REGULAR MEETING

Honorable Sharon Green Middleton, President
Honorable Catherine E. Pugh, Mayor - ABSENT
Honorable Bernard C. "Jack" Young, Mayor
Honorable Joan M. Pratt, Comptroller and Secretary
Rudolph S. Chow, Director of Public Works
Andre M. Davis, City Solicitor
Dana P. Moore, Deputy City Solicitor
Matthew W. Garbark, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

Effective April 02, 2019 and pursuant to Article IV, Section 2(b) of the Baltimore City Charter, the Honorable Bernard C. "Jack" Young shall be ex officio Mayor of the City during the absence of the Honorable Catherine E. Pugh, Mayor. Pursuant to Article III, Section 10(b) of the Baltimore City Charter, the Honorable Sharon Green Middleton shall be acting President during the fulfilment of the Honorable Bernard C. "Jack" Young's duties as Mayor.

President: "Good morning. The April 03, 2019, 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. Meetings of the Board of Estimates are open to the public for the -- 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 would dir -- I would direct the Board Members attention to the Memorandum from my office dated April 1, 2019, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

<u>City Solicitor:</u> "Madam President, I move approval of all items on the routine agenda."

Comptroller: "I Second."

President: "All of those in favor say AYE. All of those opposed,
NAY. The Motion carries, the routine agenda items have been
adopted."

* * * * * *

Landscape Architect

MINUTES

BOARDS AND COMMISSIONS

1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on November 21, 2016, the following contractors are recommended:

Bensky Construction Co., LLC	\$	5,610,000.00
Buildview, LLC dba Multivista	\$	1,480,000.00
Clopton Concrete and Construction Inc. dba	\$	1,500,000.00
Ridgewood Redi-Mix Concrete Company, Inc.		
Spiniello Companies	\$3	41,010,000.00

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:

approval of	the prequ	ualification	for	the	following	firms:	
Carroll Engi	neering,	Inc.			Engineer		

Columbia	Engineering,	Inc.	Engineer
OOTAILOTA		±110•	2119211001

- T - T	- '	_	·	+ + ~	- ·
I NVI	Enterprises	\cap \pm	Baltimore,	1.1.('	Engineer

ECS Mid	-Atlantic,	LLC	Engineer
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|--|

Inc.

Gilbert Architects, Inc. Architect

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BOARD OF ESTIMATES 04/03/2019

MINUTES

BOARDS AND COMMISSIONS - cont'd

iCivil, Inc. Engineer

Construction

Management

Leuterio Thomas, LLC Architect

Engineer

Penza Bailey Architects Architect

Setty & Associates International, Engineer

LLC

Skelly and Loy, Inc. Engineer

Landscape Architect

T3 Design Corporation Engineer

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Prequalification of Contractors and Architects and Engineers for the listed firms.

Space Utilization Committee - Correction

ACTION REQUESTED OF B/E:

The Board is requested to approve the correction to the Board approval on October 24, 2018, for the Lease Agreement with Tooney Town Early Learning Center, Inc., (Tenant), for the rental of a portion of the property known as the Cecil Kirk Multi-Purpose Center 909 E. $22^{\rm nd}$ Street consisting of approximately 4,293 square feet.

AMOUNT OF MONEY AND SOURCE:

Original Renewal Term

<u>Year</u>	Monthly	Annual
1	\$1,860.39	\$20,324.71
2	\$1,736.70	\$20,840.35
3	\$1,992.90	\$21,569.77
	Corrected Renewal Term	
1	\$1,860.39	\$22,324.71
2	\$1,925.51	\$23,106.07
3	\$1,992.90	\$23,914.79

BACKGROUND/EXPLANATION:

On October 24, 2018, the Board approved the Lease Agreement for the period of July 11, 2018 through July 10, 2021 with the option to renew for one 3-year period. The amounts submitted for the renewal term were incorrect. The Board is requested to approve the corrected renewal term amounts listed above, which were agreed to in the Lease Agreement dated October 24, 2018.

BOARD OF ESTIMATES 04/03/2019 MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved the correction to the Board approval on October 24, 2018, for the Lease Agreement with Tooney Town Early Learning Center, Inc., for the rental of a portion of the property known as the Cecil Kirk Multi-Purpose Center 909 E. 22nd Street consisting of approximately 4,293 square feet. The correction was made to amounts for the renewal term as listed above and agreed to in the Lease Agreement dated October 24, 2018.

<u>Baltimore Development Corporation</u> - First Amendment to Wharfage License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to Wharfage License Agreement with Living Classrooms Foundation, Inc., Licensee.

AMOUNT OF MONEY AND SOURCE:

(\$481,000.00)

BACKGROUND/EXPLANATION:

On April 12, 2017, the Baltimore Development Corporation entered into a Wharfage License Agreement with Living Classrooms Foundation, Inc. for the two docks immediately to the east and west of the World Trade Center. The privately owned dock to the east of the World Trade Center was in disrepair and not operational at the time. In accordance with the original agreement, the Licensee has replaced that dock.

The city-owned dock to the west of the World Trade Center is now in a similar state of disrepair and in need of replacement. The Licensee, at its sole expense, has agreed to replace the dock as agreed in the Wharfage License Agreement. Following the replacement of the dock, and the submission of a full cost accounting, certified as true and correct by the Licensee's Chief Financial Officer, the City will credit the cost of the replacement against the Licensee's rent payments, as agreed to in the Wharfage Agreement until the cost is fully amortized.

MBE/WBE PARTICIPATION:

The Licensee will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the Minority and Business Women's Enterprise goals established in the original agreement.

04/03/2019

Baltimore Development Corporation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Wharfage License Agreement with Living Classrooms Foundation, Inc., Licensee. The Mayor ABSTAINED.

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

* * * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

1658 - 1661

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.

EXTRA WORK ORDERS

Contract Prev. Apprvd. Time %

Awd. Amt. Extra Work Contractor Ext. Compl.

Department of Public Works/Office of Engineering and Construction

1. EWO #005, \$114,118.00 - WC 1173R, Guilford Finished Water

Reservoir Improvements

554 444 777 00 \$ 231 630 00 Allan Myers MD -

\$54,444,777.00 \$ 231,630.00 Allan Myers MD, Inc.

The Office of Engineering & Construction would like to schedule additional load test for the auger Pressure Grouted Pile. The geotechnical investigation performed during the followed the industry standard for water storage tanks. However, further investigation by the Contractor during installation of the caissons for the tanks, as required by the project specifications, has identified variable subsurface conditions existing at the site. The Contractor is claiming that these variable conditions will impact the estimated quantity for auger cast piles resulting in a significant potential cost overrun. This additional load test will provide additional data to re-evaluate pipe support foundation design. The goal is to determine the maximum pile capacity that can be obtained with variable subsurface conditions and increase the pile cap spacing to reduce the piles required for the pipe pile foundation. The final cost for the additional auger cast pile load test is \$114,118.00. The Consultant concurs with this test to determine the correct spacing requirement. The additional test could possibly reduce or eliminate overrun quantities of bid items 403 and 404 piping pile foundation.

The scope of the construction project includes construction phase engineering and inspection assistance services for the proposed improvements of two buried pre-stressed concrete tanks within the footprint of the existing reservoir at an

EXTRA WORK ORDERS

Contract Prev. Apprvd. Time %
Awd. Amt. Extra Work Contractor Ext. Compl.

Department of Public Works/Office of Engineering and Construction - cont'd

overflow elevation of 353 feet above mean sea level. This project will help bring the City into compliance with EPA standards and gain the water quality benefits included with a covered water reservoir. The Certificate of Completion form will not be completed until a scheduled time after final payment and final completion has been given by the Agency.

MBE/WBE PARTICIPATION:

The Contractor will comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE and WBE goals established in the original agreement which are MBE: 17% and WBE: 5. The WBE goals are deficient by 1.7% as there is work that has not been completed such as trucking and final restoration to be performed at the end of the project.

2. EWO #001, \$ 0.00 - SDC 7771, Drainage Repairs and Improvements at Various Locations \$ 4,442,755.00 - R.E. Harrington 1 39.69 Plumbing & Heating year Co., Inc.

The Office of Engineering and Construction is requesting a 365 day non-compensable time extension to complete various urgent tasks to replace and rehabilitate storm drains, including manholes and inlets, to improve the City storm drain at various locations of the City.

EXTRA WORK ORDERS

Contract Prev. Apprvd. Time %

Awd. Amt. Extra Work Contractor Ext. Compl.

Department of Public Works/Office

of Engineering and Construction - cont'd

The scope of the construction project includes closed circuit television inspection including videotaping before and after improvement, construction of storm drains of various lengths, diameter, and depth, construction of storm drain manholes and inlets and any storm drain appurtenance, clean storm drain pipes, repair and clean damaged storm drain structures, construction of sidewalks, curb and gutter etc.

MBE/WBE PARTICIPATION:

The Contractor will comply with Article 5, Subtitle 28 of the Baltimore City Code. The MBE and WBE goals assigned to the original agreement are MBE: 12.00% and WBE: 2.00%.

3. TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
\$100,000.00 (Revenue Bonds)	9958-904099-9522 Small Storm Drains & Inlet Repair	9958-907102-9520-6 (Construction)

The transfer of funds will cover costs of SDC 7771, Drainage Repairs and Improvements at Various Locations.

EXTRA WORK ORDERS

Contract Prev. Apprvd. Time %
Awd. Amt. Extra Work Contractor Ext. Compl.

Department of Transportation/ Engineering and Construction

4. EWO #001, \$ 288,942.44 - TR 01041R, Replacement of Edmondson Avenue Bridge \$40,338,000.00 - Tutor Perini - 35 Corporation

This extra work order will authorize additional items that are needed for the Edmondson Avenue Bridge project which consist of a proposed City Duct bank; maintenance of traffic attenuator repair; added railroad terrorism endorsement; removal of additional concrete and encountered obstruction during Stage 2B; and lowering and transiting; and additional coordinated support of excavation stability analysis.

The project includes the replacement of the Edmondson Avenue Bridge crossing CSXT, Gwynns Falls and Gwynns Falls Trail. The Contractor will demolish the existing bridge to the limits in the plans and construct the proposed bridge using staged construction. In addition, milling, resurfacing, base repair, pedestrian ramps, sidewalk, utility relocation, and landscaping within the limits of the Project are included. New signing and pavement markings will also be installed under this Project.

The DBE goal is 18%.

An Engineer's Certificate of Completion of Work has not been issued.

04/03/2019

MINUTES

Mayor's Office of Human Services - Agreements

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

1. MARIAN HOUSE, INC.

\$ 91,476.00

Account: 4000-407018-3571-758341-603051

Marian House, Inc. will utilize the funds to provide support services including case management and substance abuse treatment to 24 homeless households. The funds will also be utilized to cover utility costs related to the house of the clients. The period of the agreement is March 1, 2019 through February 29, 2020.

MWBOO GRANTED A WAIVER.

2. **PROJECT PLASE, INC.**

\$1,714,954.00

Account: 4000-407018-3571-756801-603051

Project PLASE, Inc. will provide rental assistance and support services to at least 103 formerly homeless households. This program makes market rate housing available to homeless citizens whose income is extremely low at entry. The period of the agreement is April 1, 2019 through March 31, 2020.

MWBOO GRANTED A WAIVER.

The agreements are late because of a delay in announcement of the Continuum of Care grant award.

APPROVED FOR FUNDS BY FINANCE

BOARD OF ESTIMATES 04/03/2019

MINUTES

Mayor's Office of Human Services - cont'd

AUDITS REVIEWED AND HAD NO OBJECTION.

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

TRANSFERS OF FUNDS

* * * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

1665 - 1668

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

04/03/2019

MINUTES

TRANSFERS OF FUNDS

	AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
Depa	rtment of Transporta	tion	
1.	\$ 50,000.00 State Constr. Revenue	9950-956002-9515 Constr. Res. Resurfacing JOC - Urgent Needs	Resurfacing JOC -
	expenses and other		rints and preliminary cessary to advertise t Needs.
2.	\$ 24,000.00 Fed	9950-925008-9528 Constr. Res. Belair Road Reconstruction	
	6,000.00 GF (HUR)	11 11 11	
	\$ 30,000.00		9950-929004-9508 Belair Rd. Complete Sts.

This transfer will cover the costs of prints and other related costs necessary to advertise Project TR 15307, Belair Road Streetscape from Cook Avenue to LaSalle Avenue (Belair Road & Frankford Avenue Node Improvements).

04/03/2019

MINUTES

TRANSFERS OF FUNDS

AMOUNT FROM ACCOUNT/S TO ACCOUNT/S

Department of Transportation - cont'd

3. \$ 24,000.00 9950-927009-9528
Fed Waverly - Greenmount

6,000.00 " " "

GF (HUR)

\$ 30,000.00 ------ 9950-903188-9527 29th - Greenmount

This transfer will cover the costs of prints and other related costs necessary to advertise Project TR 14302, Greenmount Avenue Streetscape from $29^{\rm th}$ Street to $43^{\rm rd}$ Street.

Baltimore Development Corporation

4. \$ 27,255.00 9910-994001-9600 9910-916086-9601 20th Economic Constr. Res. Janney Park Development Fund (Unallocated Reserve)

As part of the economic development expansion project for Pompeian, Inc. located at 140 N. Janney Street, this transfer of funds will allow the Department of Transportation (DOT) to close the roadbed property located at 4201 E. Fairmount Avenue for development as a replacement park. The former roadbed abuts the Loading Dock Property and as a condition of the road closing, the City agreed to widen the entrance to its property for better truck access. The DOT will perform both the construction and striping of the entrance.

AMOUNT		FROM ACCOUNT/S		TO ACCOUNT	
Baltimore	Development	Corporation			

5. \$2,500,000.00 9910-913092-9600 9910-914092-9601
Casino Area Constr. Res. City Animal Care
Local Impact (City Animal Facility
Aid Care Facility)

This transfer of funds will allow for the construction of a new City Animal Care Facility in the Cherry Hill community.

Department of Public Works

6.	\$ (Re	25,000.00 evenue Bond)	9960-936001-9558 (Montebello WFP 1 & 2 Filter Control Panel)		1
	(Cc	25,000.00 ounty Revenue)	"	11	
	\$	50,000.00			9960-922984-9557-3 (Design)

The transfer will cover the costs of advertisement for WC 1397, Montebello WFP 1 & 2 Filter Control Panel.

7.	\$ 43,000.00 (Revenue Bond)	9960-904689-9558 (Urgent Needs Water Infrastructure Repair)	
	7,000.00 (County Revenue)	" "	
	\$ 50,000.00		9960-909982-9557-3 (Design)

TRANSFERS OF FUNDS

AMOUNT FROM ACCOUNT/S TO ACCOUNT/S

Department of Public Works - cont'd

The transfer will cover the costs of advertisement for WC 1402, Urgent Needs Water Infrastructure Rehabilitation and Improvements - Phase I - FY 2020.

8. \$ 25,000.00 9960-903733-9558 (Revenue Bond) (Sedimentation Basin Improv. Mon.)

25,000.00 " "

(County Revenue) \$ 50,000.00 -----9960-924983-9557-3 (Design)

The transfer will cover the costs of advertisement for WC 1396, Montebello WFP 2 Structural Rehab to Sedimentation.

Department of Law - 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 the negligence lawsuit made by Monica Booker-Brooks against the Mayor and City Council.

AMOUNT OF MONEY AND SOURCE:

\$185,000.00 - 2071-000000-5531-398600-603070

BACKGROUND/EXPLANATION:

The Plaintiff alleges that on July 15, 2015, at approximately 11:50 p.m., she fell through an unsecured water meter vault lid in front of 3630 Elmley Avenue. The Plaintiff sustained multiple fractures of her left foot that required three surgeries including a midfoot fusion, which left her permanently impaired. She incurred \$101,025.00 in medical expenses. The Plaintiff lost 23 months of wages totaling \$84,550.00.

As a result of the incident, the Plaintiff sought damages in excess of the \$200,000.00 cap then in effect. In light of the legal issues and injuries suffered by the Plaintiff, and to avoid the risks and expenses of further litigation and trial, the parties propose to settle this matter for the total sum of \$185,000.00 in return for the dismissal of all claims by all parties to the litigation and the execution of a general release from any potential further liability.

Based on a review by the Law Department's Settlement Committee on February 19, 2019, of the legal and factual issues specific to this particular claim, this recommendation to the Board of Estimates is made to approve the settlement of this claim.

APPROVED FOR FUNDS BY FINANCE

BOARD OF ESTIMATES 04/03/2019

MINUTES

Department of Law - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement and Release of the negligence lawsuit made by Monica Booker-Brooks against the Mayor and City Council.

OPTIONS/CONDEMNATION/QUICK-TAKES:

Owner(s) Property Interest Amount

Department of Housing and Community Development (DHCD) - Option

1. Eutaw Place, LLC, 2746 Tivoly Ave. G/R \$ 880.00 \$ 96.00

Funds are available in account no. 9910-904326-9588-900000-704040, CHM Project.

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

Department of Law - Payment of Jury Verdict

2. SD-5 Corporation 1127 W. Saratoga L/H \$3,240.00 Street

On November 15, 2017, the Board approved the acquisition of the leasehold interest in 1127 W. Saratoga Street for \$3,760.00. The price was determined by the higher of two independent appraisals. The owner provided a report appraising the property interest at \$16,500.00, testified at trial to a property value of \$25,000.00 and asked the jury to award an additional \$14,481.00 to cover the City liens a total of \$39,481.26. The jury determined the fair market value of the property to be \$7,000.00. Therefore, the Board is requested to approve an additional \$3,240.00 (\$7,000.00 less the previous approval amount of \$3,760.00) in settlement of this case.

Funds are available in account no. 9910-914135-9588-900000-704040, Poppleton Project area.

OPTIONS/CONDEMNATION/QUICK-TAKES:

Owner(s) Property Interest Amount

Department of Law - Payment of Jury Verdict

3. 400 Business 1129 W. Saratoga L/H \$3,220.00 Trust Street

On November 15, 2017, the Board approved the acquisition of the leasehold interest in 1129 W. Saratoga Street for \$3,780.00. The price was determined by the higher of two independent appraisals. The owner provided a report appraising the property interest at \$16,000.00, testified at trial to a property value of \$25,000.00, and asked the jury to award an additional \$11,693.42 to cover the City liens a total of \$36,393.42. The jury determined the fair market value of the property to be \$7,000.00. Therefore, the Board is requested to approve an additional \$3,220.00 (\$7,000.00 less the previous approval amount of \$3,780.00).

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing Option and Payment of Jury Verdict.

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

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

1. BALTIMORE OFFICE OF PROMOTION AND THE ARTS, INC. (BOPA)

\$ 52,326.00

Account: 2089-208919-5930-423230-603051

Under this agreement, BOPA will utilize the funds to provide funding for the Bright StARTS Workshops for Children program. The program will provide free art instruction to youth ages 3 - 21 with workshops in such areas as visual, literacy and performing arts during out-of-school hours and the summer. Workshops are conducted through established after-school programs, pre-school programs and community-based youth programs throughout Baltimore City. The period of the agreement is July 1, 2018 through June 30, 2019.

FOR FY 2019, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$0.00.

MWBOO GRANTED A WAIVER.

2. MORGAN STATE UNIVERSITY (MSU)

\$ 43,000.00

Account: 2089-208919-5930-434380-603051

The purpose of this agreement is to support MSU's Institute for Urban Research (IUR), Community Development Resource Center (CDRC). The IUR/CDRC will prepare two special reports for the neighborhoods of Greater Mondawmin and Highlandtown, that will contain administrative data and up-to-date statistics that will provide in-depth analysis, as well as identify challenges and opportunities that confront the

DHCD - cont'd

selected neighborhoods. The IUR/CDRC will conduct two half-day seminars for Baltimore City communities covering topics that will assist in community development efforts. The period of the agreement is January 1, 2019 through December 31, 2019.

3. REBUILDING TOGETHER BALTIMORE, INC. \$ 66,500.00

Account: 2089-208919-5930-431155-603051

Rebuilding Together Baltimore, Inc. will utilize the funds to fund the Rebuilding Day Program. The funds will be used to repair the housing of low- moderate-income owner-occupied households that reside in a targeted neighborhood within the City that were chosen through a competitive application process. Funds will also be used for referrals from the Upgrades to Benefit Seniors program and the DHCD Division of Homeownership and Housing Preservation to provide urgent and critical home repairs for low- and moderate-income owner occupants that reside in Baltimore City. Priority will be given to homeowners who are elderly, disabled and families with children. The period of the agreement is October 1, 2018 through September 30, 2019.

FOR FY 2019, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$317,500.00.

MBE: \$85,725.00

WBE: \$31,750.00

BOARD OF ESTIMATES

MINUTES

DHCD - cont'd

On August 8, 2018, 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 2018 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 effective July 1, 2018 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 Block Grant Agreements.

04/03/2019

MINUTES

Department of General Services - Correction to Board Memo

ACTION REQUESTED OF B/E:

The Board is requested to approve a correction to Amendment No. 1 with EBA Engineering, Inc. for Project No. 1219, On-Call Engineering Services.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On March 1, 2017, the Board approved Amendment No. 1 to On-Call Agreement. The Board memo erroneously listed a \$2,000,000.00 upset limit in the Background/Explanation. The Department of General Services is now requesting the Board's approval to correct the Board memo upset limit to \$1,000.000.00.

The Amendment No. 1 extended the period of the Agreement to April 14, 2019.

MBE/WBE PARTICIPATION:

The Consultant will comply with the MBE goal of 27% and WBE goal of 10% established in the original agreement.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the correction to the upset limit to \$1,000,000.00 for Amendment No. 1 with EBA Engineering, Inc. for Project No. 1219, On-Call Engineering Services.

<u>Department of General Services</u> - Amendment No. 2 to On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Amendment No. 2 to Agreement (Agreement No. 2) with EBA Engineering, Inc., for Project No. 1219, On-Call Engineering Services. The Amendment No. 2 will extend the period of the agreement through April 14, 2021.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On April 15, 2015, the Board approved the original agreement for a two year period with an upset amount of \$1,000,000.00. On March 1, 2017 the Board approved Amendment No. 1 to extend the original agreement for a two-year period through April 14, 2019. This Amendment No. 2 will extend the Agreement for another two (2) years for a total of six (6) years and will allow EBA Engineering, Inc. to continue and complete ongoing services contracted within the original agreement as amended, and any additional tasks which may be identified.

MBE/WBE PARTICIPATION:

The Consultant will comply with the MBE goal of 27% and the WBE goal of 10% established in the original agreement.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 2 to Agreement with EBA Engineering, Inc., for Project No. 1219, On-Call Engineering Services.

Department of General Services - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 011 to Gant Brunnett Architecture, Inc., under Project No. 1218, Park Heights/Pimlico Library Design. The period of the services under Task No. 011 is approximately 1 year.

AMOUNT OF MONEY AND SOURCE:

\$485,154.66 - 9936-954010-9457-900000-703032

BACKGROUND/EXPLANATION:

Under this task, Gant Brunnett Architecture, Inc. will provide design, bid assistance, and post award services for a new library in the Park Heights/Pimlico area.

MBE/WBE PARTICIPATION:

		Total	\$65,297.53	13.46%
	A Squared Plus		21,221.12	4.38%
WBE:	Carroll Engineering		\$44,076.41	9.08%
MBE:	Johnson Consultants		\$86,826.85	17.09%

THIS EAR WAS APPROVED BY MWBOO ON FEBRUARY 26, 2019.

THE TRANSFER OF FUNDS FOR THIS ITEM WAS APPROVED BY THE BOARD OF ESTIMATES ON FEBRUARY 27, 2019.

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

Department of General Services - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 011 to Gant Brunnett Architecture, Inc., under Project No. 1218, Park Heights/Pimlico Library Design. The President ABSTAINED.

Department of Transportation - Minor Privilege Permit Application

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.

	LOCATION	APPLICANT	PRIVILEGE/SIZE
1.	1322 N. Milton Avenue	Raymondo Zaquen	Vestibule 8' x 3.6'
	\$ 406.09 - Annual cl	narge	
2.	801 N. Broadway	Madison Street Properties, Inc.	
	\$ 70.00 - Annual cl	narge	
3.	215 E. Federal Street	Bell Foundry Holdings 1, LLC	Canopy 24'5" x 5'6"
	\$ 281.40 - Annual cl	narge	
4.	1225 S. Ellwood Avenue	Mayor and City Council	Service connection one duct @ 85 linear ft.
	\$ 297.50 - Annual cl	narge	
5.	769 Washington Boulevard	Erika Lipitz	One flat sign 4' x 2.2'
	\$ 52.80 - Flat char	rge	

Department of Transportation - cont'd

	LOCATION	APPLICANT	PRIVILEGE/SIZE
6.	1450 Light Street LLC	A & W Real Estate,	One bracket sign 7' x 1.70'
	\$ 158.60 - Flat charge		
7.	116 Schroeder Street	Ella Mae Inman	ADA ramp 7' x 6'
	\$ 70.40 Flat charge		
8.	2200 Boone Street Academy	Mother Seton	ADA ramp 25' x 2'4"
	\$ 158.60 - Flat charge		
9.	115 Market Street	AREP Candler, LLC	Two single face Electric signs 37 sf. each
	\$1,554.00 - Flat charge		
10.	949 Fell Street LP	1001 Fell Street,	One bracket sign 6' x 2'
	\$ 158.60 - Flat charge		
11.	1206 W. Baltimore Street	Brian Lim	One flat sign 22' x 4'
	\$ 369.90 - Flat charge		

BOARD OF ESTIMATES 04/03/2019

MINUTES

Department of Transportation - cont'd

	LOCATION	APPLICANT	PRIVILEGE/SIZE
12.	2401 W. Baltimore Street	Bon Secours Hospital Baltimore, Inc.	One single face electric sign 25 sq. ft.
	\$ 397.50 - Flat charge		
13.	3201 Belair Road	SVV 2, LLC	Awning w/signage 66 sq. ft.
	\$ 415.80 - Flat charge		
14.	3205 Belair Road	KLM Group, LLC	One flat sign 27.5 sq. ft.
	\$ 38.50 - Flat cha	rge	

There being no objections, the Board, UPON MOTION duly made and seconded, approved the foregoing Minor Privilege Permits.

Department of Transportation - Developer's Agreement No. 1496A

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Developer's Agreement No. 1496A with DMS Ponca, LLC, Developer.

AMOUNT OF MONEY AND SOURCE:

\$54,640.00

BACKGROUND/EXPLANATION:

DMA Ponca, LLC desires to maintain traffic and road improvements for the new WAWA - gasoline and convenience store located at 4901 Boston Street. This Developer's Agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

An Irrevocable Letter of Credit in the amount of \$54,640.00 has been issued to DMS Ponca, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of Developer's Agreement No. 1496A with DMS Ponca, LLC, Developer.

Department of Transportation - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve a Memorandum of Understanding (MOU) with the Department of Transportation, Baltimore County, Maryland and the Maryland Department of Transportation, State Highway Administration in connection with replacement of the Bridge No. BC-6507, Phoenix Road over Gunpowder Falls. The period of the Memorandum of Understanding is effective upon execution by all parties and will continue through the completion of the project.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The purpose of this MOU is to establish a framework for the roles and responsibilities for replacement of Bridge No. BC-6507, constructed in 1922, located within the limits of the Loch Raven Reservoir in Baltimore County which is part of the municipal water system and as further described in the 1972 City/County Water Agreement and incorporated in the MOU.

The City has owned and maintained the Bridge since the original construction and has determined that the Bridge is functionally and structurally obsolete. The Bridge is no longer economically feasible to maintain as a structure for regular use by vehicular traffic.

Permanent interruption of the east-west link provided by Phoenix Road across the Gunpowder Falls and Torrey C. Brown Rail Trail would cause a severe disruption to the local residents. The City and Baltimore County desire to maintain a safe and efficient crossing at this location.

The funding for the Project is to be provided by both the City and Baltimore County in accordance with the 1972 City/County Water Agreement. Baltimore County seeks the use of its designated federal

MINUTES

Department of Transportation - cont'd

bridge funds through FAST-ACT (FEDERAL FUNDS) for both the Baltimore County's and the City's portions of the construction costs of the Project.

Baltimore County's Federal Funds will cover 80% of the total construction costs including inspection services and the remaining 20% of the funding will be paid by the City and Baltimore County in accordance with the City/County Water Agreement.

The City will seek reimbursement directly from the MDOT SHA and the MDOT SHA will pay the City directly from Baltimore County's Federal Funds.

This Project has not been advertised for procurement at this time; therefore, no dollar amount has been determined.

MBE/WBE PARTICIPATION:

As this MOU is to establish the framework for the roles and responsibilities for the subject project and the future procurement, as a result, the funding will be considered for minority participation.

UPON MOTION duly made and seconded, the Board approved the Memorandum of Understanding with the Department of Transportation, Baltimore County, Maryland and the Maryland Department of Transportation, State Highway Administration in connection with replacement of the Bridge No. BC-6507, Phoenix Road over Gunpowder Falls.

Department of Transportation - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Agreement with the Maryland Department of Transportation, Maryland Transit Administration in connection with the development of a Working Plan for the design, acquisition, and installation of electronic bus information signs for the Charm City Circulator (CCC) and BaltimoreLink services.

The period of the Grant Agreement will commence on the date it is fully executed by the parties and will terminate when all payment of the grant have been made or on January 31, 2022, whichever is sooner.

AMOUNT OF MONEY AND SOURCE:

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$50,000.00 - 5000-580819-2303-248700-405001 - State Revenue

12,500.00 - 6000-617420-2303-248700-603026 - Matching Funds

$62,500.00 - Total
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BACKGROUND/EXPLANATION:

The Maryland Department of Transportation, Maryland Transit Administration has granted \$50,000.00 to the Department for the Real-Time Signage Information and Maintenance Plan in which the matching funds commitment from the City is \$12,500.00. The project consists of the development of an implementation plan for electronic bus information signs in the downtown area of Baltimore City.

The project's scope of work will include, but is not limited to: identify and prioritize bus stops served by multiple operators for electronic signage; conduct intergovernmental coordination meetings; development of program and equipment requirements; draft agreements; prepare FTA compliant procurement documents; prepare quarterly status reports and final reports, as requested by the Department; and monitoring and supervising the compliance of all provisions in this Agreement.

Department of Transportation - cont'd

Invoices/requests for reimbursement submitted by the grantee after the grant termination date will be identified as disallowed cost and not processed for payment by the Department. At its discretion, the Department may elect to extend the term of the Grant by up to six months.

MBE/WBE PARTICIPATION:

As this Grant Agreement is to establish the frame work for roles and responsibilities for the subject project and the future procurement, as a result, the funding will be considered for minority participation.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the Maryland Department of Transportation, Maryland Transit Administration in connection with the development of a Working Plan for the design, acquisition, and installation of electronic bus information signs for the Charm City Circulator and BaltimoreLink services.

Department of Transportation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve an Agreement Regarding the Reconstruction of the Sisson Street Bridge with CSX Transportation, Inc. (CSXT). The period of the Agreement is effective upon Board approval and ends when CSXT has entered into a Permanent Easement and Quit Claim Deed.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 9, 2011, the Board approved a Design Engineering Agreement for the Sisson Street Bridge for design engineering and reconstruction of the bridge to permit vehicular traffic to pass on Sisson Street over CSXT's railroad tracks.

This Agreement is for the construction portion of the Sisson Street Bridge Replacement Project between CSXT and the City. The Agreement lays out the roles and responsibilities and funding allocations for construction as follows: 75% CSXT and 25% City. The Agreement also establishes procedures for the City to take ownership of the newly constructed bridge. The Sisson Street Bridge will be reconstructed in a cost-effective and environmentally sound manner consistent with Federal and State requirements through the cooperative efforts of CSXT and the City.

This Agreement will commence upon Board of Estimates approval and will be effective upon the later of the date of the last signature to this Agreement or the enactment of the Baltimore City Ordinance as set forth in Section 20 of the submitted Agreement.

BOARD OF ESTIMATES 04/03/2019
MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved the Agreement Regarding the Reconstruction of the Sisson Street Bridge with CSX Transportation, Inc.

Department of Transportation - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a License Agreement with Eastern Coach, Inc., a Maryland Corporation, Licensee, for the use of a portion of the street right-of-way of Ponca Street to be used for a bus stop for the Eastern Shuttle. The period of the License Agreement will be five years upon Board approval.

AMOUNT OF MONEY AND SOURCE:

\$6,000.00 - Annual License Fee

BACKGROUND/EXPLANATION:

The Licensee, Eastern Coach, Inc., is a company which operates a shuttle bus, which has stops in Baltimore, Rockville, Washington, D.C., Richmond and New York. In an effort to become more efficient for their customers, Eastern Coach, Inc. has asked the Mayor and City Council for permission to move their current bus stop along the 1400 block of Ponca at the intersection with Boston Street, to the 400 block of Ponca Street at the intersection with Eastern Avenue.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the License Agreement with Eastern Coach, Inc., a Maryland Corporation, Licensee, for the use of a portion of the street right-of-way of Ponca Street to be used for a bus stop for the Eastern Shuttle.

Employees' Retirement System - Subscription Agreement

ACTION REQUESTED OF B/E:

The Board is requested by the Board of Trustees of the Employees' Retirement System (ERS) to approve a Subscription Agreement for its investment in BIG Real Estate Fund I, L.P.

AMOUNT OF MONEY AND SOURCE:

\$20,000,000.00 - approximately of ERS funds

No General Fund monies are involved in this transaction.

BACKGROUND/EXPLANATION:

The Basis Investment Group, LLC will be managing an initial investment of \$20,000,000.00 of ERS funds in BIG Real Estate Fund I, L.P., a commercial real estate debt private equity fund.

The ERS Board of Trustees conducted a search for an investment manager and, as a result of that search, it selected Basis Investment Group, LLC, a minority and women-owned commercial real estate debt private equity fund manager, to accept an initial investment of \$20,000,000.00 to be placed with BIG Real Estate Fund I, L.P.

The search and selection process was conducted with the assistance and advice of the ERS' investment advisor, Marquette Associates.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the Subscription Agreement for its investment in BIG Real Estate Fund I, L.P. The Comptroller **ABSTAINED**.

MINUTES

Health Department - Agreements and Ratification of Agreements

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

1. BALTIMORE MEDICAL SYSTEM, INC. (BMS)

\$ 150,000.00

Account: 5000-511819-3080-294500-603051

The BMS will serve as a community hub to provide or refer parenting youth to evidence-based case management, group-based interventions, and related social-support programs. The project is an expansion on current support for expectant and parenting youth. The period of the agreement is July 1, 2018 through June 30, 2019.

MWBOO GRANTED A WAIVER.

2. ROBERTA'S HOUSE, INC.

\$ 14,000.00

Account: 4000-483519-3080-294600-603051

Roberta's House, Inc. provides vulnerable youth and their families programming to process, cope and recover from losses. They provide support for families so they can move from grieving to growing through education on unresolved grief, identifying adult, and peer support in addition to referrals to clinical or therapeutic interventions if the need is identified. The funds will be utilized to facilitate a 10-week family support group session located within the West Baltimore community. The period of the agreement is October 1, 2018 through September 30, 2019.

The agreements are late because of a delay in the administrative review process.

MINUTES

Health Department - cont'd

3. BALTIMORE POLICE DEPARTMENT, COMMUNITY \$ 34,500.00 COLLABORATION DIVISION

Account: 1001-000000-3160-795900-603051

The Baltimore Police Department, Community Collaboration Division's Chaplaincy program will provide community-based, trauma focused treatment and support services for young males of color, between the ages of 14-24, who are survivors of violence, in the Community Statistical Area of Madison/East End. The period of the agreement is October 1, 2018 through September 30, 2020.

The agreement is late because budget revisions delayed processing.

4. BEHAVIORAL HEALTH SYSTEM BALTIMORE \$ 60,000.00 INC.

Account: 5000-569719-3023-273395-603051

The Behavioral Health System will contract with Integrative Counseling Services to provide the Sexuality and Gender Training Program to behavioral health providers that serve residents of Baltimore City. The consultant will provide training and technical assistance to build provider's capacity to serve people of all genders and sexual orientations in a culturally competent and affirming manner.

The agreement is late because of the Department of Health and Mental Hygiene Office of Prevention and Health Promotion Administration programmatically manages HIV/AIDS State Special Services. The providers are 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 is required to comply with grant requirements.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

RATIFICATION OF AGREEMENTS

5. THE JOHNS HOPKINS UNIVERSITY

\$ 901,448.00

Account: 4000-499018-3023-513200-603051

The JHU's Center for Child Health Research (CCHR) assists the Department by updating the community viral load maps, using the most up-to-date available surveillance data from the City and State Health Departments.

The CCHR assists in evaluating the Department's response to the syphilis outbreak in as real-time as possible, providing information from other similar efforts as well as an assessment document describing positives and opportunities for improvement in the outbreak control efforts.

MWBOO GRANTED A WAIVER.

6. THE JOHNS HOPKINS UNIVERSITY

\$ 60,188.00

Account: 4000-427718-3023-599622-603051

The Johns Hopkins University School of Medicine will provide medical case management services in the Department's Early Intervention (EII) Program Clinics. The program prevents the spread of HIV and sexually transmitted diseases through the comprehensive health services. The services will be performed by nurse case managers, who are experienced and trained to provide HIV medical case management. This includes biopsychosocial assessments, care plan development, adherence counseling, and follow up of identified needs.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

The agreements are late because budget revisions delayed 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 agreements, and ratified the foregoing agreements. The Mayor **ABSTAINED** on items 5 and 6. The Comptroller **ABSTAINED** on item no. 2.

MINUTES

Department of Recreation and Parks - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 15 to Murphy & Dittenhafer, Inc. under program No. 1234, On-Call Architectural Design Services. The period of the Task Assignment is approximately 12 months.

AMOUNT OF MONEY AND SOURCE:

\$37,172.70 - 9938-907075-9474-900000-703032

BACKGROUND/EXPLANATION:

This task will include Construction Administration design services for the Comfort Station in Druid Hill Park.

MBE/WBE PARTICIPATION:

MWBOO SET GOALS OF 20% FOR MBE AND 10% FOR WBE.

MBE: 26.52%

WBE: 19.88%

THIS EAR WAS APPROVED BY MWBOO ON 3/21/2019.

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

Department of Recreation and Parks - cont'd

TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
\$34,000.00	9938-906075-9475	9938-907075-9474
1 st Parks &	Park Building	Park Building
Public	Renovations	Renovations
Facilities	(Reserve)	(Active)

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1234, Task No. 15 to Murphy & Dittenhafer, Inc.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 15 to Murphy & Dittenhafer, Inc. under program No. 1234, On-Call Architectural 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.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Procurement

1. METROPOLITAN PROTECTIVE

SERVICE, INC. \$1,000,000.00 Renewal Contract No. B50004352 - Armed Security Guard - Departments of General Services, Health, Public Works, etc. - P.O. No. P534694

On March 2, 2016, the Board approved the initial award in the amount of \$150,000.00. The award contained five 1-year renewal options. Subsequent actions have been approved and two renewal options have been exercised. This third renewal in the amount of \$1,000,000.00 is for the period March 2, 2019 through March 1, 2020, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On October 26, 2015, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

2. INTERDYNAMICS CORPORATION \$ 50,000.00 Increase
Contract No. 06000 - Psychological Professional Services for
Baltimore Police Department - Baltimore Police Department P.O. No. P544686

On August 13, 2018, the City Purchasing Agent approved the initial award in the amount of \$25,000.00. On October 3, 2018, the Board approved an increase in the amount of \$50,000.00. On January 30, 2019, the Board approved an increase in the amount of \$24,000.00. This increase in the amount of \$50,000.00 is necessary for the continuation of services from the vendor during the remainder of the fiscal year. This increase will make the award amount \$149,000.00. The funding expires on June 20, 2019. The above amount is the City's estimated requirement.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

MBE/WBE PARTICIPATION:

On August 17, 2018, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

3. GRAYBAR ELECTRIC COMPANY,
INC.
PRODUCT DISTRIBUTION
COMPANIES, INC.
IDEAL ELECTRICAL SUPPLY
CORPORATION

\$7,000,000.00

Increase

Contract No. B50003818 - Electrical Supplies - Citywide - P.O. Nos. P529433, P529434, and P529435

On November 19, 2014, the Board approved the initial award in the amount of \$2,652,300.00. The award contained one renewal option. Subsequent actions have been approved. This increase in the amount of \$7,000,000.00 is necessary to allow for immediate orders to support the B'More Bright Project and additional funding for the remainder of the contract term. This increase will make the award amount \$14,677,900.00. The contract expires on November 18, 2019, with no remaining renewal options. The above amount is the City's estimated requirement.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

MBE/WBE PARTICIPATION:

On October 15, 2014, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

4. ROBERT HALF INTERNATIONAL \$ 300,000.00 Increase and INC. 300,000.00 Extension \$ 600,000.00

Contract No. TS06-17-Professional Staffing Services - Baltimore City Information Technology, Departments of General Services, Housing and Community Development, Finance - P.O. No. P543767

On May 16, 2018, the Board approved the initial award in the amount of \$500,000.00. On October 1, 2018, the City Purchasing Agent approved an increase in the amount of \$25,000.00. On October 17, 2018, the Board approved an increase and extension in the amount of \$500,000.00. The Houston-Galveston Area Council of Governments cooperative has awarded the referenced contract for professional staffing services through a competitive process. This contract is necessary in order to have certain professionals immediately available to agencies for urgent projects for which the position requirements are not on a current staffing contract. This increase and extension will allow for completion of some projects and additional support for others, including but not limited to the City's ERP project. This increase in the amount of \$300,000.00 and extension in the amount of \$300,000.00 will make the award amount \$1,625,000.00. The contract expires

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

May 1, 2019. The period of the extension is May 1, 2019 through August 30, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On May 7, 2018, MWBOO determined that no goals would be set because of no opportunity to segment the contract. MBE/WBE businesses were contacted directly for resumes.

MWBOO GRANTED A WAIVER.

5. DUFF SIGNS, INC. \$ 34,589.00 Selected Source
Contract No. 06000 - Community Gateway Signs for the South
Baltimore Neighborhood - Department of Transportation - Req.
No. R813482

The South Baltimore Neighborhood Association contacted the Vendor for neighborhood gateway sign design work utilizing Casino Complete Streets funding, which work was completed. The Vendor was selected by the neighborhood association to complete the installation, in order to avoid duplication of effort. This is a one-time purchase.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practicable 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.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Procurement - cont'd

MBE/WBE PARTICIPATION:

Not applicable. This one-time procurement is below the subcontracting threshold.

6. LEXISNEXIS RISK SOLUTIONS,

FL, INC. \$ 26,801.91 Sole Source Contract No. 08000 - DeskOfficer Online Reporting System (DORS) License Subscription - Baltimore Police Department - Req. No. R819739

The Vendor is the software manufacturer and sole authorized source for the DORS information software, which collects incident reports and community reports to make this information readily accessible to both law enforcement and the community served. The period of the award is December 1, 2018 through November 30, 2020.

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

MBE/WBE PARTICIPATION:

Not applicable. This meets the requirement for certification as a sole source procurement. This proprietary software is only available from the manufacturer and is not available from subcontractors.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

7. CENTRAL POLY CORP. \$ 70,000.00 Extension Contract No. B50003274 - Polyethylene Liners - Recreation and Parks, etc. - P.O. No. P526839

On April 2, 2014, the Board approved the initial award in the amount of \$258,420.00. The award contained two renewal options. Subsequent actions have been approved and both renewals have been exercised. This extension is necessary to continue polyethylene liners services for all of Baltimore City agencies while a new Solicitation B50005749 is advertised, reviewed, and awarded. The Bids are due on May 15, 2019. The contract expires on April 1, 2019. The period of the extension is April 2, 2019 through September 2, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On October 7, 2013, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

8. VALLEY CHEVROLET, LLC, t/a AUTONATION CHEVROLET

TIMONIUM \$ 500,000.00 Extension
Contract No. B50003375 - O.E.M. Parts and Service for General
Motors Vehicles - Department of General Services - Fleet
Management - P.O. No. P526746

On March 26, 2014, the Board approved the initial award in the amount of \$4,000,000.00. The award contained two renewal

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

options. Subsequent actions have been approved and both renewals have been exercised. An extension is necessary to continue to source OEM Parts and Service for General Motors vehicles for Fleet Management while a new Solicitation B50005687 is awarded. Bids are due on March 27, 2019. The contract expires on March 31, 2019. The period of the extension is April 1, 2019 through September 6, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On January 24, 2018, MWBOO determined that no goals would be set because of no opportunity to segment the contract. There are no certified MBE's or WBE's who are authorized General Motors parts or service providers.

MWBOO GRANTED A WAIVER.

9. GENLYTE THOMAS LLC., HADCO, A PHILLIPS GROUP

BRAND \$6,300,000.00 Extension Contract No. B50003071 - Decorative Street Light Fixtures and Poles - Department of Transportation - P.O. No. P525014

On September 11, 2013, the Board approved the initial award in the amount of \$1,998,095.00. The award contained two renewal options. Subsequent actions have been approved and both renewal options have been exercised. An increase is necessary to allow the agency to place immediate equipment orders for the B'More Bright Program. An extension is necessary to place orders for current demands while a new Solicitation B50005589 is awarded. Bids are due on April 24, 2019. The contract expires on March 31, 2019. The period of the extension is April 1, 2019 through December 31, 2019. The above amount is the City's estimated requirement.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Procurement - cont'd

MBE/WBE PARTICIPATION:

On August 24, 2013, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

10. FIRST CALL

SECURITY EQUIPMENT CO.

SECOND CALL

TURF EQUIPMENT AND SUPPLY COMPANY, INC.

\$ 0.00 Extension Contract No. B50003397 - OEM Parts and Services for Toro Equipment - Department of General Services, Fleet - P.O. Nos. P526887 and P528564

On April 9, 2014, the Board approved the initial award in the amount of \$1,000,000.00. The award contained two renewal options. Subsequent actions have been approved and both renewals have been exercised. An extension is necessary to continue OEM Parts and Service for Toro Equipment for Fleet Management while a new Solicitation B50005744 is awarded. Bids are due on April 24, 2019. The contract expires on April 8, 2019. The period of the extension is April 9, 2019 through September 6, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On February 5, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract, as there

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

are currently no certified MBEs or WBEs who are authorized Toro Lawnmower Equipment's parts or service dealers.

MWBOO GRANTED A WAIVER.

11. LYTX, INC. \$ 0.00 Purchase Agreement Contract No. 08000 - Maintenance, Service, Repairs, Supplies and Equipment for Drive Cam System - Baltimore City Fire Department - Req. No. N/A

The Board is requested to approve and authorize execution of a Purchase Agreement with Lytx, Inc. The period of the Purchase Agreement is July 1, 2018 through June 30, 2021.

On August 29, 2018, the Board awarded Contract No. 08000 - Maintenance, Service, Repairs, Supplies, and Equipment for Drive Cam System for Baltimore City Fire Department in the amount of \$187,465.20.

MBE/WBE PARTICIPATION:

Not applicable. This meets the requirement for certification as a sole source procurement.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

12. PNC BANK
NATIONAL ASSOCIATION

Resolutions for Extensions of Credit and Incumbency Certificate

Contract No. B50000757 - Small Purchases Procurement Card Services - Finance Department - P.O. No. P508321

N/A

The Board is requested to approve and authorize execution of the Resolutions for Extensions of Credit and Incumbency Certificate with PNC Bank, National Association. The current contract expires on June 30, 2019 with no renewal option remaining.

On June 3, 2009, the Board approved the initial award of B50000757, Small Purchase Procurement Card Services to PNC Bank, National Association.

The Board is requested to approve the Amendment to Visa Purchasing Card Agreement and Resolution to increase the City's monthly credit limit from \$500,000.00 to \$750,000.00. This increase will ensure that there is available credit spending on small miscellaneous purchases, especially during the summer months when the City's spending spikes.

MBE/WBE PARTICIPATION:

On June 27, 2008, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD BASIS

Bureau of Procurement - cont'd

13. N. HARRIS COMPUTER CORPORATION d/b/a SYSTEMS INNOVATORS

Agreement, Software
License Agreement,
Software
Implementation
Services Agreement,
Support and
Maintenance
Agreement

\$ N/A

Contract No. B50005181 - Point of Sale (Cashiering) Software System - Finance Department - Revenue - Req. No. N/A

The Board is requested to approve and authorize execution of: 1.) an Agreement, 2.) Software License Agreement, 3.) Software Implementation Services Agreement, and 4.) Support and Maintenance Agreement with N. Harris Computer Corporation d/b/a Systems Innovators. The period of the agreement is effective upon Board approval for five years, with an option to renew for two 2-year terms.

On October 3, 2018, the Board awarded Contract No. B50005181 Point of Sale (Cashiering) Software System for the Bureau of Revenue Collections in the amount of \$620,131.00.

MWBOO GRANTED A WAIVER.

BOARD OF ESTIMATES 04/03/2019 MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Procurement - cont'd

UPON MOTION duly made and seconded, the Board approved the foregoing Informal Awards, Renewals, Increases to Contracts and Extensions. The Board further approved the Purchase Agreement with LYTX, Inc. (item no. 11), the Resolutions for Extensions of Credit and Incumbency Certificate with PNC Bank National Association (item no. 12) and the Agreement, Software License Agreement, Software Implementation Services Agreement, Support and Maintenance Agreement with N. Harris Computer Corporation d/b/a Systems Innovators (item no. 13).

Mayor's Office of Criminal Justice - First Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to the Agreement (First Amendment) with Associated Catholic Charities, Inc. (ACC).

AMOUNT OF MONEY AND SOURCE:

\$39,771.00 - 5000-511019-2255-702300-603051

BACKGROUND/EXPLANATION:

On February 13, 2019, the Board approved the original agreement for the period February 13, 2019 through June 30, 2019, with the ACC in the amount of \$271,253.00, to expand the Safe Streets Baltimore (SSB) in the City's Brooklyn community. On July 11, 2018, the Board approved the agreement with the ACC in the amount of \$825,084.00 to continue to implement the SSB in the Sandtown-Winchester community.

The ACC is now managing two SSB sites in Baltimore City. As such, the ACC has created a new position within the organization, the SSB Coordinator, to oversee both sites.

This First Amendment will provide an additional \$39,771.00 to fund the SSB Coordinator position. The First Amendment will be for the SSB in Brooklyn Agreement, which increases the contract from \$271,253.00 to \$311,024.00 for the duration of the agreement, which remains unchanged. All other terms and conditions of the original agreement remain unchanged.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

Mayor's Office of Criminal Justice - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to the Agreement with Associated Catholic Charities, Inc.

Department of Recreation and Parks - Donation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Donation Agreement with The Conservation Fund, a Nonprofit Corporation (Donor), and Santos Construction Company, Inc. The period of the agreement is effective upon Board approval and will end upon final acceptance of the Project by the City, unless earlier terminated pursuant to the terms contained in the Donation Agreement.

AMOUNT OF MONEY AND SOURCE:

\$123,757.00 - Conservation Fund Donation of Improvements Value- No City Funds will be expended.

BACKGROUND/EXPLANATION:

The Conservation Fund would like to make a donation to the Department of Recreation and Parks to include the installation of new sidewalks/walking paths, benches, trash cans and a bollard at Garrett Park located at 3560 Third Street, Baltimore Maryland 21225 in the Brooklyn Neighborhood. The Donor has purchased park equipment and fixtures from All Recreation of Virginia, Inc. (Vendor) and has hired Santos Construction Company, Inc. (Contractor) to transport and install the park equipment and fixtures in the performance of this project. The total estimated value of the donation of improvements by the Donor includes delivery and installation performed by the Contractor in addition to the purchase of the equipment and fixture from the Vendor.

The Contractor's performance and payment bonds are also submitted for approval by the Board.

AUDITS REVIEWED AND HAD NO OBJECTION.

Department of Recreation and Parks - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Donation Agreement with The Conservation Fund, a Nonprofit Corporation and Santos Construction Company, Inc.

<u>Bureau of Procurement</u> - Authorization for Master Lease Financing for Vehicle Procurement

ACTION REQUESTED OF B/E:

The Board is requested to authorize the Department of Finance to seek Master Lease financing for the purchase of vehicles, to be awarded to vendors in separate solicitations with subsequent Board approval as required.

AMOUNT OF MONEY AND SOURCE:

\$23,970,000.00 - City's Master Lease

The total cost will be financed through the City's Master Lease Program administered by the Bureau of Treasury Management.

BACKGROUND/EXPLANATION:

On March 13, 2013, the Board approved the City's use of a Master Lease vehicle financing approach, as part of the City's 10-Year Financial Plan. The second round of financing under this plan was approved on April 2, 2014, the third round was approved on June 17, 2015, the fourth round of financing was approved on June 29, 2016, the fifth round was approved on April 26, 2017, and the sixth round was approved on April 4, 2018. This is the seventh request of such financing. The awards for provision of specific vehicles have already received Board approval, or approval will be sought as required. This request for Board approval authorizes the financing of the future purchase of the following vehicles by gross vehicular weight (GVW) class.

C Vacas Esperado Esperado	Vehicle Count	Estimated Costs
6-Year Tranche Total	212	\$4,372,963.00
<8,500 GVW	141	\$3,123,655.00
8,501 - 10,000 GVW	14	578 , 115.00
10,001 - 14,000 GVW	35	313,860.00
Specialty Equipment	22	357 , 333.00

Bureau of Procurement - cont'd

	Vehicle Count	Estimated Costs
10-Year Tranche Total	81	\$19,597,037.00
10,001 - 14,000 GVW	4	255,140.00
14,001 - 16,000 GVW	3	349,299.00
16,001 - 19,500 GVW	1	141,745.00
19,501 - 26,000 GVW	1	127,570.00
26,001 - 33,000 GVW	17	2,992,744.00
>33,000 GVW	45	13,762,314.00
Special Equipment	_10	1,968,225.00
Total Financing	293	\$23,970,000.00
Amount		

MBE/WBE PARTICIPATION:

Not applicable. Financing and procurement of vehicles awarded under separate Board actions.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board authorized the Department of Finance to seek Master Lease financing for the purchase of vehicles, to be awarded to vendors in separate solicitations with subsequent Board approval as required.

BOARD OF ESTIMATES

MINUTES

PERSONNEL MATTER

* * * * * *

UPON MOTION duly made and seconded,

the Board approved

the Personnel matter

listed on the following page:

1717

The Personnel matter has been approved by the EXPENDITURE CONTROL COMMITTEE.

BOARD OF ESTIMATES

MINUTES

04/03/2019

PERSONNEL

Mayor's Office

1. Create the following position:

Classification: Operations Director I

Job Code: 00093

Grade: 967 (\$103,624.00 - \$170,834.00)

Position No: To be assigned by BBMR

Cost: \$178,397.00 - 1001-000000-1250-775500-601001

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * * * *

On the recommendations of the City agencies

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

1719 - 1721

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.

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation

1. TR 16302, West North
Avenue & Pennsylvania
LLC
Avenue Intersection
Improvements: N. Carey
Street to Woodbrook
Avenue

	Total	\$221,246.05	19.00
	Acorn Supply & Distributing, Inc	38,640.61	3.32%
	Hammerhead Trucking, LLC	39,944.94	3.43%
	Empire Landscape, LLC	30,046.05	2.58%
DBE:	Priority Construction Corp.	\$112 , 614.45	9.67%

2. TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
\$1,071,409.45	9950-924080-9513 FED Construction Res Traffic Traffic Safety Improvements Citywide	
267,852.36 State Constr. Revenue \$1,339,261.81	" " "	

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation - cont'd

TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
\$1,164,575.49		9950-910100-9512-6
116,457.55		Structure & Improvements 9950-910100-9512-5
58,228.77		Inspection 9950-910100-9512-2
\$1,339,261.81		Contingencies W. North Avenue
		at Pennsylvania

The transfer will fund the costs of the award of Project TR 16302, West North Avenue & Pennsylvania Avenue Inter-section Improvements: N. Carey Street to Woodbrook Avenue, with Civil Construction, LLC.

Bureau of Procurement

3. B50005557, Furnish 1 Stop Electronics \$ 71,307.00 and Deliver Washers Center, Inc. and Dryers

(Baltimore City Fire Dept.)

On November 5, 2018, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

04/03/2019

\$19,803,470.00

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Procurement - cont'd

4.

B50005591, Light C. N. Robinson
Emitting Diodes Lighting Supply
(LED) Fixtures Company d/b/a

and Parts C.N.R. Lighting Supply

Company

(Dept. of Transportation)

On November 1, 2018, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

5. B50005638, Trail Tennant Sales \$ 239,404.38 Sweeper and Service Company

(Dept. of General Services,
Fleet Management)

On April 12, 2018, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is a vehicle purchase from an authorized dealer who is required to provide associated pre-delivery inspection and warranty repairs.

MWBOO GRANTED A WAIVER.

<u>Bureau of Procurement</u> - Acceptance of Technical Proposal and Opening of Price Proposal

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Technical Proposal for B50005249, Diversity and Labor Compliance System(s) from Ask Reply, Inc. d/b/a B2Gnow, and open their package containing their price proposal. Their Technical Proposal was found responsive, and they achieved the minimum technical score required.

The Board is further requested to deem non-responsive and reject the Technical Proposal from Early Morning Software (EMS) from any further considerations for evaluation, and that their cost proposal be returned to them.

AMOUNT OF MONEY AND SOURCE:

N/A (No award is recommended at this time.)

BACKGROUND/EXPLANATION:

On March 28, 2018, the Board conducted the public bid opening of proposals submitted in response to Solicitation B50005249. The two technical proposals received were opened and reviewed. The Board's initial review yielded that the EMS submission was non-responsive as it did not conform to section SW12 Bid Guarantee, subparagraph A, as no bid bond or certified check was included in the technical proposal. On March 29, 2018, the Office of the Comptroller notified EMS that its proposal was determined by the Board to be non-responsive, and that the proposal should be retrieved or subject to destruction. On July 16, 2018, EMS hand delivered a protest letter, to the Deputy Comptroller and the Board, stating the aforementioned section of the solicitation was complied with; however, the bid bond was placed in Envelope B, the Cost Proposal submission, rather than Envelope A, Technical Proposal, as required.

Bureau of Procurement - cont'd

On October 24, 2018, after hearing and considering the protest, the Board decided to allow the evaluation of EMS's Technical Proposal. The Bureau of Procurement complied with the decision of the Board. The preliminary review for the basic responsiveness of the Technical Proposal submitted by EMS was completed. During the review it was discovered that the proposer did not submit the signed and properly completed Bid Affidavit, as required by the Solicitation.

A PROTEST WAS RECEIVED FROM EARLY MORNING SOFTWARE, INC.

<u>President</u>: "The first item on the non-routine agenda can be found on page ah -- 61, 62 Bureau of Procurement accept -- Acceptance of Technical Proposal and Opening of Price Proposal. Will the parties please come forward?"

Ms. Erin Sher Smyth. Bureau of Procurement: "Good morning. Mr. Mayor, Madam President, Madam Comptroller, Honorable members of the Board, Erin Sher Smyth, Bureau of Procurement. This morning I am recommending that the Board deny the protest submitted by Early Morning Software and accept the Technical and open the Price Proposal submitted by AskReply in response to B500052 sorry 5249, Diversity and Labor Tracking Software. Early Morning Software's prior protest requested that the Board direct the Bureau of Procurement to evaluate the Technical Proposal despite the fact that the price proposal was already retrieved and opened. The Board did so direct the Bureau and the Bureau evaluated the proposal for basic responsiveness, which is during -- always during the initial part of the review. At that time it was determined that the proposal was non-responsive because it lacked the signed bid affidavit. Despite the misstatements in the proposal that this is

regularly accepted by the Bureau of Procurement it has never been accepted to my knowledge and I would like the Law Department to speak on that as well."

Michael Schrock: "Good Morning, Honorable members of the Board of Estimates I'm Michael Schrock with the Law Department. Um -- Early Morning Software did not submit the bid affidavit with its Bid submission. And in the bid affidavit, ah -- an authorized official signs that ah -- basically acknowledging that they are going to comply with all the specifications of the solicit -- solicitation. Also there is ah -- certification done to the penalties of perjury to such things as ah -- lack of collusion in the bid process and also that there are no convictions of ah -- bribery or that would be disclosed so that was not included in the bid submission. Historically, when that is not included in the bid submission, ah -- the bid is been considered non-responsive and rejected, and for these reasons the Law Department con -- concurs with the recommendation of the Purchasing Agent ah -- to reject EMS's bid." President: "Any questions? Thank you. I will entertain the motion."

Ms. Donna Stevenson: "I would like to address the Board."

President: "I'm sorry, go ahead."

Ms. Donna Stevenson: "No problem. Good morning."

President: "Good morning."

Ms. Donna Stevenson: "Um -- Honorable Mayor, um -- Madam President, Madam Comptroller and the other members ah -- of the Board of Estimates. I'm Donna Stevenson and I am the President of Early Morning Software. And have been a um -- stalwart vendor and partner with the City of Baltimore for over 25 years. Um -- when the Board of Estimates in October requested ah -- that the Bureau of Purchases go back and review our Technical Proposal it was the um - the intent, my understanding was for you all to evaluate the content of our proposal not necessarily again, seeking to find additional irregularities. Um -- of p -- possibly things that don't you know may require signatures. Ah -- and so it is our request, that um -- you have the Bureau of Purchases ah -- not making ess- essentially what would be a sole source award to ah -- AskReply and have them to actually create a competitive process, evaluate the Technical Proposal that was submitted um -- in -- in

a timely manner, as well as the um -- pricing proposal that did get submitted in a timely manner along with the required bid bond. Um -- and that it be ah -- evaluated such that the City has a competitive process. Um -- further ah -- I want you to be aware of that the AskReply Company um -- is routinely offered favor of this sort um -- through sole source contracts or even just ah -- blatant um -- discriminatory practices. I experienced this throughout the country and I certainly don't want the City of Baltimore to continue ah -- those -- that pattern of conduct as um -- which would be the -- the case here by allowing their proposals ah -- to be ah -- continued ah -- the pricing proposal to be open. I also want to bring ah -- to the Board's attention ah -- that by not evaluating our proposal, the City will forego an opportunity ah -- to leverage the ah -- the return on investment that it has made in the PRISM product that helps the City with its workforce program on a daily basis and has done so successfully. It would also eliminate its participation um -- in economic clu -- inclusion collaboration, where other counties like Baltimore County, WSSC fairly competed and we ah -- successfully won ah -- opportunities

ah -- for PRISM to be the economic and inclusion solution um ah -- for them. And so, I -- I'm urge you to um -- consider our
Technical Proposal um -- not I should say consider throwing this
solicitation uh -- out altogether and having it re-competed in -in a fair manner. Ah -- I want to just introduce my ah -- employee
um -- you want to just introduce yourself Judith?"

Ms. Judith DeVastey: "Good morning um -- honorable members of the Board of Estimates my name is Judith DeVastey. I've worked with um -- Early Morning Software for four years."

Ms. Stevenson: "And so our employees rely on our um -jurisdictions much like the City of Baltimore to ensure that we
have an opportunity to compete, because we're not afforded um -like ah -- AskReply is, the ability to get Sole Source contracts
90% at a time and therefore, our employees rely on Boards like
yourselves to make sure that we can be treated fairly and without
prejudice. Ah -- further um -- if it is the Board of uh -- Bureau
of Purchases intent ah -- to handle these sorts of irregularities
in the manner in which they are, I want to make sure that going

forward that this practice is consistent, and that is um -- the essential thing, is that you know the Bureau of Purchases is going to administer their practices consistently and I can show examples ah -- in the past where they have not consistently and they have allowed irregularities. They've allowed clarification from other vendors to occur in the procurement process which is why we feel the current situation is prejudiced against us um -- and it should not be. And therefore, if um -- Madam Sher would um -- you know open that pricing proposal if there's one signature missing from an MBE, if there one document missing, if there anything -- even the bid bond was required in the price proposal if that's missing she would have to throw those procurements out and if that's the kind of business ah -- climate that the City is promoting, that's what this determination that you make today would be stating. So, I don't think that's the kind of ah -- procurement process and climate that the City of Baltimore wants to promote. Um -- I compete across the country all the time, and there -- you are allowed to make clarifications um -- and make um -- ah -- not material changes to your proposal, but you know where there are

anomalies you're allowed to fix those and that's all were asking here and the ah -- Purchasing Agent has not um -- ah -- forgave given and given -- ah -- us due process."

Comptroller: "I have a question?"

President: "Madam Comptroller."

Comptroller: "You said that AskReply has been shown favoritism?
-- You said that AskReply has been shown favoritism by the Bureau
of Purchasing?"

Ms. Stevenson: "I -- I believe so, yes madam."

Comptroller: "Oh you, okay"

Ms. Stevenson: "Because she um -- in my conversations with her, she stated that ah -- I prevented her from awarding this proposal in the last solicitation to the most favored and most technical vendor and she can't make that determination. She doesn't know our industry. I just competed for nine months with the Commonwealth of Pennsylvania with B2G Now, which is AskReply. And we -- we are the successful winner of that proposal. So after a nine month rigorous evaluation, we're the prevailing winner. So when we have to compete and were able to compete, we usually win. It's not in

the these types of which -- situations were a procurement agent actually tells me that she's decided that it -- that they had the most technically favorable -- she's already shown her bias in that consideration."

Ms. Erin Sher Smyth: "Ah -- may I respond. I wanted to point out that despite the statements that this would be sole source. This is the second time that AskReply has submitted a proposal in response to competitive bid, and the -- the prior time they were considered by an evaluation committee on which I never ah -- sit to be the technically superior proposal and that is the standard process. And in this case while um -- the protestant has mentioned that minor irregularities are often cured or waived. This is not the case with an affidavit. It has never been considered a minor irregularity, and to be consistent, this protest must be denied. So, this is a competitive process we have gone through twice and I am urging you to open the Price Proposal of AskReply so we can move forward. The using agencies who are tasked with compliance in the City have asked me, have urged me to move this forward. They desperately need a solution that will allow them to hold

vendors accountable for wage, for MBE/WBE, local hiring violations and this is the best way forward. This is a competitive process and though Early Morning Software has actually been the beneficiary of a sole source in the past, this was a competitive process. We are asking that the Board deny the protest and accept the Technical Proposal of AskReply and open their bid price. Thank you."

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

City Solicitor: 'Madam President, um -- I think the record is clear that this is not at all a sole source process that this is a competitive process. It's been prolonged and while um -- Ms. Stevenson's complaints are -- are -- are sincere ah -- I move that the recommendation of Procurement um -- informed by the analysis of the Law Department be adopted that the protest be denied and that Procurement's recommendation and request be approved."

Comptroller: "I second."

President: "All those in favor say Aye all opposed Nay. The Motion
carries."

* * * * * *

Department of Public Works/Office - Agreement of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement with C.C. Johnson & Malhotra, P.C. (CCJM) and Rummel, Klepper & Kahl, LLP (RK&K) Joint Venture under 1282, SC 927 Project and Construction Management Assistance for Electrical Distribution System Reliability Improvements. The period of the agreement is effective upon Board approval for sixty months or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

- \$ 2,249,999.27 Baltimore City 2,249,999.27 - Baltimore County
- 4,499,998.54

BACKGROUND/EXPLANATION:

The Office of Engineering & Construction is requesting approval of Project No. 1282 Agreement for CCJM/RK&K, J.V. to provide construction management service during the construction of SC 927 Electrical Distribution System Reliability Improvements at the Back River Wastewater Treatment Plant.

THE SCOPE OF THE ORIGINAL AGREEMENT INCLUDES: The Consultant will provide construction management services during the construction of SC 927-Electrical Distribution System Reliability Improvements at the Back River Wastewater Treatment Plant. The services to be provided include: assisting the city with construction monitoring and inspection, preparation of the daily reports, maintenance of project records and documentation, review and processing of contractor's application for payment, Request for Information (RFI), Proposed Change Orders (PCOs), and shop drawing submittals; attendance at progress meetings and preparing meeting minutes, attend periodic coordination meetings with the contractors, BGE

Department of Public Works/Office - cont'd of Engineering and Construction

and other ongoing construction projects, conduct quality control and quality assurance, maintain health and safety compliance, and maintain construction as built records. In addition, the Consultant will provide a qualified inspector to inspect ductbanks, cables, electrical equipment, and electrical equipment connectivity, transfer of power and shutdown, integration of power monitoring metering and protection system. The Consultant will also assist the City in preparing and monitoring the progress of punch list items, assist in the initial startup and commissioning phase of electrical main/sub stations, and resolving project claims filed by the Contractor. The Consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission to provide these construction management services.

MBE/WBE PARTICIPATION:

The Consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE and WBE goals assigned to the original Agreement are MBE: 29% and WBE: 10%.

MBE:	DM Enterprises of Baltimore, LLC	\$	404,999.50	9%
	Jackson and Tull Chartered Engineers		449,999.91	10%
	Kumi Construction Management Corporation		449,999.95	10%
	TOTAL	\$1	L,304,999.36	29%
WBE:	Albrecht Engineering, Inc.	\$	450,000.00	10%

APPROVED FOR FUNDS BY FINANCE

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

Department of Public Works/Office - cont'd of Engineering and Construction

TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
\$2,429,999.46 (Revenue Bond)	9956-908692-9549 Electrical Systems Upgrade	
\$2,429,999.46 (County Revenue) \$4,859,998.92	" " "	9956-917337-9551-3 (CMA)

This transfer will cover costs for SC 927, Project and Construction Management Assistance for Electrical Distribution System Reliability Improvements at the Back River Wastewater Treatment Plant.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with C.C. Johnson & Malhotra, P.C. and Rummel, Klepper & Kahl, LLP Joint Venture under 1282, SC 927 Project and Construction Management Assistance for Electrical Distribution System Reliability Improvements. The transfer of funds was approved SUBJECT to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the Provisions of the City Charter.

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MINUTES

TRAVEL REQUESTS

	<u>Name</u>	To Attend	Fund Source	<u>Am</u>	<u>ount</u>
Balt	imore Police Depar	rtment			
1.	Thomas Ryan	Underwater Explosives Post Blast Investigati Stillwater, MN June 2 - 9, 2019 (Reg. Fee \$0.00)	lons	\$	0.00
	This event is be UHDT.	ing paid for by the Na	tional	Capital	Region
2.	Thomas Ryan	Maritime Operations for Bomb Technicians Charleston, SC June 9 - 15, 2019 (Reg. Fee \$0.00)		\$	0.00
	This event is be FBI.	ing paid for by the Na	tional	Capital	Region

3. Thomas Ryan FBI HDS Recertification \$ 0.00 Course Huntsville, AL April 7 - 13, 2019 (Reg. Fee \$0.00)

This event is being paid for by the National Capital Region FBI.

TRAVEL REQUESTS

Fund

Name To Attend

Source Amount

Baltimore Police Department

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or involves one or both weekend days.

The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

4. Ikenna Ikpeama Death Investigation Asset \$2,007.68 Course Forfeiture

Houston, TX
April 28 - May 3, 2019
(Reg. Fee \$589.00)

The airfare and registration fees were paid using a Cityissued credit card assigned to Mr. Tribhuvan Thacker. Therefore, the disbursement amount to Mr. Ikpeama will be \$1,140.70.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

5. Nathan Ulmer Master Tactical \$2,480.00

Breacher Course

Sykesville, MD

May 6 - 17, 2019

(Reg. Fee \$2,480.00)

TRAVEL REQUESTS

Baltimore Police Department

Fund

Name To Attend

Source Amount

The registration fee in the amount of \$2,480.00 was prepaid using EA No. 000323168.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

6. William Chin Master Tactical

\$1,525.00

Breacher Course Sykesville, MD May 6 - 17, 2019 (Reg. Fee \$2,480.00)

The registration fee in the amount of \$1,525.00 was prepaid using EA No. 000323168.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

President's Office

7. Hosea T. Chew

Society for Human Resource Management Conference & Exposition Las Vegas, NV June 22 - 26, 2019 (Reg. Fee \$1,294.00) General \$2,646.73

Funds

TRAVEL REQUESTS

Fund

Name To Attend

Source

Amount

President's Office - cont'd

The subsistence rate for this location is \$163.00 per day. The hotel cost is \$139.00 per night plus a hotel room tax of \$18.60 per night, and a resort fee of \$25.00 per night. Therefore, the agency is requesting an additional \$16.00 per day for the cost of meals and incidental expenses.

The airfare, registration, and hotel costs were paid using a City issued credit card assigned to Mr. Hosea T. Chew. Therefore, the disbursement amount to Mr. Chew will be \$220.00.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

Employees' Retirement System (ERS)

8. Dorothy Bryant

National Conference Special on Public Employee Funds Retirement Systems (NCPERS)
Austin, TX
May 19 - 23, 2019
(Reg. Fee \$815.00)

Special \$2,707.16

TRAVEL REQUESTS

Fund

Name To Attend

Source

Amount

ERS - cont'd

The subsistence rate for this location is \$204.00. The hotel cost is \$267.00 per night, plus hotel taxes of \$40.05 per night. The ERS is requesting additional subsistence in the amount of \$40.00 per day for meals and incidentals. The early registration fee of \$815.00 was paid directly to NCPERS by ERS.

9. Antoinette Ryan- National Conference Special \$4,146.26 Johnson on Public Employee Funds

Retirement Systems (NCPERS)
Austin, TX
May 17 - 23, 2019

(Reg. Fee \$1,630.00)

The subsistence rate for this location is \$204.00. The hotel cost is \$267.00 per night, plus hotel taxes of \$40.05 per night. The ERS is requesting additional subsistence in the amount of \$40.00 per day for meals and incidentals. The early registration fee of \$1,630.00 was paid directly to NCPERS by ERS.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

Fund

TRAVEL REQUESTS

<u>Name</u>		To Attend	Source	Amount
<u>Mayo</u>	r's Office of Crim	ninal Justice		
10.	Ann Tindall	Supervised Visitation Network Conference New Orleans, LA May 29 - 31, 2019 (Reg. Fee \$375.00)	Federal Grant Funds	\$1,151.30

The subsistence rate for this location is \$232.00 per night. The hotel cost is \$159.00 per night, plus hotel taxes of \$24.17 per night, plus occupancy tax of \$2.00 per night. The airfare cost of \$199.96 and hotel cost of \$159.00 per night was prepaid on a City-issued procurement card assigned to Renee Newton. The registration fee in the amount of \$375.00 was prepaid using EA00032325. Therefore, Ms. Tindall will be disbursed \$206.00.

11.	Cherlye F	raling	Supervised Visitation	Federal	\$1,151.30
			Network Conference	Grant	
			New Orleans, LA	Funds	
			May 29 - 31, 2019		
			(Reg. Fee \$375.00)		

The subsistence rate for this location is \$232.00 per night. The hotel cost is \$159.00 per night, plus hotel taxes of \$24.17 per night, plus occupancy tax of \$2.00 per night.

The airfare cost of \$199.96 and hotel cost of \$159.00 per night was prepaid on a City-issued procurement card assigned to Renee Newton. The registration fee in the amount of \$375.00 for each attendee was prepaid using EA00032325. Therefore, Ms. Fraling will be disbursed \$206.00.

TRAVEL REQUESTS

	<u>Name</u>	To Attend	Fund Source	Amount
Mayo	r's Office of Crir	ninal Justice - cont'd		
12.	Wendy Lee	Supervised Visitation Network Conference New Orleans, LA May 29 - 31, 2019 (Reg. Fee \$375.00)	Federal Grant Funds	\$1,150.30

The subsistence rate for this location is \$232.00 per night. The hotel cost is \$159.00 per night, plus hotel taxes of \$24.17 per night, plus occupancy tax of \$2.00 per night. The airfare cost of \$199.96 and hotel cost of \$159.00 per night was prepaid on a City-issued procurement card assigned to Renee Newton. The registration fee in the amount of \$375.00 prepaid using EA00032325. Therefore, Ms. Lee will be disbursed \$206.00.

Department of Planning

13.	Austin C.	Davis	American Planning	General	\$1,060.30
			Association Nat'l	Funds	
			Planning Conference		
			San Francisco, CA		
			Apr. 11 - 16, 2019		
			(Reg. Fee \$393.00)		

The subsistence rate for this location is \$346.00 per night. Mr. Davis is not requesting subsistence for lodging as he will be staying with family.

\$1,974.57

MINUTES

TRAVEL REQUESTS

Fund

Internal

Service

Name To Attend Source Amount

Department of Planning - cont'd

Mr. Davis is requesting subsistence in the amount of \$40.00 per day for meals and incidentals. The airfare in the amount of \$407.30 and the registration in the amount of \$363.00 were prepaid on a City-issued procurement card assigned to Ms. Jaime Cramer. Therefore, Mr. Davis will be disbursed \$260.00.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

14. Rashard Barkley

Fundamentals of Risk Management Certification Course Fund Ocean City, MD Apr. 14 - 19, 2019

(Reg. Fee \$845.00)

The subsistence rate for this location is \$172.00 per night. The cost of the hotel is \$129.00 per night, plus hotel taxes of \$13.55 per day.

The registration fee in the amount of \$845.00 was prepaid by a City-issued credit card assigned to Mr. Douglas S. Kerr. Therefore, Mr. Barkley will be disbursed \$1,129.57.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

BOARD OF ESTIMATES 04/03/2019 MINUTES

TRAVEL REQUESTS

	Name		To Attend	Fund Source	Amount
Depai	rtment of	Finance	- cont'd		
15.	LaKeesha	Moore	Fundamentals of Risk Management Certification Course Ocean City, MD Apr. 14 - 19, 2019 (Reg. Fee \$845.00)	Internal Service Fund	\$1,974.57

The subsistence rate for this location is \$172.00 per night. The cost of the hotel is \$129.00 per night, plus hotel taxes of \$13.55 per day.

The registration fee in the amount of \$845.00 was prepaid by a City-issued credit card assigned to Mr. Douglas S. Kerr. Therefore, Ms. Moore will be disbursed \$1,129.57.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the City representative's absence will exceed five work days or it involves one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

The Board, UPON MOTION duly made and seconded, approved the Travel Requests. The Mayor **ABSTAINED** on item no. 7. The President **ABSTAINED** on items 7 and 8. The Comptroller **ABSTAINED** on items 8 and 9.

President: "As there is no more business before the Board we will
recess until bid opening at 12:00 noon. Thank you."

* * * * * *

Comptroller: "Good afternoon. 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 **THERE**WERE NO ADDENDA RECEIVED extending the dates for receipt and opening of bids. There were no objections.

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

Bureau of Procurement -B50005701, Description: Environmental Emergency Response Services

Miller Environmental Group
Petroleum Management, Inc.
Kalyani Environmental Solutions,
LLC.
Allstate Power Vac. d/b/a
ACV Enviro

Bureau of Procurement -B50005249, Diversity and Labor Compliance System(s) PRICE OPENING

Ask Reply, Inc. d/b/a B2Gnow

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There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next meeting on Tuesday, April 09, 2019 at 6:00 PM.

JOAN M. PRAT'