uh -- we got six, we got seven, I'm sorry, tax credit projects approved in this City in the last round, 494 units and none of the locations that we're talking about in those seven sites is in any way comparable to what we'll have here in this new community. So, um -- I am confident that um -- the developer will submit, because that's what they are required to do. I am confident that the City will support those

MINUTES

proposals as we have all good tax credit proposals and I am confident that the State of Maryland will approve those tax credits um -- projects."

President: "I have a question for you Mr. Nilson. Do we have to go through this process um -- different than when we went through with Harbor Point--?"

City Solicitor: "--well--"

President: "--do we need to go through this process?"

City Solicitor: "Well, let me just comment on both the Mayor's point and your point. It seems to me that, as the Mayor's said, this is but the beginning of the process of working out the particulars of the arrangements between the City and the developers of the Port Covington project. Um -- there will be a second stop along the way, at the Board of Finance, which I think is scheduled for next week and that will be an open consideration by the Board of Finance, and there will be, what I'm sure will be a vigorous open deliberative process before the Council and -- and Council President Young if that -- if those deliberations before the Council and the action of the Council change the terms--"

MINUTES

President: "--but why not bring it back?"

City Solicitor: "--or differ from the terms--"

President: "--so why not bring it back Mr. Nilson--"

City Solicitor: "--then it will come back, period."

President: "--so, why not bring it back like we did with Harbor Point?"

City Solicitor: "--If -- if--"

President: "--why does it have to come now?"

Comptroller: "Right."

City Solicitor: "--if the Council acts differently, if the Council imposes different or other uh -- uh -- conditions, then they will govern and these MOU's--"

President: "--Mr. Nilson, my question is--"

City Solicitor: "--will come back to the Board--"

President: "--but my question is why have it now? Why can't it come after the Council process like we did with Harbor Point?"

City Solicitor: "--you -- you probably have to talk to the people who decided to make it -- to do it in this fashion, but my question back to you is why not?"

President: "Well, who are they?"

MINUTES

City Solicitor: "My question is why not?"

President: "--who were they?"

City Solicitor: "--uh--"

President: "--who were they?"

City Solicitor: "--well, you have to talk -- talk to -- to the people who are -- who been dealing with--"

President: "--I don't know who they were."

City Solicitor: "Well, they are standing before you, there are three people who are here to address--"

President: "Well, can you all answer that question--"

City Solicitor: "--the MOU's that are in front of you--"

President: "Can you all answer that question, can y'all answer that for me?"

Mr. Graziano: "I -- I think that the Mayor laid it out um -- our job in the Housing Department is to determine um -- that any project receiving a subsidy is in compliance with the Inclusionary Housing Ordinance--"

President: "--But, what makes it different than the Harbor Point project when y'all waited until after we did the second reader?"

MINUTES

Mr. Graziano: "Well, I think that uh -- from the housing perspective um -- this project offers a much greater opportunity for on-site housing than the Harbor Point project did given the nature of the project, given the size of the site, given the location, given the range of housing types. Uh -- frankly, Harbor Point was not an ideal place to build the inclusionary housing units. There were a lot of high rise buildings with very, very small units--"

President: "--that's -- that's not my question--"

Mr. Graziano: "Well, I'm saying that's the difference here is that--"

President: "--regardless of whether it's a difference or not--"

Mr. Graziano: "--yeah--"

President: "--that's not what I asked, I asked why didn't this project wait until after the Council did its due diligence and then come back with it?"

Comptroller: "--a greater opportunity--"

Ms. Christine Bivens: "Christine Bivens, Mayor's Office of Minority Women-Owned Business Development, Good Morning Council President, Madam Comptroller, Madam Mayor and Honorable Board

MINUTES

members. Um -- to answer your question, the -- particularly on this apply to diversity and inclusion piece of it, one of the things we find Harbor Point was great, it was a great model to start with uh -- but it came, again, later in the process. The earlier we start in the process with ensuring inclusion of minority and women-owned businesses, particularly when you get to pre-development and inclusion and minority equity ownership, the better for us. So, even though the TIF has not been approved, the TIF is going through the process, that process will still continue, but we want to have a seat at the table with the developers. We want our advocates to have seats at the table with the developers to be able to help shape the inclusion on what goes forward through -- as it goes through the process. I mean, that was for us."

President: "Well, I'm a big supporter of this project, I think it's going to be a wonderful project, and -- and all I'm saying is it should've went through the same process, the same process, you know - you can have - you -- You can go ahead Madam Mayor but all I'm saying is it should have went through that process."

Mayor: "So, it's my understanding, I see the President of BDC

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here um -- it's my understanding that different uh -- from the Harbor Point um -- development that the BDC Board made the approval of the MO -- the MOU's a condition if you can just -- can he speak--"

President: "--yes he can."

Mayor: "--can the President speak to that? The question, Mr. President, is the difference and the process between uh -- this development project and MOU."

Mr. Bill Cole: "Sure. Mr. President. Bill Cole, President and CEO of uh -- Baltimore Development Corporation. The slight difference in this situation is that the BDC Board made a condition of its approval, the approval of these MOU's before it can move forward. So, BOE must act on the MOU's before this process can move forward to the Board of Finance. It was one of five conditions that the BDC Board added in its recommendation to the Mayor."

President: "Why -- I mean, why would they do that?"

Mr. Cole: "Well, because, I mean, these MOU's are fundamentally, they're critical to the overall TIF. We need to make certain that they comply with these ordinances."

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President: "But wouldn't that literally tie the hands of the Council?"

Mr. Cole: "Not at all--"

Mayor: "Absolutely not."

Mr. Cole: "Not at all. Mr. President, the Council still has its full ability and capacity to negotiate um -- during the Council process."

City Solicitor: "--and I would second that, as I said--"

President: "--but isn't the BDC Board an advisory Board?"

City Solicitor: "correct, yes."

President: "so, I mean, they just advisory. So, we don't have to take what they say."

Mr. Cole: "No, it is a recommendation."

President: "Okay, well, they just a rec -- they made a recommendation so we don't have to go by that."

City Solicitor: "Correct, and you don't have to abide strictly by the terms of the MOU's that are approved here. If you and the Council in your deliberations, as I said a few minutes ago, reach different conclusions and impose more stringent requirements on the developer that are embodied in these MOU's,

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then these MOU's will get -- will be back here to be conformed to the fin--"

President: "--well -- well--"

City Solicitor: "--the Council's final actions."

President: "--well we could have made this a whole lot easier if, you're asking me as a member of the Board of Estimates to vote on something, you're asking the Comptroller as a member of the Board of Estimates to vote on something that we had absolutely nothing to do with."

City Solicitor: "I -- I don't think so."

President: "Okay, well, you can continue. The next person can come up."

Ms. Bivens: "Restate my name? Christine Bivens, Mayor's Office of Minority Women-Owned Business Development. So, actually, I was going to start with beginning with the Harbor Point project. The City started this new model of bringing awareness of inclusion of minority and women-owned businesses earlier in the stages of these public-private partnerships and relationships. Port Covington project that's currently in the review stages, the developer has committed to comply already with the M/WBE law

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that's administered by the Minority Women Business Opportunity Office and that's going to ensure MBE/WBE goals are applied to each phase of the construction on the project. This MOU, like the Harbor Point MOU sets up this framework that can be built upon and will ensure maximum inclusion beyond and even before the construction phase of the project. For instance, in this MOU, the developers agree to provide access to business opportunities in the pre-development phase, that's going to include professional services, like surveying, engineering, environmental monitoring, title and escrow services, and the list goes on. The highlights of the MOU include that the developer and its general contractors will participate in the City's mentor protégé program, as Harbor Point developer is already doing and its general contractors, supporting joint venture, MBE ownership, and equity opportunities. It's going to support capacity building programs, providing access to technical training, capital, and mentors. It will also hire an independent third party consultant to monitor and measure and evaluate its M/WBE achievement in all aspects -- and during the life of the project, and it will ensure that MBE/WBE inclusion in its maker and innovation spaces as it attracts high-tech manufacturing and technology companies.

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So, we want to have a wrap-around effect of minority and women's business inclusion. By establishing this framework earlier in the process, we believe it's going to provide a stronger voice for our small minority and women-owned businesses to help and assist the developer in ensuring that or in its inclusion efforts ensuring that it is being -- gaining maximum inclusion in its project. This MOU also creates an advisory board that is going to meet quarterly and the advisory board is made up of those advocates that will meet quarterly at their - we will convene at M/WBE with the developer and those advisory--"

President: "--will we have any input--"

Ms. Bivens: "--members."

President: "--on -- on those--"

Ms. Bivens: "Absolutely -- absolutely."

President: "--selections? Comptroller."

Comptroller: "Mr. Nilson said that the Council has the opportunity to make changes, so it just seems logical that the Council should vet it and then bring it back because we're one

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City and we like working together. I -- I was briefed last week and there were two changes that were made at my recommendation, however, I did not have sufficient time to really vet the MOU's to see if there were any other changes that I wanted to make."

Mayor: "I'm pretty sure that if there are any other changes as a part in the Council process, the Council President would be amenable to including those and I think what you're seeing is exactly the experience that you had, with recommending the changes, and seeing them included, is us working together and that process will continue. This is the beginning it is not the end. It is a collaborative process and it is an ongoing process and it is clearly already a responsive process."

President: "Well, after this MOU is signed, it's gone."

City Solicitor: "No --"

Mayor: "--that's not true--"

City Solicitor: "--that's not--"

President: "--yeah, it is -- yeah, it is"

City Solicitor: "--that's not correct Council President--"

President: "--once this -- once this MOU leave this Board of Estimates, it's done--"

City Solicitor: "--if the Council -- if the Council--"

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Mayor: "--that's not true--"

City Solicitor: "--if the Council's actions--"

President: "--the Council -- the Council can do its action but this MOU will be binding."

City Solicitor: "--no, not if the Council--"

President: "--yeah, it is--"

City Solicitor: "--not if the Council

President: "--yeah, it is--"

City Solicitor: "--changes its action on the project."

President: "--yeah, it is -- yeah--"

Mayor: "I -- it's clearly not an understanding of the actual legal process."

President: "Okay."

Comptroller: "Michael wants to speak."

President: "Okay, go ahead. Are you finished? Next, the next one, next one -- Madam, please -- go ahead -- go ahead."

Mr. Jason Perkins-Cohen: "Good Morning, uh -- my name is Jason Perkins--"

President: "--go ahead--"

Mr. Perkins-Cohen: "Good Morning, my name is Jason Perkins-

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Cohen, I'm the Director of the Mayor's Office of Employment Development. I'm here today to talk to you about the MOU that respect - that is about the local hiring process. I'm going to highlight the seven significant pieces of the MOU. First and foremost--"

President: "--Um -- Madam, will you please -- I'm have to ask you to leave--"

Ms. Kim Trueheart: "--yes, I can leave--"

Mayor: "Thank you."

President: "--alright, let's go--"

Ms. Trueheart: "I filed a protest--"

President: "--let's go--"

Ms. Trueheart: "--I want to be up here--"

President: "--you cannot speak Ma'am."

Ms. Trueheart: "--yeah, well--"

President: "--you going have to leave Ms. um--"

Ms. Trueheart: "--I filed a protest--"

President: "--Madam, you going have to leave -- you have to leave -- you have to leave Ma'am--"

City Solicitor: "--or stop talking--"

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Mr. Perkins-Cohen: "First and foremost--"

President: "--take a seat please. Just let her have a seat. Go ahead."

Mr. Perkins-Cohen: "Sure. Um -- first and foremost, the MOU makes clear that local hiring requirements will be followed as part of this MOU as you all know that means that 51% of all new hires must be Baltimore City residents, at least 51%. Second of all, it establishes a goal that 20% of all those on the worksite will be Baltimore City residents, as well. Uh -- these pieces of the MOU also don't just resp -- don't just relate to the developer, but they're carried down and they are required by the developer to carry them down, and they are required by the developer to carry them down to the contractors, the general contractors and the sub-contractors as well. The MOU also specifies that there will be a workforce plan that will be submitted in advance of the work starting and that plan specifies the total number of individuals that will be needed on the project and the total number of work hours that will be needed, again, in advance. This is important, particularly on construction projects where often some of those jobs are not

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long term. We want to make sure that Baltimore City residents are not just getting 51% of the total number of jobs but at least 51% of the hours, and again, that's just a minimal threshold. In addition to the plan, of course, we don't just want to know what the plan is, we want to know what actually happens. So, there is a manpower report that's required to be submitted monthly by the developer that will follow the plan. So, whatever they said they were going to do upfront in terms of the number of jobs and the number of work hours, they will be submitting monthly to us to let us know how they are doing in terms of achieving that goal."

President: "Continue."

Mr. Perkins--Cohen: "--uh -- and then one sh--"

President: "--Ms. Trueheart, I'm going to have to ask you -- I'm going to ask you um - either be quiet or we going have to ask you to leave the hearing room -- um -- you going have to leave the hearing room--"

Ms. Trueheart: "--are you going to ask the question?"

President: "--I'm going to ask you to leave the hearing room - leave the -- leave the hearing room - leave the hearing room--"

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Mr. Perkins-Cohen: "So--"

President: "--go ahead -- go ahead--"

Mr. Perkins-Cohen: "--of course the agreement is incredibly important but this is--"

President: "--please leave the hearing room miss, miss--"

Mr. Perkins-Cohen: "This is also about--"

President: "--Madam, you have to leave--"

Mr. Perkins-Cohen: "--this is also about jobs so the agree -- agreement specifies that there will be a local hiring coordinator so residents in the community that want to make sure they get access to those jobs have a single person of contact. It will work both for the developer, the general contractors, the sub-contractors and the community that person will be responsible and that is being paid for by the developer. As noted earlier, there will also be a contribution to Youthworks, so, at least 100 Youthworks slots will be paid for by the developer on an annual basis and finally, that there will be - the developer's committed for the first five years uh -- that there will be reliable, affordable transportation uh -- to their worksites so that residents can get to those jobs and if it's not available, that they will subsidize the transportation costs."

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President: "Comptroller."

Comptroller: "I -- I would also like to um -- and I guess we can talk about this later, that the City have the ability to hire an Auditor at the developer's expense to review and confirm that the terms of the MOU are met. Okay. Mr. Middleton has something."

President: "Mr. Middleton."

Mr. Middleton: "I just wanted to conclude, members of the Board, that um -- apparently this project has been put on a fast track. I just heard that this matter goes before the Board of Finance next week. With such speed in this process, it is difficult for community organizations such as ours, folk in Cherry Hill and the surrounding areas, cause we don't have the resources to do the vetting on this type of project that others with resources may have. This is a very important project. We don't have access to the papers that Baltimore Development Corporation has and the submission that was made um -- by Sagamore. To us, in order to have legitimate types of negotiations, you got to have those types of documents. We

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don't have the resources to do that um -- to look at the issues that are expressed in the bill that is presented before you today, to be prepared for the Board of Finance next week. It's asking a lot of us in the community to hold to such a project that is vital to our very survival, to our future, and I'm only asking for a deferral, not a vote against, just a deferral. Thank you very much."

President: "Thank you. I will entertain a Motion -- Councilwoman Clarke, did you want to say anything?"

Ms. Mary Pat Clarke: "--only if--"

President: "--you need to come up -- I seen you back there doing all this--"

Ms. Clarke: "--no -- no -- I -- because I wanted this--"

Comptroller: "Can you identify yourself."

Ms. Clarke: "Mary Pat Clarke, Baltimore City Council -- um -- I just wanted to hear -- hear the Solicitor say what he did say, which is that this is a baseline, that whatever the Council does, um -- we have the authority in the Council to um -- enlarge upon it, expand upon it, its baseline, and it would, if changed at the Council level, would return to this Board for um --"

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City Solicitor: "--right--"

Ms. Clarke: "--putting it into conformance with what was done at that point."

City Solicitor: "--and I -- and I did say that and I said it because the Council is the final determinate with regard to the TIF request or proposal which is essential to the project--"

Ms. Clarke: "--and that this is the baseline--"

City Solicitor: "--the final action--"

Ms. Clarke: "so -- so Mr. President and Madam Mayor, Madam Comptroller, etcetera, thank you very much for -- that's what I was most concerned about as a member of the City Council. Thank you."

President: "Thank you. I will entertain a Motion."

City Solicitor: "--and having been reminded by the Councilwoman of that point, I'd also like to observe in making the Motion that the um -- the protest was filed late but we all agreed on the Board that given the fact -- given the size of the project and the importance of the issue, and given the fact that the protesting party is not a bidder who make protest all the time

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of actions taken by the Board where we hold and will continue to hold the bidders to strict compliance with timeliness requirements, we waived the timeliness so we could hear from you and the others this morning and with that background, I Move to approve the three MOU's submitted to the Board."

Director of DPW: "Second."

President: "All those in favor say AYE. All those opposed, NAY. Please note that um -- I vote No and I want to read my statement. I believe that the parties involved in working in good faith to craft the three agreements before this Board, I also understand that the administration reviews the agreement as a baseline set of goals to be expanded upon down the road, but the administration is asking me as a representative for the citizens of Baltimore to sign-off on legally binding documents that contain inadequate benefits for the citizens most impacted by the project. Let me be clear, I believe that Port Covington project could be a game changer for the entire City of Baltimore. This development represent a once in a generational deal that could potentially improve employment and housing option for the working poor and middle class families, two

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groups that represent many of Baltimore's most vulnerable and overlooked citizens. That's why I'm so disappointed with the agreements negotiated by the administration. I know that we can ink a better deal. I know that Sagamore is committed to the City of Baltimore and to its citizens. I know the developer wants to put its stamp on this historic community agreement that matches the boldness of this request for public financing dollars. The three agreements negotiated by the administration lack boldness and vision and boldness and vision are required for a project of this size. It is for the reason I've outlined that I cannot vote in favor of the MOU. I will monitor the movement of the developer's request. Should the MOU's come to the City Council, I am confident that the Developer stands ready and willing to negotiate for the benefit of the community. In order for this project to be successful, in coming - in the coming stages, the community must have a say. So, I hope the developers will immediately reach out to the community for their input. While I support this development project, I think there is more work to do. I think the City can get more and will get more during the Council process and I personally look forward to working with the developer over the coming months. Please Note that I vote **NO**. The Motion carries."

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Comptroller: "I also -- I also--"

President: "Go ahead."

Comptroller: "I also vote **NO**. While I think that the new Port Covington project can have enormous benefits to the City, and I am in total support of the project, I am concerned that we have not had enough time to review the details of the proposed MOU's. For example, the Inclusionary Housing MOU should have -- should have affordable housing goal changed to a requirement. Furthermore, it should be clearly stated that the affordable housing units should be on the new Port Covington site, as opposed to another area of the City, and also, I am proposing that the City have the ability to hire an Auditor at the developer's expense to review and confirm that the terms of the MOU have been met. For these reasons, I am voting **NO** for the MOU's."

President: "The Motion carries."

* * * * *

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PROPOSALS AND SPECIFICATIONS

1. Department of Public Works/ - WC 1276, Water Main
Office of Engineering and Replacements - Georgetown
Construction Road/Winans Way/Wells St.
& Vicinity
BIDS TO BE RECV'D: 05/18/2016
BIDS TO BE OPENED: 05/18/2016

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above Proposals and Specifications to be advertised for receipt and opening of bids on the date indicated.

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A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest.

Kim A. Trueheart

April 19, 2016

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:

Pages 1 - 71, City Council President and members of the Board of Estimates, BOE Agenda dated April 20, 2016, if acted upon:

- a. The proceedings of this board often renew business agreements without benefit of clear measures of effectiveness to validate the board's decision to continue funding the provider of the city service being procured;
- b. The Baltimore City School Board of Commissioners routinely requires submissions for board consideration to include details of the provider's success in meeting the objectives and/or desired outcomes delineated in the previously awarded agreement;
- c. The members of this board continue to fail to provide good stewardship of taxpayers' funds as noted by the lack of concrete justification to substantiate approval of actions presented in each weekly agenda;
- d. This board should immediately adjust the board's policy to ensure submissions to the board include measures of effectiveness in each instance where taxpayer funds have already been expended for city services;
- e. In the interest of promoting greater transparency with the public this board should willing begin to include in the weekly agenda more details which it discusses in closed sessions without benefit of public participation.

Email: kimtrueheart@gmail.com

5519 Belleville Ave
Baltimore, MD 21207

- f. Lastly this board should explain to the public how, without violating the open meeting act, a consent agenda is published outlining the protocols for each week's meeting prior to the board opening its public meeting.

3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various agencies and departments of the Baltimore City municipal government which potentially cost myself and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending.

4. Remedy I desire: The Board of Estimates should immediately direct each agency to include measures of effectiveness in any future submissions for the board's consideration.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on April 20, 2016.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

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ACKNOWLEDGMENTS

President: "First, I want to recognize Councilwoman Clarke, who is joining us today, welcome."

* * * * *

President: "There being no more business before the Board, the meeting will recess until 12 noon. Thank you."

* * * * *

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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 Comptroller announced that the following agency had issued an Addendum extending the date for receipt and opening of bids on the following contract. There were no objections.

Department of Public Works - WC 1278, Old York Road and
Vicinity Water Main Replacements
BIDS TO BE RECV'D: 04/27/2016
BIDS TO BE OPENED: 04/27/2016

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

Department of Transportation - TR 01041R, Replacement of
Edmondson Ave. Bridge

Cianbro Corporation
Tutuor-Perini Corporation

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Bureau of Purchases

- Audit Financial Statements
(TECHNICAL OPENING)

CliftonLarsonAllen LLP
SB and Company

Bureau of Purchases

- B50004500, Pest Control
Services

Home Paramount Pest Control Company
Regional Pest Management
Solomon's Termite & Pest Control
A.B. & B. Termite and Pest Control

Bureau of Purchases

- B50004509, Supply & Deliver
Spring & Fall, 2016 Trees,
Planting & Maintenance

Lorenz, Inc.

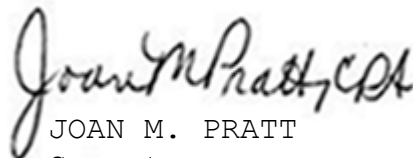
Bureau of Purchases

- B50004514, Single Stream
Recycling

WM Recycle America, LLC

* * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, April 27, 2016.



JOAN M. PRATT
Secretary