

MINUTES

REGULAR MEETING

Honorable Brandon M. Scott, President
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 - **ABSENT**
Dana P. Moore, Deputy City Solicitor
Matthew W. Garbark, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Good morning. The August 28, 2019 meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiencies of these hearings, persons who are disruptive to the hearing will be asked to leave the hearing room. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board Members attention to the Memorandum from my office dated August 26, 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."

MINUTES

Deputy City Solicitor: "Mr. President I move approval of all of the 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."

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MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

Citiroof Corporation	\$ 8,000,000.00
Gray & Son, Inc.	\$42,110,000.00
RN'G Construction, Inc.	\$ 1,500,000.00
Road Safety, LLC	\$ 1,500,000.00
Specialty Underwater Services, LLC	\$ 1,500,000.00
The Fireline Corporation	\$ 8,000,000.00
URETEK USA, Inc.	\$46,580,000.00

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:

Biohabitats, Inc.	Landscape Architect Engineer
Burdette, Koehler, Murphy and Associates, Inc.	Engineer
Charles P. Johnson & Associates, Inc.	Landscape Architect Engineer Land Survey
Corrpro Companies, Inc.	Engineer
Duffield Associates	Landscape Architect Engineer

MINUTES

BOARDS AND COMMISSIONS - cont'd

Froehling & Associates, Inc.	Engineer
Greenman-Pedersen, Inc.	Landscape Architect Engineer Land Survey Property Line Survey
Intreegue Design, Inc.	Landscape Architect
LSG Landscape Architecture, Inc.	Landscape Architect
Peer Consultants, P.C.	Engineer
Pure Technologies U.S. Inc.	Engineer
Sidhu Associates, Inc.	Engineer
The Traffic Group, Inc.	Engineer
WATEK Engineering Corporation	Engineer
Ziger/Snead, LLP	Architect

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

MINUTES

TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3848 - 3853

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Health Department</u>		
1. \$ 276,402.95	9926-962001-9313	9926-903337-9312
General Fund Revenue	Unallocated	Animal Shelter

The Department is utilizing a portion of its unallocated capital fund to serve as the City's contribution to the Baltimore Animal Control Shelter construction project.

Department of Housing and Community Development

2. \$1,000,000.00	9910-922012-9587	9910-910632-9588
General Funds	Whole Block (Reserve)	Whole Block Operational Cost

This transfer will move appropriations to support operational costs associated with the Whole Block acquisition, relocation, and demolition efforts.

3. \$ 400,000.00	9910-903975-9587	9910-905121-9588
General Funds	Capital Admin. (Reserve)	Capital Admin.

This transfer will move appropriations to support the administrative costs associated with the management of the capital budget.

4. \$1,000,000.00	9910-930004-9587	9910-905261-9588
3 rd Comm. & Eco. Dev. Bonds	Urgent Demolition (Reserve)	Urgent Demolition

This transfer will provide funds to support the Citywide Emergency Demolition Program for Fiscal Year 2020.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development - cont'd</u>		
5. \$ 370,000.00	9910-905259-9587	9910-904186-9588
Pimlico Local	Ambassador Comm.	Healthy
Impact Aid - VLT	Development	Neighborhood
	(Reserve)	Ambassador

This transfer will provide funds for the predevelopment activities with the Ambassador Theater located at 4604 Liberty Heights Avenue.

6. \$6,000,000.00	9910-924030-9587	
State Fund	CORE Whole/Half	
	Block Demo	
3,000,000.00	-----	9910-905143-9588
		CORE Whole Block
		and Half Block
		Demolition
3,000,000.00	-----	9910-905162-9588
		CORE Whole Block
		and Half Block
		Land Resources

This transfer will provide funding for the CORE Whole Block and Half Block Demolition for Fiscal Year 2020. These funds will be used for acquisition, relocation, and demolition costs associated with the CORE Program.

Department of Recreation and Parks

7. \$ 75,000.00	9938-923101-9475	9938-928012-9474
Federal	Park Facility	Citywide BCRP
	Assessment	System Plan
	(Reserve)	

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
This transfer will provide funds to cover the costs associated with public outreach, planning services, technical assistance in support of the 21 st Century Parks and Recreation System Project.		
<u>Baltimore Development Corporation</u>		
8. \$13,096.00	9910-914022-9600	9910-903355-9601
1 st Comm. EBF	Constr. Res.	W/S Historic
	WS Historic Prop.	Prop. Rehab.
	Stab.	
3,348.75	9910-994001-9600	9910-908102-9601
19 th EBF	Constr. Res.	S. Balto. Ind.
	Unallocated Res.	Coml. Dev.
6,688.11	9910-994001-9600	9910-908102-9601
21 st EBF	Constr. Res.	S. Balto. Ind.
	Unallocated Res.	Coml. Dev.
189.18	9910-906993-9600	9910-909460-9601
<u>24th EBF</u>	Constr. Res.	Inner Harbor
	Inner Harbor Area	

\$23,322.04

This transfer provided funds to reimburse Baltimore Development Corporation for eligible capital expenses for the months of February through May 31, 2019.

Department of Planning

9. \$50,000.00	9904-921021-9129	9904-922021-9127
1 st Comm. and Eco.	INSPIRE Plan	INSPIRE (Active)
Dev. Bonds	Implementation	
	(Reserve)	

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
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Department of Planning - cont'd

This transfer will fund improvements in communities around new 21st Century Schools, including greening and public art.

10. \$750,000.00	9904-921021-9129	9904-910023-9127
1 st Comm. and Eco. Dev. Bonds	INSPIRE Plan Implementation (Reserve)	INSPIRE (Active)

This transfer will fund sidewalk improvements around 21st Century Schools opening in the 2019-2020 school year, including Bay Brook Elementary/Middle School, John Ruhrah Elementary/Middle School and Calvin Rodwell Elementary/Middle School.

Baltimore City Office of Information Technology (BCIT)

11. \$300,000.00	9903-918039-9117	9903-919039-9116
3 rd Parks and Public Facilities	BCIT Data Ware- house Project	BCIT Data Ware- house Project

The transfer is requested for the May cyber-attack remediation and hardening of the environment.

12. \$1,500,00.00	9903-918040-9117	9903-919040-9116
3 rd Parks and Public Facilities	Disaster Recovery Implement	Disaster Recovery Implement

The transfer is for the May cyber-attack remediation and hardening of the environment.

13. \$2,700,000.00	9903-921042-9117	9903-922042-9116
3 rd Parks and Public Facilities	Cloud Hybrid Upgrade	Cloud Hybrid Upgrade

This transfer is for the May cyber-attack remediation and hardening of the environment.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BCIT</u> - cont'd		
14. \$1,000,000.00	9903-922038-9117	9903-923038-9116
3 rd Parks and Public Facilities	BCIT Email Upgrade	BCIT Email Upgrade

The City e-mail system was implemented on a six-year enterprise agreement contract, expiring November 2019. The current email system (Microsoft Exchange 2010) will no longer be supported. The transfer is for the e-mail upgrade.

15. \$ 300,000.00	9903-916041-9117	9903-917041-9116
3 rd Parks and Public Facilities	Network Cabling Wiring Upgrade	Network Cabling Wiring Upgrade

The transfer is for the May cyber-attack remediation and hardening of the environment.

16. \$ 200,000.00	9903-923032-9117	9903-924032-9116
3 rd Parks and Public Facilities	BCIT Fiber Project	BCIT Fiber Project

The transfer is for the May cyber-attack remediation and hardening of the environment.

17. \$ 250,000.00	9903-913046-9117	9903-915046-9116
3 rd Parks and Public Facilities	Data Center Fiber Divergence	Data Center Fiber Divergence

Ninety percent of City agency fibers coverage are at the Abel Wolman Building. This project will assess viability and diversify fiber to the primary data center at Tierpoint and will create fiber path diversity between data centers to create fiber data and voice resiliency for City agencies connected to the Abel Wolman Data Center only.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
Department of Public Works/Office of Engineering and Construction		
18. \$113,671.00	9960-909082-9558	9960-905096-9557-3
Water Utility	WC 1365 Berea WM	Design
Funds	Rehab. Various	

The transfer will cover the costs of advertisement for WC 1365 Berea WM Replacement and Rehabilitation Various Locations and clear DPW WC-1365.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development (DHCD) - Options</u>			
1. SRG Properties No. 1, LLC	2703 Fenwick Avenue	G/R \$90.00	\$ 825.00
2. Eutaw Place, LLC	2703 Hugo Avenue	G/R \$96.00	\$ 880.00
3. Madison Bank of Maryland	2711 Fenwick Avenue	G/R \$90.00	\$ 825.00
4. Bochtav Ventures, Inc.	2723 Hugo Avenue	G/R \$180.00	\$ 1,500.00
5. Tridack, LLC	2715 Fenwick Avenue	G/R \$56.00	\$ 514.00
6. Turf, LLC	2717 Fenwick Avenue	G/R \$90.00	\$ 825.00
7. Sambor Investments, LLC	2720 Hugo Avenue	G/R \$96.00	\$ 880.00
8. Ground Rents, LLC	2712 Hugo Avenue	G/R \$90.00	\$ 825.00
9. William A. Grant	2717 Hugo Avenue	G/R \$56.00	\$ 514.00

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

10. Jacqueline Dent	3109 Oakley Avenue	F/S	\$ 9,000.00
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Funds are available in account no. 9910-903183-9588-900000-
704040, Park Heights Major Redevelopment Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options - cont'd</u>			
11. Lion of Judah Praise Temple, Inc.	306 N. Schroeder Street	F/S	\$ 3,600.00
12. Lion of Judah Praise Temple, Inc.	308 N. Schroeder Street	F/S	\$ 3,000.00
13. Lion of Judah Praise Temple, Inc.	310 N. Schroeder Street	F/S	\$ 3,600.00
Funds are available in account no. 9910-914135-9588-900000-704040, Poppleton Project.			
14. Mid-Atlantic Funding Corporation	507 N. Mount Street	Sub-G/R \$140.00	\$ 533.00
Funds are available in account no. 9910-907079-9588-900000- 704040, future Harlem Park RFP.			
15. William Weintraub	1334 Mosher Street	G/R \$78.00	\$ 650.00
Funds are available in account no. 9910-905640-9588-900000- 704040, FY 17 CORE Demo Project.			
16. Marion I and Henry J. Knott Foundation, Inc.	4703 Homer Avenue	G/R \$96.00	\$ 880.00

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options - cont'd</u>			
Funds are available in account no. 9910-903183-9588-900000-704040, Park Heights Major Redevelopment Area Complete Project.			

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

Department of Housing and Community Development - Condemnations

17. Alvin Smith	3105 Oakley Avenue	F/S	\$ 4,800.00
18. Kim Summers	3111 Oakley Avenue	F/S	\$ 9,000.00

Funds are available in account no. 9910-903183-9588-900000-704040, FY17 CORE Demo Project.

19. James Edward Lucas	4706 Park Heights Avenue	G/R \$70.00	\$ 583.00
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Funds are available in account no. 9910-903183-9588-900000-704040, Park Heights Major Redevelopment Project.

20. John Maag and Phyllis Maag	2722 Hugo Avenue	G/R \$90.00	\$ 750.00
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Funds are available in account no. 9910-904326-9588-900000-704040, CHM Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations - cont'd</u>			
21. Bernard E. Terry and Ida M. Terry	4714 Park Heights Avenue	G/R \$96.00	\$ 640.00

Funds are available in account no. 9910-903183-9588-900000-704040, Park Heights Major Redevelopment Project.

DHCD - Condemnation or Redemption

22. Robert Todd and Dorothy Todd	4710 Park Heights Avenue	G/R \$96.00	\$ 640.00
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Funds are available in account no. 9910-903183-9588-900000-704040, Park Heights Major Redevelopment Project.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the option agreements, and the condemnations or redemption.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement for the sale of the City-owned property located at 531 N. Patterson Park Avenue to Ghassem Chatrchi, Developer.

AMOUNT OF MONEY AND SOURCE:

\$3,400.00 - purchase price

BACKGROUND/EXPLANATION:

The project will involve the complete rehabilitation of a vacant building for use as a single-family home to be rented at market rate. The property is located in the McElderry Park neighborhood.

The authority to sell the property is given under Baltimore City Code, Article 13, §2-7(h).

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

The property will be sold pursuant to the Appraisal Policy using the Waiver Valuation Process. The property was priced at \$4,700.00 using the Waiver Valuation process. The property will be sold for \$3,400.00 for the following reasons:

- specific benefit to the immediate area,
- the sale will help eliminate blight from the neighborhood, and
- the sale and rehabilitation will promote economic development through the placement of the properties on the City's tax rolls.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved the Land Disposition Agreement with Ghassem Chatrchi, Developer.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Side Yard Land Disposition Agreement (LDA) with Rodger Hatchett and Vanessa Hatchett, Purchasers, for the sale of the City-owned property located at 728 McCabe Avenue.

AMOUNT OF MONEY AND SOURCE:

\$533.00 - Purchase Price

\$400.00 - will be held in escrow

BACKGROUND/EXPLANATION:

The Purchasers will use private funds to pay for the acquisition and maintenance of the property.

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

The City has agreed to convey the property known as 728 McCabe Avenue to the Purchasers. As a condition of conveyance, the Purchasers have agreed to the terms of the Side Yard Land Disposition Agreement, which prohibits development of the parcel for a minimum of ten years.

The City may dispose of the property by virtue of the following legal authorities: Article 28, Subtitle 8 of the Baltimore City Code.

MINUTES

Department of Housing and - cont'd
Community Development

MBE/WBE PARTICIPATION:

The Developer will purchase this property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation. Therefore, Minority and Women's Business Enterprise participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Side Yard Land Disposition Agreement with Rodger Hatchett and Vanessa Hatchett, Purchasers, for the sale of the City-owned property located at 728 McCabe Avenue.

MINUTESMayor's Office of Homeless Services -Agreement

The Board is requested to approve and authorize execution of the Agreement with St. Vincent de Paul. The period of the agreement is April 1, 2019 through March 31, 2020.

AMOUNT OF MONEY AND SOURCE:

\$1,150,279.00 - 4000-407018-3571-757701-603051

BACKGROUND/EXPLANATION:

St. Vincent de Paul of Baltimore, Inc. will provide rental assistance and supportive services to 68 homeless households. The overarching goals of the Project include: increasing housing stability, skills and/or income, and enhancing self-determination.

The delay in submission is due to a delay at the administrative level.

MWBOO GRANTED A WAIVER ON JUNE 10, 2019.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with St. Vincent de Paul.

MINUTESMayor's Office of Homeless Services - Subordination Agreement

The Board is requested to approve and authorize execution of the Subordination Agreement with Project Plase, Inc. and Enterprise Community Loan Fund, Inc. (ECLF)

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

The City has received a U.S. Department of Housing and Urban Development (HUD) grant to undertake the Housing Opportunities for Persons with AIDS (HOPWA) Program. As a sub-recipient, Project Plase, Inc. and the City entered an agreement on May 16, 2012, in the amount of \$800,000.00 for the purposes of acquiring and developing property under their HOPWA Project.

On October 26, 2012, Project Plase, Inc. acquired property located at 3549-3555 Old Frederick Road with the City as the immediate subordinate lien holder.

Project Plase, Inc. entered a promissory note with Enterprise Community Loan Fund, Inc. (ECLF) in the amount of \$730,000.00 to continue development of the property as a condition to making the Loan.

The ECLF has requested that the rights and interests of the City and Project Plase, Inc. be subordinated to the lien of the Deed of Trust in the event that Project Plase, Inc. ceases to hold title to the premises as a result of ECLF's exercise of a remedy for the default under any of the loan documents.

MINUTES

Mayor's Office of Homeless Services - cont'd

The City has agreed to subordinate its rights and interests and Project Plase, Inc. agrees to the subordination as provided in the Grant Agreement and the Covenants, subject to the conditions contained therein.

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 Subordination Agreement with Project Plase, Inc. and Enterprise Community Loan Fund, Inc.

MINUTES

Mayor's Office of Homeless Services - Amendment to Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Amendment to Grant Agreement (Amendment) with the U.S. Department of Housing and Urban Development (HUD). The Amendment will extend the period of the Grant Agreement through February 29, 2020.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

On August 15, 2018, the Board approved a Grant Agreement with HUD for the operation of the Continuum of Care Program in the amount of \$615,157.00 for the period of July 13, 2018 to August 31, 2019.

HUD and the Mayor's Office of Homeless Services wish to extend the grant period to spend the remaining \$329,000.64 of the grant.

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 Amendment to Grant Agreement with the U.S. Department of Housing and Urban Development.

MINUTES

Department of Real Estate - Deed

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Deed to Greektown, LLC, for the closing of a certain parcel of land known as the former bed of Dillon Street, extending from the east side of CSX Transportation Inc. Railroad easterly 201.24 feet to the west side of South Macon and no longer needed for public use.

AMOUNT OF MONEY AND SOURCE:

\$43,000.00

BACKGROUND/EXPLANATION:

On March 12, 2018, the City entered into a closing agreement with Greektown, LLC. They would like to close and acquire a certain parcel of land known as the former bed of Dillon Street, extending from the east side of CSX Transportation, Inc. Railroad easterly 201.24 feet to the west side of South Macon Street. The parcel is the site of a planned mixed-use/residential redevelopment of Greektown by Kettler Development t/a Greektown, LLC, which owns all but one of the abutting properties and has obtained a written consent from the owner of the property. Greektown, LLC will consolidate the closed portion of Dillon Street into its existing properties and will build 13 townhomes along S. Macon Street and a commercial use building is proposed along O'Donnell Street.

The closing and sale were authorized by means of Sales Ordinance No. 19-236 approved on April 22, 2019.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Deed to Greektown, LLC, for the closing of a certain parcel of land known as the former bed of Dillon Street, extending from the east side of CSX Transportation Inc. Railroad easterly 201.24 feet to the west side of South Macon and no longer needed for public use.

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

The Board is requested to approve and authorize execution of the Amendment to Lease Agreement (Amendment) with The County Commissioners of Carroll County, Tenant, for the rental of land located within the Liberty Reservoir Watershed, Carroll County, Maryland, consisting of 3.63 acres of land.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - if demanded

BACKGROUND/EXPLANATION:

On February 16, 2005, the Board approved a Lease Agreement with the Tenant, which currently leases land from the City for the use of its water treatment facility located within the Liberty Reservoir, Eldersburg, Maryland.

The Amendment will give Carroll County the right to construct, maintain and expand a water intake structure, water filtration plant, pumping station, pipelines and necessary appurtenant works, in, on, over and through the demised premises. Carroll County will install at its own expense meters which will be used as a basis for measuring raw water extracted by Carroll County from the Liberty Reservoir and install a meter, which will be used as a basis for measuring filtered water returned by the County to the Liberty Reservoir after processing.

Carroll County will install a meter which will be used for a basis for measuring discharged/returned water to the Liberty Reservoir. Carroll County will pay quarterly for water it uses, minus water returned. The amount of water returned to the Liberty Reservoir will be deducted from the quarterly intake readings. Discharged water returned to Liberty Reservoir is roughly 5% of the total of

MINUTES

Space Utilization Committee - cont'd

raw water extracted. This discharge is authorized by National Pollutant Discharge Elimination Systems ("NPDES") and State discharge permits. The above permit requires discharges to be monitored and analyzed weekly for contaminants. The permit also requires daily Total Residual Chlorine, pH and Flow monitoring recording.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to Lease Agreement with the County Commissioners of Carroll County, Tenant, for the rental of land located within the Liberty Reservoir Watershed, Carroll County, Maryland, consisting of 3.63 acres of land.

MINUTES

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Lease Agreement with St. Vincent De Paul of Baltimore, Inc., Tenant, for the rental of the property known as 242 S. Patterson Park Avenue (a.k.a. 238-242 S. Patterson Park Avenue), consisting of approximately 10,695 square feet of land, which includes a playground area and a building containing approximately 17,102 square feet. The period of the Lease Agreement is effective upon Board approval for five years, with an option to renew for an additional four five-year periods.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annual Rent

BACKGROUND/EXPLANATION:

The leased premises will be used to operate a charitable education program.

The Tenant accepts and takes the leased premises in an "AS IS" condition. The Tenant will be responsible for all taxes and assessments levied against the leased premises by the Department of Assessments and Taxation, State of Maryland.

In addition, the Tenant will be responsible for all utilities serving the leased premises and will be responsible for maintaining the interior and exterior of the building. The Tenant will also be responsible for all improvements to the leased premises, to include routine maintenance and capital improvements.

The Lease Agreement is late because of administrative delays.

The Space Utilization Committee approved this Lease Agreement on January 9, 2018.

MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with St. Vincent De Paul of Baltimore, Inc., Tenant, for the rental of the property known as 242 S. Patterson Park Avenue, consisting of approximately 10,695 square feet of land, which includes a playground area and a building containing approximately 17,102 square feet.

MINUTES

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Lease Agreement with St. Vincent De Paul of Baltimore, Inc., Tenant, for the rental of the property known as 5001 Park Heights Avenue, consisting of approximately 14,209 square feet of land, which includes a playground area and a building containing approximately 10,355 square feet. The period of the Lease Agreement is effective upon Board approval for five year, with an option to renew for an additional four five-year renewals.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annual Rent

BACKGROUND/EXPLANATION:

The leased premises will be used to operate a charitable education program.

The Tenant accepts and takes the leased premises in an "AS IS" condition. The Tenant will be responsible for all taxes and assessments levied against the leased premises by the Department of Assessments and Taxation, State of Maryland.

In addition, the Tenant will be responsible for all utilities serving the leased premises and will be responsible for maintaining the interior and exterior of the building. The Tenant will also be responsible for all improvements to the leased premises, to include routine maintenance and capital improvements.

The Lease Agreement is late because of administrative delays.

The Space Utilization Committee approved this Lease Agreement on January 9, 2018.

MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with St. Vincent De Paul of Baltimore, Inc., Tenant, for the rental of the property known as 5001 Park Heights Avenue, consisting of approximately 14,209 square feet of land, which includes a playground area and a building containing approximately 10,355 square feet.

MINUTESDepartment of Real Estate - Renewal of Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement by and between The Baltimore Child Abuse Center, Inc., (BCAC) Landlord, and the Mayor and City Council of Baltimore, on behalf of the Baltimore City Police Department Child Abuse, Family Crimes, Missing Persons and Sex Offender Registry Units, (BCPD) Tenant, for the rental of approximately 11,175 square feet of space located at 2300 N. Charles Street. The period of the Lease Agreement renewal is October 1, 2019 through September 30, 2020.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$68,500.00	\$5,708.33 (Third floor)

Account: 5000-588519-2021-212900-603026

Building Operating and Telephone Costs

<u>Annual</u>	<u>Monthly</u>
\$43,104.58	\$3,592.04

Tenant will pay 38.5% (representing portion of building occupied by Tenant) of total annual building costs for electricity, water, janitorial and trash removal services (approximately \$32,904.58). Additionally Tenant will pay for phone service at an annual cost of \$10,200.00.

Account: 1001-000000-2021-212800-603015

BACKGROUND/EXPLANATION

On August 10, 2016, the Board approved a Lease Agreement by and with the BCAC, Landlord and the Mayor and City Council of Baltimore

MINUTES

Department of Real Estate - cont'd

on behalf of the BCPD, Tenant. The term of the lease was for three years effective October 1, 2016 through September 30, 2019 with the option to renew for three additional one-year periods. The BCPD is exercising their first renewal option effective October 1, 2019 through September 30, 2020.

The Leased Premises will continue to be used by the BCPD for its Child Abuse, Family Crimes, Missing Persons and Sex Offender Registry Units. All other terms and conditions of the Lease Agreement dated August 10, 2016 remain in full force and effect.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the Lease Agreement by and between The Baltimore Child Abuse Center, Inc., Landlord, and the Mayor and City Council of Baltimore, on behalf of the Baltimore City Police Department Child Abuse, Family Crimes, Missing Persons and Sex Offender Registry Units, Tenant, for the rental of approximately 11,175 square feet of space located at 2300 N. Charles Street.

MINUTES

Department of Recreation and Parks - Donation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Donation Agreement with Downtown Partnership of Baltimore, Donor, Bensky Construction Company, LLC and Kusser Graniteworks USA, Inc., Contractors. The Board is further requested to approve the contractors' performance and payments bonds. The Donation Agreement is effective upon Board approval until final acceptance of the project by the City, unless earlier terminated pursuant to the terms of the Donation Agreement.

AMOUNT OF MONEY AND SOURCE:

\$1,090,204.00 - No City Funds Will Be Transacted

BACKGROUND/EXPLANATION:

The Donor wishes to make a donation of improvements to the Department to include the reconstruction of City-owned McKeldin Plaza. The Department approves the contractors, Bensky Construction Co, LLC and Kusser Graniteworks USA, Inc. (dba Kusser Fountainworks) hired by the Donor to perform the work.

The Donor will pay the Contractors directly for the full amount of the project cost whether it be more or less than the estimated cost indicated. The Department acknowledges and gratefully accepts this donation and has not participated in funding the project nor in selecting the contractors. The Donor agrees that upon completion of the work, the improvements become the sole property of the City.

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 Donation Agreement with Downtown

MINUTES

Department of Recreation and Parks - cont'd

Partnership of Baltimore, Donor, Bensky Construction Company, LLC and Kusser Graniteworks USA, Inc., Contractors. The Board further approved the contractors' performance and payments bonds.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded

the Board approved

all of the Personnel matters

listed on the following pages:

3878 - 3901

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

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

The Mayor **ABSTAINED** on item No. 1.

The Comptroller **ABSTAINED** on item Nos. 3 and 34.

MINUTES

PERSONNELCity Council

	<u>Hourly Rate</u>	<u>Amount</u>
1. MICHAEL L. SWIFT	\$90.00	\$ 6,750.00

Account: 1001-000000-1000-104800-601009

Mr. Swift will continue to work as a Contract Services Specialist II. He will be responsible for attending City Council meetings and providing technical support to the President of the City Council, providing advice on parliamentary procedures, reviewing and commenting on questions or parliamentary procedures, educating the President and City Council

on parliamentary procedures and providing analysis of the City Council Rules and Robert's Rules of Order Newly Revised. The period of the agreement is effective upon Board approval for one year.

Department of Audits

2. BENJAMIN F. MONDELL	\$40.80	\$32,640.00
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Account: 1001-000000-1310-157800-601009

Mr. Mondell, retiree, will continue to work as a Contract Services Specialist I. He will be responsible for assisting in reviewing and evaluating items submitted by agencies for Board of Estimates' approval. The period of the agreement is effective upon Board approval or August 30, 2019, whichever one comes later. This is the same hourly rate as in the previous contract period.

MINUTES

PERSONNEL

Employees' and Elected Officials' Retirement Systems

3. Reclassify the following vacant position:

Position No.: 12058

From: Retirement Benefits Analyst I
Job Code: 33631
Grade: 089 (\$45,660.00 - \$55,436.00)

To: Retirement Benefits Analyst II
Job Code: 33632
Grade: 904 (\$47,858.00 - \$76,573.00)

Cost: \$2,242.00 - 6000-604020-1520-168600-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Environmental Control Board (ECB)

	<u>Hourly Rate</u>	<u>Amount</u>
4. DURRESHAWAR SMITH	\$21.00	\$40,950.00

Account: 1001-000000-1170-138600-601009

Ms. Smith will continue to work as a Contract Services Specialist II. She will be responsible for communicating with agencies to accommodate officers, sorting hearing requests, postponements and rescheduled hearings by agency and hearing type. She will also update respondent contract information in 3270 legacy database system, enter citations to be rescheduled for hearings, answer scheduling inquiries from respondents, agencies and other ECB staff, send daily email updates to agencies, prepare and organize dockets to be entered by clerks and coordinate reschedules and postponements. The period of the agreement is effective upon Board approval for one year.

MINUTES

PERSONNELECB - cont'd5. Reclassify the following filled position:Position No.: 12654

From: Office Supervisor
Job Code: 33215
Grade: 084 (\$37,741.00 - \$45,044.00)

To: Operations Officer I
Job Code: 31109
Grade: 923 (\$60,655.00 - \$97,277.00)

Cost: \$27,371.00 - 1001-000000-1170-138600-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Amendment No. 1 to Agreements6. **LAYLA SAID**7. **DEBYN W. PURDIE**8. **ERICKA M. MCCLAMMY**

Account: 1001-000000-1170-138600-601009

On December 12, 2018, the Board approved the original agreement for Ms. Said and Ms. Purdie to serve as a Contract Services Specialist II. On April 24, 2019, the Board approved the original agreement for Ms. McClammy to serve as a Contract Services Specialist II. The original agreement for each of these individuals had an hourly rate of \$90.00 not to exceed \$76,950.00. Their duties include but are not limited to conducting hearings to make preliminary determinations as to whether citations issued by City Enforcement Officers comply with the Code, the ECB rules, and relevant court decisions. The hearings will be conducted under

MINUTES

PERSONNELECB - cont'd

oath, requiring testimony and presentation of evidence by City Enforcement Officers and other witnesses. The Hearing Officers will enter their findings into the ECB data during course of the hearing or immediately thereafter.

On July 31, 2019, the Environmental Control Board requested an amendment to the original agreement extending the authority to water billing disputes under the "Regulations on Customer Service and Support for Water, Wastewater and/Storm Water Billing" adopted by the Department of Public Works. All other terms and conditions remain unchanged and in full force and effect.

Department of Finance9. Create the following position:

Classification: Sr. Program Assessment Analyst

Job Code: 10183

Grade: 927 (\$64,505.00 - \$103,208.00)

Position No.: To be determined by BBMR

Cost: There is no cost associated with this action.

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

10. Reclassify the following vacant position:Position No.: 12477

From: Operations Officer II

Job Code: 00086

Grade: 927 (\$64,505.00 - \$103,208.00)

MINUTES

PERSONNEL

Department of Finance - cont'd

To: Program Compliance Officer II
Job Code: 31502
Grade: 927 (\$64,505.00 - \$103,208.00)

Cost: There is no cost associated with this action.

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Baltimore City Fire Department

11. Reclassify the following six filled positions:

Position Nos.: 12654, 112675, 12672, 49817, 32948 and 12641

From: Fire Captain Suppression
Job Code: 41213
Grade: 341 (\$71,258.00 - \$87,892.00)

To: Fire Captain ALS Suppression
Job Code: 41279
Grade: 378 (\$73,102.00 - \$89,783.00)

Cost: There is no cost associated with this action.

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

MINUTES

PERSONNEL

Department of General Services

12. Classify the following vacant position:

FROM:

Classification: New Position
Job Code: 90000
Grade: 900 (\$1.00 - \$204,000.00)
Position No.: 52894

TO:

Classification: Agency IT Specialist II
Job Code: 33148
Grade: 927 (\$64,505.00 - \$103,208.00)
Position No.: 52894

Cost: \$94,178.00 - 1001-000000-1981-718100-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

	<u>Hourly Rate</u>	<u>Amount</u>
13. BRIAN MORGAN	\$20.40	\$38,760.00

Account: 1001-000000-7340-721700-601009

Mr. Morgan will continue to work as a Contract Services Specialist II. His duties will include but are not limited to preparing financial statements including budget account creations, editing entries, editing timesheets, journal entries and fund balances, reviewing bookkeeping and accounting procedures and recommending modifications, researching journal entries received from City agencies to be tracked, sorted and filed. He will also create, manage and maintain an Excel database to perform lookups of budget account numbers, assist with any issues that arise from incorrect

MINUTES

PERSONNEL

Department of General Services - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
<p>budget account numbers, liaise with contractors and vendors to ensure invoices match the rate of pay, work with internal DGS staff to ensure vendors are paid correctly and on time and process requests from Project Managers and the Contract Maintenance Section which feed through the Internal Revenue Service fund. The period of the agreement is effective upon Board approval for one year. This is a 2% increase in the hourly rate from the previous contract period.</p>		
14. DAVID MARTIN	\$34.33	\$65,227.00

Account: 2030-000000-1890-189300-601009

Mr. Martin will continue to work as a Contract Specialist II. He will be responsible for database applications/analytical tools including MathLab, SQL, SAS, R, and Python. He will be responsible for developing metrics and evaluating financial and operational performance within the Fleet Management Division in support of the Gainsharing initiative, extracting and summarizing financial, operational and other relevant data, utilizing a hypothesis-driven problem-solving approach to design, construct, and rapidly test/iterate exploratory analyses that will reveal insight and opportunities for the Office of Fiscal and Strategic Management, creating advanced analytical models that will lead to actionable insights that allow the Office of Fiscal and Strategic Management to make more informed business decisions, uncovering and evaluating historical data trends and applying them to future projections and collaborating with IT partners to deploy efficient, automated solutions that address business and operational needs. The period of the agreement is effective upon Board approval for one year. This is a 2% increase in the hourly rate from the previous contract period.

MINUTES**PERSONNEL**

Department of General Services - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
15. OLAJIDE ARODOYE	\$32.21	\$61,199.00

Account: 1001-000000-1981-718100-601009

Mr. Arodoye will continue to work as a Contract Specialist II. He will be responsible for maintaining database by entering data for asset inventory and facilities data, providing telephone and in-person and online support to end users, communicating with systems user to understand what changes/upgrades are needed to current software and recommend changes based on user needs, meet with information system groups to determine user requirements through either customizations or out-of-the-box systems. He will customize software packages for users, maintain software and hardware information via Archibus System Asset Management tracking, perform intake and labels all IT-related assets as they enter the inventory. Maintain detailed records of all IT-related assets, install hardware/software for Department staff on prescribed schedule based on wear-and-tear and install anti-viruses on user computers and remove viruses from user computers. The period of the agreement is effective upon Board approval for one year. This is a 2% increase in the hourly rate from the previous contract period.

Health Department

16. Reclassify the following filled position:

Position No. 14575

From: Public Health Investigator
 Job Code: 42571
 Grade: 430 (\$34,993.00 - \$38,892.00)

MINUTES

PERSONNEL

Health Department - cont'd

To: Community Health Educator II
Job Code: 61252
Grade: 085 (\$38,926.00 - \$46,904.00)

Cost: \$4,962.65 - 5000-508220-3031-579200-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

17. Reclassify the following filled position:

Position No. 14579

From: Public Health Investigator
Job Code: 42571
Grade: 430 (\$34,993.00 - \$38,892.00)

To: Community Health Educator II
Job Code: 61252
Grade: 085 (\$38,926.00 - \$46,904.00)

Cost: \$4,962.65 - 5000-508220-3031-579200-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

	<u>Hourly Rate</u>	<u>Amount</u>
18. JAMIKA L. YOCHIM	\$48.00	\$73,920.00

Account: 6000-624020-3030-271900-601009

Ms. Yochim will continue to work as a Contract Services Specialist II. She will be responsible for providing services within the two dental clinics Eastern and Druid and at designated outreach

MINUTES

PERSONNELHealth Department - cont'dHourly RateAmount

maintain records and evidence files on retail inspections and citations issued in a secure locked file and testify in adjudicative Environmental Control Board hearings. The period of the agreement is effective upon Board approval through June 30, 2020.

THE BALTIMORE CITY HEALTH DEPARTMENT IS REQUESTING A WAIVER OF THE SALARY CAP AND THE NUMBER OF HOURS WORKED AS OUTLINED IN THE CITY ADMINISTRATIVE MANUAL AM 212-1, PART I.

21. Create the following 50 positions:

Classification: Community Health Nurse II (10 months)

Job Code: 62222

Grade: 507 (\$52,895.00 - \$60,745.00)

Position Nos.: To be determined by BBMR

Cost: \$3,348,621.55 - 6000-624920-3100-295900-601001

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Department of Housing and Community Development

22. Reclassify the following filled position:

Position No.: 14884

From: Office Support Specialist III

Job Code: 33213

Grade: 078 (\$31,488.00 - \$36,312.00)

MINUTES

PERSONNEL

Department of Housing and Community Development - cont'd

To: Administrative Coordinator
Job Code: 31100
Grade: 087 (\$42,131.00 - \$50,027.00)

Cost: \$7,478.00 - 1001-000000-1773-179400-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

23. Create the following position:

Classification: Operations Officer II
Job Code: 31110
Grade: 927 (\$64,505.00 - \$103,208.00)
Position No.: To be determined

Cost: \$119,262.79 - 1001-000000-2602-412700-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Department of Social Services

24. Adjust the supplemental rate for the following:

From: To:

Director of Social Services:	\$30,000.00	\$50,000.00
Chief of Staff		\$30,000.00
Deputy Director Child Welfare - In Home		\$10,000.00
Deputy Director, Local General Administration		\$10,000.00
Assistant Director, Child Welfare		\$10,000.00

MINUTES

PERSONNEL

Department of Social Services

The City has agreed to provide up to \$120,000.00 to supplement the salaries of key staff at the Baltimore City Department of Social Services. This will allow the agency to attract the best talent to lead the efforts of the BCDSS. The remaining \$10,000.00 may be used at a later date to supplement the salary of the BCDSS leadership team.

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Law Department

	<u>Hourly Rate</u>	<u>Amount</u>
25. JOHN P. MACHEN	\$78.75	\$136,158.75

Account: 1001-000000-8620-175200-601009

Mr. Machen will work as a Contract Services Specialist II. His duties may include, but are not limited to assisting in drafting and reviewing documents for the Baltimore Development Corporation and other City departments and agencies. The period of the agreement is September 28, 2019 through September 27, 2020.

Mayor's Office of Innovation and Performance

26. Create the following two positions:

Classification: Data Fellow
Job Code: 00141
Grade: DFI - (\$60,000.00 - \$65,000.00)
Position Nos.: To be determined

There are no costs associated with this action.

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

MINUTES

PERSONNELMayor's Office of Children and Family Success27. Reclassify the following vacant position:Position No.: 32901

From: Secretary III
Job Code: 00711
Grade: 084 (\$37,741.00 - \$45,044.00)

To: Administrative Coordinator
Job Code: 31100
Grade: 087 (\$42,131.00 - \$50,927.00)

Cost: \$9,198.00 - 1001-000000-3574-327200-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Office of the Inspector General28. a. Reclassify the following vacant position:Position No.: 42170

From: Legislative Fiscal Analyst
Job Code: 00087
Grade: 927 (\$64,505.00 - \$103,208.00)

To: Lead OIG Agent
Job Code: 10211
Grade: 929 (\$68,562.00 - \$109,554.00)

b. Reclassify the following vacant position:Position No.: 49445

From: Operations Officer III
Job Code: 00087
Grade: 929 (\$68,562.00 - \$109,554.00)

MINUTES

PERSONNEL

Office of the Inspector General - cont'd

To: Lead OIG Agent
Job Code: 10211
Grade: 929 (\$68,562.00 \$109,554.00)

Cost: \$95,000.00 - 1001-000000-2255-772500-603001

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

Police Department

	<u>Hourly Rate</u>	<u>Amount</u>
29. LINDA E. BALLINGER	\$20.19	\$42,000.00

Account: 1001-000000-2042-198100-601009

Ms. Ballinger, retiree, will work as a Contract Services Specialist I. Her duties include handling intake of complaints regarding police misconduct matters, handling requests from Legal Affairs, the State's Attorney's Office and the U.S. Attorney's Office, the Civilian Review Board and other agencies for copies of case books, documents and reports. She will prepare multiple copies of sustained case books including reproduction of case related CDs and DVDs for the Office of Administrative Hearings (OAH); complete, maintain and track receipts and database entry for cases requested by Department members and both the State's and U.S. Attorney's Offices. Ms. Ballinger will also proof-reading case books and summaries to ensure accurate, and professional documents, input all sustained cases into the Assistant State's Attorney database, index, scan and file completed case booklets, link case books and summaries of each case onto the database and conduct research and handle special projects. The period of the agreement is October 23, 2019 through October 22, 2020.

MINUTES

PERSONNELPolice Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
30. PATRICIA N. COCHRANE*	\$20.19	\$42,000.00
31. SHEREE D. PETERSON**	\$20.19	\$42,000.00

Account: 1001-000000-2042-198100-601009

Ms. Cochran and Ms. Peterson, retirees, will each work as a Contract Services Specialist I. Their duties include reviewing original entries for missing persons in the (NCIC) National Crime Information Center entries, police reports and supporting documentation. They will contact the victims, complainants, court, individuals and other sources for follow-up information, access local, state and federal databases for additional information, update records on local databases and NCIC to reflect changes, and preparing police supplemental reports.

* The period of the agreement is November 21, 2019 through November 20, 2020 for Ms. Cocharane.

** The period of the agreement is November 23, 2019 through November 22, 2020 for Ms. Peterson.

32. JAMES L. PRICE	\$20.19	\$42,000.00
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Account: 1001-000000-2042-198100-601009

Mr. Price, retiree, will work as a Contract Services Specialist I. His duties include managing the citizen Online Reporting System which is also known as CopLogic, reviewing police reports submitted online by the public to ensure they are consistent with uniform crime reporting and departmental standards, communicating with the submitting citizens to confirm report details. He will also update commanding officers on statistical data, database problems and/or citizen troubles with the system, process arrest supplements and court dispositions, coordinate with Evidence Control Unit regarding disposal of evidence upon conclusion of criminal cases, and assist with various data entry tasks. The period of the agreement is November 21, 2019 through November 20, 2020.

MINUTES

PERSONNELPolice Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
33. DUANE A. JEFFERSON	\$20.19	\$42,000.00

Account: 1001-000000-2042-198100-601009

Mr. Jefferson, retiree, will work as a Contract Services Specialist I. His duties include explaining requirements to registrants of the Sex Offender Registry Unit, obtaining statements signed by the registrants acknowledging receipt of requirements, photographing the registrants at a minimum of every six months. He will obtain and enter a DNA sample at the initial registration of the registrant into the Maryland State Police Crime Laboratory and submit a copy of all correspondence to the Department of Public Safety and Correctional Services within three days of registration. The period of the agreement is November 23, 2019 through November 22, 2020.

34. DAVID W. NEVERDON*	\$20.19	\$42,000.00
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Account: 1001-000000-2042-198100-601009

35. ERIC H. OSWALD**	\$20.19	\$42,000.00
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Account: 1001-000000-2024-796500-603026

Mr. Neverdon and Mr. Oswald, retirees, will work as a Contract Services Specialist I. Their duties include receiving property/evidence submissions from police officers and laboratory personnel, ensuring accuracy and completeness of all associated paperwork, ensuring information is entered into the evidence tracking system. They will release property for examination or as evidence for court, update computer with appropriate changes of location of the property for chain custody and documentation of location, and release property to the public and document this information in the computer.

MINUTES

PERSONNELPolice Department - cont'd

* The period of the agreement is November 26, 2019 through November 25, 2020 for Mr. Neverdon.

** The period of the agreement is December 12, 2019 through December 11, 2020 for Mr. Oswald.

	<u>Hourly Rate</u>	<u>Amount</u>
36. ESSEX R. WEAVER	\$20.19	\$ 42,000.00

Account: 1001-000000-2042-198100-601009

Mr. Weaver, retiree, will continue to work as a Contract Services Specialist I. He will be responsible for handling all of the non-Controlled Dangerous Substances, money, and gun property. In addition, Mr. Weaver will inventory new property, store and document the location of the property, purge old property, and fill in at the receiving counter, when needed. The period of the agreement is November 23, 2019 through November 22, 2020.

37. KAREEN A. HILL*	\$20.19	\$ 42,000.00
38. KENNETH R. JONES**	\$20.19	\$ 42,000.00

Account: 1001-000000-2024-796500-603026

Ms. Hill and Mr. Jones, retirees, will each work as a Contract Services Specialist I. They will be responsible for the entry and accurate retention of all property retained by the Police Department and several surrounding agencies. Ms. Hill and Mr. Jones will receive property/evidence submissions from police officers and lab personnel, ensure the accuracy and completeness of paperwork, and enter the same into evidence tracking system. In addition, they will release property to personnel for further examination/evidence for court, and update the tracking system with appropriate changes of location of the property for chain of

MINUTES

PERSONNELPolice Department - cont'd

custody and documentation of location. Ms. Hill and Mr. Jones will also release property to the public and document the same in the tracking system, and lift and handle evidence submitted to the Evidence Control Unit. This is the same hourly rate as in the previous contract period for Mr. Jones.

*The period of the agreement is September 1, 2019 through August 31, 2020 for Ms. Hill.

**The period of the agreement is December 23, 2019 through December 22, 2020 for Mr. Jones.

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

39. Adjust the salary grade for the following classifications:

- a. From: Police Captain
Job Code: 10277
Grade: 83P (\$124,396.00 FLAT)

To: Grade 83P (\$129,372.00 FLAT)
- b. From: Police Colonel
Job Code: 10280
Grade: 86P (\$146,694.00 FLAT)

To: Grade 86P (\$152,561.00 FLAT)
- c. From: Police Lieutenant Colonel
Job Code: 10279
Grade: 85P (\$138,479.00 FLAT)

To: Grade 85P (\$144,018.00 FLAT)

MINUTES

PERSONNEL

Police Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
d. From: Police Major		
Job Code: 10278		
Grade: 84P (\$131,438.00 FLAT)		
To: Grade 84P (\$136,695.00 FLAT)		

Costs: \$216,860.00 - 1001-000000-2042-198101-601062

On March 18, 2015, the Board of Estimates approved an established fixed salary relationship between the Police Lieutenant classification and the Baltimore Police Department's senior sworn command ranks. Under this fixed relationship, each of the following classifications will be paid a fixed percentage above the maximum seniority salary of the Police Lieutenant: Police Captain, 6%; Police Major, 12%; Police Lieutenant Colonel, 18%; and Police Colonel, 25%.

The Fraternal Order of Police approved the contract, providing its members a 3% COLA effective July 1, 2019. Therefore, the salaries for the sworn referenced command staff require adjustments to maintain the fixed salary relationship.

On April 24, 2019, the Board of Estimates approved the Deputy Police Commissioner classification to change from a flat fixed rate to a salary range. Therefore, the Deputy Police Commissioner classification has been removed from the Fixed Salary Relationship.

40. DENNIS M. KNIGHT	\$20.19	\$42,000.00
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Account: 1001-000000-2042-198100-601009

Mr. Knight will work as a Contract Services Specialist II. His duties may include, but are not limited to conducting interviews,

MINUTES**PERSONNEL**Police Department - cont'dHourly RateAmount

coordinating and conducting background investigations, explaining policies and procedures to applicants, screening applicants, researching, reviewing and analyzing prior personnel and employment history information of candidates. He will coordinate and/or conduct fingerprinting and polygraph testing, coordinate medical exams, obtain credit reports, serve as a departmental liaison to provide regular updates to candidates, advise applicants of the outcome of background processes. Mr. Knight will maintain applicant database, conduct driving record checks, and compile background investigation reports to determine applicant suitability. The period of the agreement is effective upon Board approval for one year.

State's Attorney Office (SAO)41. Create the following two positions:

- a. Classification: Law Clerk (SAO)
Job Code: 01975
Grade: 085 (\$38,926.00 - \$46,904.00)
Position No.: To be determined by BBMR
- b. Classification: Assistant State's Attorney
Job Code: 01962
Grade: 929 (\$68,562.00 - \$109,554.00)
Position No.: To be determined by BBMR

Cost: \$148,000.00 - 1001-1150-000000-806100-601001

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.

MINUTES

PERSONNELSAO - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
42. RaTONYA DAVIS	\$20.06	\$ 38,248.00

Account: 1001-000000-1150-118000-601009

Ms. Davis will work as a Contract Services Specialist II. She will receive incoming phone calls and assist visitors doing business with the State's Attorney's Office and receive and verify Motions and other legal documents for routing to the appropriate Assistant State's Attorney. The period of the agreement is August 29, 2019 through August 28, 2020.

43. LAKEESHA THOMAS	\$27.20	\$ 51,861.00
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Account: 1001-000000-1150-118000-601009

Ms. Thomas, retiree, will work as a Contract Services Specialist I. She will investigate felony, homicide, and violent crime cases, locate and interview witnesses, and act as a liaison with law enforcement agencies. The period of the agreement is August 29, 2019 through August 28, 2020.

44. MICHAEL TOWNSEND	\$28.29	\$ 53,949.00
45. YOLANDA ROBINSON	\$28.29	\$ 53,949.00

Account: 1001-000000-1150-118000-601009

Mr. Townsend and Ms. Robinson, retirees, will each continue to work as a Contract Services Specialist I. They will assist the State's Attorney's Office in expediting cases through Central Booking and assist the Assistant State's Attorney in the movement

MINUTES

PERSONNELSAO - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
of cases and the inputting of charges. In addition, Mr. Townsend and Ms. Robinson will finalize charging documents, find open warrants, and communicate with Public Safety staff and members of the Baltimore City Police Department. This is the same hourly rate as in the previous contract period. The period of the agreement is September 10, 2019 through September 9, 2020.		

46. ROBERT BITTINGER	\$33.85	\$ 64,540.00
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Account: 1001-000000-1150-118000-601009

Mr. Bittinger, retiree, will continue to work as a Contract Services Specialist I. He will act as a liaison with the Police Department Chemistry Laboratory, order the analysis of drugs, obtain lab reports, and ascertain the correct names and/or dates of birth of juveniles being prosecuted in Juvenile Court. In addition Mr. Bittinger will locate witnesses and interview victims and witnesses. This is the same hourly rate as in the previous contract period. The period of the agreement is September 10, 2019 through September 9, 2020.

On March 3, 1999, the Board of Estimates approved a waiver of the AM 212-1 to allow the hiring of retired Police Officers as Investigators for the Office of the State's Attorney with no restrictions on the number of work hours and rate of pay.

MINUTES

PERSONNEL

SAO - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
47. LAURZETTE WILLIAMS	\$21.93	\$ 26,316.00

Account: 1001-000000-1150-118000-601009

Ms. Williams, retiree, will continue to work as a Contract Services Specialist I. She will assist the State's Attorney's Office with case preparation and data entry into judicial databases and prepare case folders and legal documents such as petitions, indictments, discoveries, subpoenas and writs. This is the same hourly rate as in the previous contract period and is in compliance with AM 212-1, Part I. The period of the agreement is August 29, 2019 through August 28, 2020.

MINUTES

Baltimore Development Corporation - Capital Projects
Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Capital Projects Grant Agreement (the Agreement) between the State of Maryland (the State), the Board of Directors of Bromo Tower Arts and Entertainment, Inc. (Bromo), and the Mayor and City Council (the City - Beneficiary). The period of the agreement is in effect as long as any State general obligation bonds issued, sold, and delivered to provide funds for this Grant remain outstanding or such longer period as the parties may agree.

AMOUNT OF MONEY AND SOURCE:

\$350,000.00 - Grant funding from the State to Bromo.

BACKGROUND/EXPLANATION:

The Agreement is for the acquisition, planning, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Pratt Street and Howard Street Plaza.

On July 18, 2018, the Board approved a Donation Agreement between the City and Charm City LLC. The agreement gave the Donor permission to make certain improvements to the existing plaza located on the northeast corner of S. Howard Street and Pratt Street.

The improvements aligned the plaza's streetscaping and landscaping with the vision set forth under the Pratt Street Plan. While the majority of the funds were privately sourced, the Bromo, a non-profit organization, offered to sponsor a State Bond Bill to provide additional funds, which was approved. Before the funds can be released, the State is requesting approval of a Capital Projects

MINUTES

Baltimore Development Corporation - cont'd

Grant Agreement, signed by the Bromo as the grantee and the City as beneficiary, as the plaza is City-owned.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Capital Projects Grant Agreement between the State of Maryland, the Board of Directors of Bromo Tower Arts and Entertainment, Inc., and the Mayor and City Council.

MINUTES

Baltimore Development Corporation - Series 2019B Development Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Series 2019B Development Agreement with Harbor Point Open Space Corp., Harbor Point Development Holdings, LLC, and Beatty Development Group, LLC.

This Board is further requested to authorize the Mayor, or the Mayor's designee, to execute any and all other documents, amendments, supplements, or changes necessary to effectuate this transaction including, without limitation, deeds and estoppel or other similar certificates, provided such documents do not materially alter the relationship of the parties or the principal elements of the project, SUBJECT to approval form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

\$7,800,000.00 - Not to exceed

City will issue Tax Increment Finance Bonds

BACKGROUND/EXPLANATION:

On July 13, 2016, the Board approved the Series 2016A Development Agreement relating to the issuance of Tax Increment Financing Bonds in an amount not to exceed \$39,000,000.00.

The City intends to refund the Series 2016A Bonds, a process that is currently underway subject to the approval of the Board of Finance. The refunded bonds will be known as Series 2019A. The Series 2019B Development Agreement facilitates the issuance of the Series 2019A bonds and additional bonds, subordinate to Series 2019A bonds, the proceeds of which would be used to finance the construction of public infrastructure and open space at Harbor Point. This additional subordinate debt, when issued with the senior Series 2019A bonds, will allow for the completion of public infrastructure necessary to support planned private development at Harbor Point, at a lower cost of borrowing than a separate bond

MINUTES

Baltimore Development Corporation - cont'd

issuance. Approval of the Series 2019B Development Agreement will allow the City to act quickly to take advantage of the current favorable capital markets.

Pursuant to City Council Ordinances Nos. 13-0232, 13-0233, and 13-0234 approved by the City Council on September 9, 2013 and signed by the Mayor of Baltimore City on September 13, 2013, and on the approval of and upon the terms established by the Board of Finance, the City of Baltimore approved the issuance of one or more series of Tax Increment Finance Bonds in an amount not to exceed \$125,000,000.00 and an interest rate not to exceed 7%, in order to finance public infrastructure and open space associated with the Harbor Point Project.

MBE/WBE PARTICIPATION:

The Developer signed the Commitment to Comply with the Minority and Women's Business Enterprise Program of Baltimore City and executed a MOU with the City of Baltimore, approved by the Board of Estimates on August 14, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Series 2019B Development Agreement with Harbor Point Open Space Corp., Harbor Point Development Holdings, LLC, and Beatty Development Group, LLC. The Board further approved and authorized the Mayor, or the Mayor's designee,

MINUTES

Baltimore Development Corporation - cont'd

to execute any and all other documents, amendments, supplements, or changes necessary to effectuate this transaction including, without limitation, deeds and estoppel or other similar certificates, provided such documents do not materially alter the relationship of the parties or the principal elements of the project, SUBJECT to approval form and legal sufficiency by the Department of Law.

MINUTES

Baltimore Development Corporation - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an Expenditure of Funds to authorize the evaluation and permitting services on the Ridgely's Cove site.

AMOUNT OF MONEY AND SOURCE:

\$174,000.00 - 9910-907104-9601-900000-703001

BACKGROUND/EXPLANATION:

The BDC in partnership with the Department of Recreation and Parks has commissioned initial studies of the portion of Ridgely's Cove behind the Horseshoe Casino (Block 0844A, Lots 6-9). The parcels are open green space and contain a portion of the Gwynns Falls Trail. In order to facilitate the Topgolf development at the 301 Stockholm Street and 1411 Warner Street parcels, Ridgely's Cove has been identified as an off-site location to meet Critical Area mitigation requirements.

These studies will design remediation and mitigation strategies on the Ridgely's Cove site and are a critical path item for the Topgolf development, which is anticipated to bring over 200 full-time equivalent jobs to Baltimore City.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds to authorize the evaluation and permitting services on the Ridgely's Cove site.

MINUTES

Department of Planning - First Amendment to
Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to Memorandum of Understanding (First Amendment to MOU) with the Natural Resources Defense Council, Inc. (NRDC). The First Amendment to MOU will extend the period of the MOU through December 31, 2020.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On December 12, 2018, the Board approved the original MOU in the amount of \$258,000.00 and it will expire on October 31, 2019.

The First Amendment to MOU is for a no-cost time extension to allow the use of funds from the Rockefeller Foundation to work on food waste and recovery and to complete the NRDC approved work-plan.

The Food Matters Project is a partnership between the NRDC and the City to integrate strategies to advance food waste prevention, surplus food rescue, and recycling of food scraps. The NRDC provides the City with financial resources to devote staff time to the issue of food waste, considerable technical assistance from a team of experts, and other resources to accomplish agreed upon goals. Funding is provided by the Rockefeller Foundation and administered through the NRDC. The First Amendment to MOU will extend the period of the MOU through December 31, 2020.

MBE/WBE PARTICIPATION:

There are no MBE/WBE goals as the funding is for the hiring of staff and a small amount for educational materials.

MINUTES

Department of Planning - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE NO COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Memorandum of Understanding with the Natural Resources Defense Council.

MINUTES

Department of Recreation and Parks - First Amendment to
Omnibus Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to Omnibus Agreement (Amendment) with Baltimore Gas and Electric (BGE). The Amendment is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

\$625,000.00 - 6000-680718-5051-385300-406001

BACKGROUND/EXPLANATION:

The City and BGE entered into an Omnibus Agreement with an effective date of September 27, 2017 in the amount of \$2,537,590.00.

The Omnibus Agreement related to the construction of a replacement section of the Granite Pipeline and the abandonment of a section to be retired through the Park, in order to enable BGE to continue the safe and reliable delivery of natural gas to approximately 90,000 customers throughout the region, including those in Baltimore City and Baltimore County.

This Amendment will include an additional payment from BGE in the amount of \$625,000.00, making the total payment \$3,162,590.00.

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 First Amendment to Omnibus Agreement with Baltimore Gas and Electric.

MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is January 1, 2019 through December 31, 2019, unless otherwise indicated.

1. **CAREFIRST BLUE CROSS BLUE SHIELD** **\$ 750,000.00**
(CAREFIRST)

Account: 6000-626320-3080-513200-406001

Under the terms of the Letter of Agreement, the funds will be used to support the B'more for Healthy Babies (BHB) initiative. The goal of the BHB Initiative is to reduce infants' deaths due to preterm births, low-birth weight, and unsafe sleep conditions, which disproportionately affect African American women. The period of the agreement is July 1, 2019 through June 30, 2020.

The Letter of Agreement is presented at this time because it was received on July 18, 2019, and delayed because of the administrative review process.

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

2. **THE JOHNS HOPKINS UNIVERSITY SCHOOL** **\$ 347,417.00**
OF MEDICINE (JHU)

Account: 4000-427719-3023-599609-603051

The JHU will provide the services of a CAREWare Administrator to implement and maintain the centralized CAREWare system for the Ryan White Part A program.

The JHU will also provide the services of a Senior Program Coordinator for the Baltimore Eligible Metropolitan Area Planning Council and two Administrative Coordinators. The Senior Program Coordinator will oversee the day-to-day Planning Council activities. The Administrative Coordinators

MINUTES

Health Department - cont'd

will provide technical and clerical support for Planning Council members. The period of the agreement is March 1, 2019 through February 29, 2020.

The agreement is late because of the delays in the administrative level.

MWBOO GRANTED A WAIVER ON JULY 24, 2019.

3. **THE JOHNS HOPKINS UNIVERSITY** **\$ 201,748.00**
SCHOOL OF MEDICINE

Account: 4000-499019-3023-513200-603051

Under this agreement, the Johns Hopkins University will provide routine HIV testing, counseling, linkage to care, and referrals for partner services and prevention services, including Pre-exposure Prophylaxis (PrEP).

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

MWBOO GRANTED A WAIVER ON AUGUST 14, 2019.

4. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$ 90,000.00**

Account: 4000-499019-3023-513200-603051

The University of Maryland, Baltimore Special Teens at Risk - Together Reaching Access Care and Knowledge (STAR TRACK) Adolescent HIV program provides a comprehensive youth-centered HIV/STI testing and outreach services to vulnerable youth living within the Baltimore City area. HIV Prevention services include, counseling, linkage to care for newly diagnosed and people living with HIV, and referrals for Partner Services.

The agreement is late because of administrative delays.

MWBOO GRANTED A WAIVER ON JULY 22, 2019.

MINUTES

Health Department - cont'd

5. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$100,000.00**

Account: 4000-483519-3080-294600-603051

The University of Maryland, Baltimore, Institute for innovation and implementation will oversee the process and outcome and evaluations through the duration of the Resiliency in Communities After Stress and Trauma (ReCAST) grant. The evaluation team will collaborate with the Community Board and Community Coalition around decision making and using the data to drive quality improvement of the initiative. The period of the agreement is October 1, 2018 through September 30, 2019.

The agreement is late because the Notice of Award for this new grant title "Resiliency in Communities After Stress and Trauma (ReCAST) West Baltimore Empowering Communities to Heal from Trauma" was approved by the Board on October 12, 2016. The Department had to review and approve subgrantee budgets.

MWBOO GRANTED A WAIVER APRIL 4, 2019.

6. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$110,500.00**

Account: 4000-499019-3023-513200-603051

The University of Maryland, Baltimore JACQUES Initiative will utilize the funds to provide HIV testing, counseling, linkage to care for newly diagnosed and people living with HIV and referrals for Partner Services, as well as prevention services including pre-exposure prophylaxis. The University of Maryland, Baltimore will also provide testing for all sexually transmitted diseases including but not limited to gonorrhea, chlamydia and syphilis as well as Hepatitis C. The period of the agreement is January 1, 2019 through December 31, 2019.

The agreement is late because of administrative delays.

MWBOO GRANTED A WAIVER ON JULY 24, 2019.

MINUTES

Health Department - Adult Evaluation and Review
Services (AERS) Program

7. **MICHAEL R. BAUM** **\$ 20,000.00**

Account: 6000-607620-3110-306700-603018

The Consultant will perform on-site evaluations of clients referred for nursing home placements and on-site evaluations of clients in nursing homes. Mr. Baum will also review psychological reports for patients in nursing homes, submit a written psychological report to the Department's Adult Evaluation and Review Services Program and delineate a treatment plan for each client/patient. The period of the agreement is July 1, 2019 through June 30, 2020.

The agreement is late because of administrative delays.

8. **EDWARD L. ANSEL** **\$ 20,000.00**

Account: 6000-607620-3110-306700-603018

The Consultant will perform on-site psychological evaluations of clients referred for nursing home placements and on-site psychological evaluations of clients in nursing homes. Mr. Ansel will also review psychological reports for patients in nursing homes submit a written psychological report to the Department Adult Evaluations and Review Services program, delineating treatment plan for each client/patient. The period of the agreement is July 1, 2019 through June 30, 2020.

The agreement is late because administrative delays.

9. **SOLID ROCK EDUCATORS, LLC** **\$ 70,000.00**

Account: 6000-607620-3110-306700-603018

MINUTES

Health Department - cont'd

Under this agreement, Solid Rock Educators, LLC will perform Adult Evaluation and Review (AERS) Program services. Services will include comprehensive evaluations for aged and functionally disabled adults who need long-term care and are not at risk for institutionalization. The Consultant will perform on-site face-to-face evaluations of clients in the community, enter all information regarding the InterRAI Home Care Assessment and Plan of Services into Long Term Services and Support Maryland Tracking System for submission to the Department of Health and Mental Hygiene (DHMH), and submit all evaluations and completed DHMH forms to the Department's AERS program staff. The period of the agreement is July 1, 2019 through June 30, 2020.

The agreement is late because the Health Department was waiting on approved budget account number.

MWBOO GRANTED A WAIVER ON JULY 30, 2019.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various agreements. The Mayor and President **ABSTAINED** on item nos. 2 and 3.

MINUTES

Health Department - Amendment to Agreement and Ratification
of Amendments to Agreements

The Board is requested to approve and authorize execution of the Amendment to Agreement and to ratify various agreements:

AMENDMENT TO AGREEMENT

1. **JOHNS HOPKINS UNIVERSITY, SCHOOL OF MEDICINE** **\$ 0.00**

On November 5, 2014, the Board approved an Agreement with Johns Hopkins University, School of Medicine for the transfer of operations of the School-Based Health Centers (SBHC) and School Health Suites (SHS) at Kipp Ujima/Kipp Harmony Schools for the period of March 2, 2015 through July 30, 2020 at no cost to the City. The Johns Hopkins University, School of Medicine is relocating the schools to 2000 Edgewood Street.

This amendment will allow the parties to provide SBHC and SHS services at the new location. The amendment will extend the period through July 30, 2021.

However, services will not start until the parties receive approval from the Maryland State Department of Education.

RATIFICATIONS

2. **FUSION PARTNERSHIPS, INC.** **\$15,000.00**

Account: 6000-626619-3080-292302-406001

The organization provided media instruction and production services to Youth Advisory Council members focused on reproductive health and related teen wellness issues. The period of the agreement was April 1, 2019 through June 30, 2019.

3. **INDEPENDENT MARYLANDERS ACHIEVING GROWTH THROUGH EMPOWERMENT, INC. (IMAGE)** **\$ 9,217.00**

MINUTES

Health Department - cont'd

On December 19, 2018, the Board approved the original agreement in the amount of \$7,000.00. On March 4, 2019, the Maryland Department of Health approved an extension of the grant for the calendar year of 2019. The Department is requesting the Board to ratify an amendment for an increase in the contract amount of \$9,217.00, making the new total amount of \$16,217.00. The period of the amendment to agreement is January 1, 2019 through December 31, 2019 for one year.

Approval of the ratification for the amendment will allow the Department to reimburse the Provider for additional services.

4. **JOHNS HOPKINS UNIVERSITY** **\$21,000.00**

Account: 5000-520119-3080-288900-603051	\$15,000.00
6000-626619-3080-292303-603051	\$ 5,000.00
6000-626619-3080-292301-603051	\$ 1,000.00

On October 17, 2018, the Board approved the original agreement in the amount of \$50,000.00 for the period July 1, 2018, through June 30, 2019.

The Department increased the agreement by \$21,000.00 for additional services. This made the total agreement amount \$71,000.00.

5. **CHASE BREXTON HEALTH SERVICES, INC.** **\$ 1,921.00**

Account: 5000-569719-3023-273314-603051

On December 12, 2018, the Board approved the original agreement in the amount of \$94,886.00 for the period July 1, 2018 through June 30, 2019.

This ratification is for additional services that were provided for Medical Nutrition Therapy that includes

MINUTES

Health Department - cont'd

nutrition assessment and screening dietary/nutritional evaluation, development of a nutrition plan, distribution of food and for nutritional supplements per medical provider's recommendation and nutritional education and/or counseling. All services pursuant to a medical provider's referral and based on a nutritional plan developed by the registered dietitian or other licensed nutrition professionals. Services were provided in individual and/or group setting; outside of HIV Outpatient/Ambulatory Health Services. This ratification will make the total contract amount \$96,807.00.

6. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$20,999.00**

Account: 5000-520119-3080-288900-603051	\$15,000.00
6000-626619-3080-292303-603051	\$ 5,000.00
6000-626619-3080-292301-603051	\$ 999.00

On December 19, 2018, the Board approved the original Agreement with University of Maryland, Baltimore, for the period of July 1, 2018 through June 30, 2019 for the amount of \$35,600.00.

The Department is increased the agreement by \$20,999.00 for additional services. This made the total agreement amount \$56,599.00.

7. **PROJECT PLASE, INC.** **\$80,000.00**

Account: 5000-569719-3023-273357-603051

On November 14, 2018, the Board approved the original agreement in the amount of \$48,464.00 for the period of July 1, 2018 through June 30, 2019.

The Department is increased the agreement by \$80,000.00 to provide Health Education Risk Education (HERR) services for

MINUTES

Health Department - cont'd

clients living with HIV about HIV transmission and how to reduce the risk of HIV transmission. HERR services included sharing information about medical and psychosocial support services and counseling clients to improve their health status. This increase made the total agreement amount \$128,464.00.

MWBOO GRANTED A WAIVER ON AUGUST 2, 2019.

The Amendments to Agreements are late because of the administrative delays.

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 Amendment to Agreement and to ratify various agreements. The Mayor and President **ABSTAINED** on item nos. 1 and 4.

MINUTES

Health Department - Notification of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the Notification of Grant Award (NGA) from the Maryland State Department of Education, School-Based Health Center. The period of the NGA is July 1, 2019 through June 30, 2020.

AMOUNT OF MONEY AND SOURCE:

\$505,021.00 - 5000-525720-3100-295900-405001

BACKGROUND/EXPLANATION:

This NGA provides funding for the Department to provide medical, mental health, dental and other services to children and adolescents on-site schools, with parental consent.

The NGA is late because it was received recently.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the Notification of Grant Award from the Maryland State Department of Education, School-Based Health Center.

MINUTES

Health Department - Update to Fiscal Year 2019 Unified Funding Document

ACTION REQUESTED OF B/E:

The Board is requested to approve the Update to Fiscal Year 2019 Unified Funding Document (UFD) from the State Department of Health and Mental Hygiene for the month ending May 31, 2019.

AMOUNT OF MONEY AND SOURCE:

Grant Description	Type of Action	Base Award	Amount of Action	Total Award
WIC	Reduction	\$2,451,350.00	(\$135,000.00)	\$2,316,350.00

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modification and/or reductions will be processed through the granting administrations with revised Unified Funding Awards being issued. The most current Unified Funding Document will be the official award of record.

The Update to Fiscal Year 2019 Unified Funding Document is late due to administrative delays.

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

UPON MOTION duly made and seconded, the Board approved The Update to Fiscal Year 2019 Unified Funding Document from the State Department of Health and Mental Hygiene.

MINUTES

Health Department - Update to Fiscal Year 2019
Unified Funding Document

ACTION REQUESTED OF B/E:

The Board is requested to approve the Update to Fiscal Year 2019 Unified Funding Document (UFD) from the State Department of Health and Mental Hygiene for the month ending April 30, 2019.

AMOUNT OF MONEY AND SOURCE:

Grant Description	Type of Action	Base Award	Amount of Action	Total Award
Personal Responsibility Education Program	Supplemental	\$329,771.00	\$2,000.00	\$331,771.00
Map to Success (M2S)	Reduction	\$928,556.00	(\$8,550.00)	\$920,006.00
Immunization-HEP-IAP-HEP-B	Supplement	\$764,100.00	\$65,320.00	\$829,420.00

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modification and/or reductions will be processed through the granting administrations with revised Unified Funding Awards being issued. The most current Unified Funding Document will be the official award of record.

The Update to Fiscal Year 2019 Unified Funding Document is late due to administrative delays.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved the Update to Fiscal Year 2019 Unified Funding Document from the State Department of Health and Mental Hygiene.

MINUTES

Health Department - Update to Fiscal Year 2019 Unified Funding Document

ACTION REQUESTED OF B/E:

The Board is requested to approve the Update to Fiscal Year 2019 Unified Funding Document (UFD) from the State Department of Health and Mental Hygiene for the month ending June 30, 2019.

AMOUNT OF MONEY AND SOURCE:

Grant Description	Type of Action	Base Award	Amount of Action	Total Award
Maryland Opioid Rapid Response	Reduction	\$ 100,691.00	(\$100,691.00)	\$ 0.00
General Transportation Grant	Supplemental	\$7,931,996.00	\$125,551.00	\$8,057,547.00
Needle Exchange	Reduction	\$1,174,475.00	(\$424,475.00)	\$ 750,000.00
Tobacco Use Administration	Reduction	\$ 20,033.00	(\$ 5,236.00)	\$ 14,797.00

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modification and/or reductions will be processed through the granting administrations with revised Unified Funding Awards being issued. The most current Unified Funding Document will be the official award of record.

The Update to Fiscal Year 2019 Unified Funding Document is late due to administrative delays.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved the Update to Fiscal Year 2019 Unified Funding Document from the State Department of Health and Mental Hygiene.

MINUTES

Health Department - Update to Fiscal Year 2019 Unified Funding Document

ACTION REQUESTED OF B/E:

The Board is requested to approve the Update to Fiscal Year 2019 Unified Funding Document (UFD) from the State Department of Health and Mental Hygiene for the month ending March 31, 2019.

AMOUNT OF MONEY AND SOURCE:

Grant Description	Type of Action	Base Award	Amount of Action	Total Award
Supplemental ACC	Reduction	\$1,007,988.00	(\$59,137.00)	\$ 948,851.00
Ryan White B Support Services	Supplement	\$1,613,991.00	\$988,096.00	\$2,602,087.00

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modification and/or reductions will be processed through the granting administrations with revised Unified Funding Awards being issued. The most current Unified Funding Document will be the official award of record.

The Update to Fiscal Year 2019 Unified Funding Document is late due to administrative delays.

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

UPON MOTION duly made and seconded, the Board approved the Update to Fiscal Year 2019 Unified Funding Document from the State Department of Health and Mental Hygiene.

MINUTES

Fire Department - Amendment to No-Cost Time Extension

ACTION REQUESTED OF B/E:

The Board is requested to approve the Amendment to No-Cost Time Extension for the FFY17 Assistance to Firefighters Grant from Federal Emergency Management Agency (FEMA). The Amendment to the No-Cost Time Extension will extend the period of the grant through February 6, 2020.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Board approved the No-Cost Time Extension on October 3, 2018 for the period of September 7, 2018 through September 6, 2019.

The extension will allow for the purchase of personal accountability equipment, training and firefighter personal protection equipment.

AUDITS NOTED THE NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved the Amendment to No-Cost Time Extension for the FFY17 Assistance to Firefighters Grant from Federal Emergency Management Agency.

MINUTES

Fire Department - Ratification and Amendment of a No-Cost Time Extension

ACTION REQUESTED OF B/E:

The Board is requested to ratify the No-Cost Time Extension for the FFY15 Staffing for Adequate Fire and Emergency Response (SAFER) Grant from Federal Emergency Management Agency (FEMA). The amendment will extend the period through February 4, 2020.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Board approved the No-Cost Time Extension on September 14, 2016 for the period of February 5, 2017 through February 4, 2019.

The Board approved on March 27, 2019 the No-Cost Time Extension through August 4, 2019.

FEMA will be making the remaining funds available from the original amount of \$5,810,800.00 to the Department per the original grant award.

The amendment is late because of administrative delays.

AUDITS NOTED THE NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board is requested to ratify the No-Cost Time Extension for the FFY15 Staffing for Adequate Fire and Emergency Response Grant from Federal Emergency Management Agency.

MINUTES

Department of Transportation - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Right-of-Entry Agreement with the State of Maryland, Department of Natural Resources.

AMOUNT OF MONEY AND SOURCE:

This right-of-entry is being granted at no cost to the City.

BACKGROUND/EXPLANATION:

The Department will perform reconstruction and improvements to the Phoenix Road Bridge in Baltimore County. When chosen, the City contractor will need access on the existing Torrey C. Brown Trail.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Right-of-Entry Agreement with the State of Maryland, Department of Natural Resources.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 007 to Whitman, Requardt & Associates, LLP under Project 1191, On-Call Consultant Services for Federal Aid Resurfacing and Reconstruction Project for the City of Baltimore.

AMOUNT OF MONEY AND SOURCE:

\$143,070.00	-	9950-905023-9508-900010-705032
107,302.01	-	9960-904597-9557-900000-705032
107,302.01	-	9962-926020-9562-900000-705032
<u>\$357,674.02</u>		

BACKGROUND/EXPLANATION:

This task will provide for additional engineering support services that are outside of the current contract. The initial contract provides for post-award services for the Central Avenue Design-Build project.

This task includes, but is not limited to providing utility coordination, reviewing and performing MOT field review, performing technical reviews of submittals instead of secondary reviews, analyzing design alternatives for the change of the waterline and conduit system highway standards.

DBE PARTICIPATION:

The Consultant will comply with Title 49 Code of the Federal Regulations parts 26 (49 CFR 26) and the DBE goal established in the original agreement.

DBE GOAL: 25%

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$140,000.00	9962-941002-9563	9962-926020-9562
Others	Constr. Res. - Conduit Replacement Program	Central Ave. Conduit Br.

This transfer will cover the deficit and partially fund the costs associated with Project BD34087, Project 1191, On-Call Consultant Services for Federal Aid Resurfacing and Reconstruction Project for the City of Baltimore.

UPON MOTION duly made and seconded, the Board is requested to approve the assignment of Task No. 007 to Whitman, Requardt & Associates, LLP under Project 1191, On-Call Consultant Services for Federal Aid Resurfacing and Reconstruction Project for the City of Baltimore. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 15 to Johnson, Mirmiran & Thompson under Project No. 1225 On-Call Design Consultant Services for Resurfacing and Reconstruction Projects. The period of the services under Task No. 15 is approximately 12 months.

AMOUNT OF MONEY AND SOURCE:

\$116,710.40	-	9950-902323-9527-900010-705032
70,026.24	-	9950-910100-9512-900010-705032
46,684.16	-	9950-905627-9527-900010-705032
\$233,420.80		

BACKGROUND/EXPLANATION:

Under this task, Johnson, Mirmiran & Thompson will provide an onsite Design Project Manager for the Department of Transportation - TEC Division to assist the Reconstruction/Streetscape Section for various capital improvement projects and related tasks which includes TR 11318 - Key Highway at Light Street Intersection Improvement, TR 16302 - North Ave & Pennsylvania Ave. Intersection Improvements and TR 11307 - Park Circle Intersection Improvements.

MBE/WBE PARTICIPATION:

The Consultant 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.

MBE: 27%

WBE: 10%

THIS EAR WAS APPROVED BY MWBOO ON JULY 23, 2019.

MINUTES

Department of Transportation - cont'd

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 15 to Johnson, Mirmiran & Thompson under Project No. 1225 On-Call Design Consultant Services for Resurfacing and Reconstruction Projects.

MINUTES

Department of Transportation - Amendment No. 3 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 3 to Agreement (Amendment No. 3) with WSP USA, Inc. (formerly Parson Brinckerhoff, Inc.) under Project No. 1225, On-Call Design Consultant Services for Resurfacing and Reconstruction Projects. Amendment No. 3 will extend the period of the agreement through July 21, 2020 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On July 22, 2015, your Honorable Board approved the original Agreement in the amount of \$1,000,000.00 with WSP USA, Inc. for a period of two years to assist Transportation's Engineering & Construction Division in providing various On-Call Engineering Services for the proposed improvements to the City's system of Streets and Highways.

On August 16, 2017, the Board approved Amendment No. 1 to allow for a one-year time extension to complete numerous ongoing services ranging from roadway design, storm water management, expedited review, construction phase review, survey and other support services needed for ongoing tasks.

On June 27, 2018, the City approved Amendment No. 2 to allow for a one-year time extension to continue design services of in-design projects assigned for ongoing tasks.

MINUTES

DOT - cont'd

MBE/WBE PARTICIPATION:

The Department now requests a one-year time extension to continue ongoing task and post award services under Amendment No. 3 through July 21, 2020.

The Consultant will continue to comply with Article No. 5, Subtitle 28 of the Baltimore City Code and the 27.00% MBE and 10.00% WBE goals established in the original agreement.

The Consultant has achieved 19.00% of the MBE goals and 9.00% of the WBE goals. However, they have enough capacity to meet the remaining goals.

MWBOO FOUND VENDOR IN COMPLIANCE.**AUDITS NOTED THE TIME EXTENSION AND WILL REVIEW THE TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 3 to Agreement with WSP USA, Inc. (formerly Parson Brinckerhoff, Inc.) under Project No. 1225, On-Call Design Consultant Services for Resurfacing and Reconstruction Projects.

MINUTES

Department of Transportation - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	1501 Light St. Investments	Federal Hill	A-frame Sign 3' x 2'
	\$ 52.80 - Flat Charge		
2.	5013 York Road	Rocky Development, LLC	One canopy 112.44 sf.; one channel letter sign 129.79 sf.
	\$781.24 - Flat Charge		
3.	3409 Greenmount Avenue	S&B Developers, L.L.C.	One flat sign 12' x 3'
	\$151.20 - Flat Charge		
4.	1616 Elkins Lane	1616 Elkins Lane, LLC	Egress window 9.68 sf.
	\$ 40.65 - Annual Charge		
5.	1065 S. Charles Street	CSM Ventures, LLC On Behalf of M&CC	Outdoor seating 2,000 sf.

No charge; City-owned Property

MINUTES

Department of Transportation - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6. 1626 Thames St.	Alogos Investments, LLC	Outdoor seating 29' x 2'

\$337.50 - Annual Charge

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

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

MINUTES

Department of Transportation - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) with Mount Clare Community Council, Inc. The period of the MOU is effective upon Board approval for five years with an option to renew for an additional five years, unless terminated earlier in accordance with this agreement.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

Mount Clare Community Council, Inc. has submitted an application for a community sign to be owned by the City and maintained by the organization, located in the right-of-way for Mount Clare Community Council, Inc. This MOU establishes the framework for the organization to maintain the community sign and all at its sole cost and subsequently for the organization to perform ongoing maintenance of all aspects of the project during the term of the MOU.

MBE/WBE PARTICIPATION:

Not a competitive procurement item. The organization is paying for all costs.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Memorandum of Understanding with Mount Clare Community Council, Inc.

MINUTES

Department of Transportation - Master Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Master Memorandum of Understanding (MMOU) with the Maryland Department of Transportation, (MDOT) State Highway Administration (SHA).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Maryland Department of Transportation, State Highway Administration is responsible for providing oversight and assistance to the Baltimore City Department of Transportation (BCDOT) for projects financed with federal funds in accordance with Title with U.S.C.; 23 CFR 635.105 which contains regulations relating to highways including 2 CFR 200.

Regulations based on Civil Rights requirements in Title 49, the Uniform Relocation Assistance and Real Property Policies, the Federal Highway Administration, and other federal laws and regulations that set forth procedures that require an agreement be executed between MDOT SHA and BCDOT setting forth the conditions under which any federal aid project would be implemented. This MMOU sets forth the roles and responsibilities between MDOT SHA and BCDOT, in furtherance of BCDOT's acceptance of federal aid and MDOT SHA's oversight and assistance.

DBE PARTICIPATION:

This action does not require the establishment of minority goals as it does not involve the procurement of services.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Master Memorandum of Understanding with the Maryland Department of Transportation, State Highway Administration.

MINUTES

Department of Transportation - Cost Sharing and Settlement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Cost Sharing and Settlement Agreement with CSXT Transportation (CSXT), Inc. The period of the agreement is effective upon Board approval and may only be terminated pursuant to the terms of this agreement.

AMOUNT OF MONEY AND SOURCE:

\$3,677,587.00 - 1001-000000-5011-694700-603057

BACKGROUND/EXPLANATION:

On November 26, 2018, sections of two retaining walls located along the south side of 26th Street between Calvert Street and Guilford Avenue became unstable due to movement of earth and water infiltration, contributing to slope erosion, soil subsidence, threatening damage to railway, roadway, sidewalk, curbs, water main, wastewater line and gas line infrastructure.

By mutual agreement, CSXT began interim repairs corrective measures, utilizing its own contractors to remove the Upper and Lower Walls and temporarily stabilize the slope area.

The Parties now desire to cooperate fully by sharing all costs of design and repair to the Upper Wall and Lower Wall, slope areas and infrastructure damaged by the event.

The Parties further desire to establish responsibilities of the Parties for future maintenance of the Upper Wall and Lower Wall and desire to share the costs of all third party claims as determined by mutually agreed upon settlements, a court in the United States or other means as agreed by the Parties.

MINUTES

DOT - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Cost Sharing and Settlement Agreement with CSXT Transportation, Inc.

MINUTES

Department of Transportation - Right-of-Entry Agreements

The Board is requested to approve and authorize execution of the various Right-of-Entry Agreements. The period of the agreement is effective upon actual physical entry onto the property for one year.

- | | | | |
|----|-----------------------------------------------------|--------------------------------|----------------|
| 1. | JONATHAN T.P. VONG AND
JANICE C. VONG | 1010 DARTMOUTH
GLEN | \$ 0.00 |
| 2. | JOSEPH FRANK STETSON AND
ROBERTA STETSON | 1011 DARTMOUTH
GLEN | \$ 0.00 |

The Department of Transportation is proposing to perform subsurface investigations to include soil test borings on the properties owned by Jonathan T.P. Vong and Janice Vong and Joseph Frank Stetson and Roberta Stetson. These tests are being performed as part of the preliminary subsurface investigations needed for a proposed Department of Transportation project to replace the existing retaining wall located on Dartmouth Road.

The agreement will allow the Contractor access to perform the soil tests.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various Right-of-Entry agreements.

MINUTES

Department of Transportation - Developer's Agreement No. 1128

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Developer's Agreement No. 1128 with Cedar Hill Development, Inc. Developer.

AMOUNT OF MONEY AND SOURCE:

\$1,750,564.00

BACKGROUND/EXPLANATION:

Cedar Hill Development, Inc. would like to construct a sewer outfall through the closed Pennington Avenue Landfill located at 5201 Arundel Boulevard to serve the Cedar Hill P.U.D. force main and pump station located in Anne Arundel County, Map 0005, Grid 0003, Parcel 0043. This Developer's Agreement will allow the organization to do their own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$1,750,564.00 has been issued to Cedar Hill Development, Inc., 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. 1128 with Cedar Hill Development, Inc. Developer.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

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

3945 - 3956

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 favorable report
from the Planning Commission,
the Director of Finance having reported
favorably thereon, as required
by the City Charter.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Public Works/Office
of Engineering and Construction

1. WC 1365, BEREA Spiniello Companies \$6,153,300.00
Neighborhood and
Vicinity Water
Main Rehabilitation

On December 19, 2018, the Beard opened two bids for the WC 1365 contract. Bids ranged from a low of \$5,828,456.00 to a high of \$7,013,372.00. The apparent low bidder, J. Fletcher Creamer & Son, Inc. was found to be non-compliant by the Minority and Women's Business Opportunity Office (MWBOO). Spiniello Companies bid is 9.96% below the engineer's estimate of \$6,834,275.00 due to the highly competitive market conditions at this time.

The principal items of work for this project are urgent need water main repairs and replacement as necessary, including, but not limited to replacement/installation of various sizes, new ductile iron pipe, valves, fittings, and appurtenances replacement/installation of fire hydrants, small (residential) meter settings and meter vaults, renew and replacement of existing water services, sidewalk restoration, curb and gutter, and roadway paving, as required.

MBE/WBE PARTICIPATION:

The Chief of MWBOO recommends Spineillo companies as being in full compliance with Article 5 Section 28 of the Baltimore City Code. As part of their bid, Spiniello Companies has committed to utilize the following:

MBE: Manuel Luis Construction Co. Inc.	\$738,500.00	12.00%
WBE: R & R Contracting Utilities, Inc.	\$370,000.00	6.01%

A PROTEST WAS RECEIVED FROM COHEN SEGLIAS PALLAS GREENHALL & FURMAN PC REPRESENTING J. FLETCHER CREAMER & SON, INC.



Jackson S. Nichols
Attorney At Law

1828 L Street, NW
Suite 705
Washington, DC 20036

T: 202.466.4110 | F: 202.380.0531
jnichols@cohenseglias.com
www.cohenseglias.com

August 27, 2019

Via Hand Delivery

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

***Re: Water Contract 1365 for Berea Neighborhood and Vicinity Water Main
Rehabilitation
Bid Protest by J. Fletcher Creamer & Son, Inc. from Decision by City of
Baltimore, Department of Public Works***

Dear President and Members of the Board of Estimates:

Cohen Seglias represents J. Fletcher Creamer & Son, Inc. ("Creamer") regarding the above-referenced solicitation ("Water Contract"). Please accept this cover letter enclosing a courtesy copy of Creamer's previously submitted formal bid protest to the Department of Public Works' finding that Creamer's bid was non-compliant, including an updated affidavit from Ms. Jo Ellen Sines.

Very truly yours,

Jackson S. Nichols

JSN
Enclosures



Jackson S. Nichols
Attorney At Law

1828 L Street, NW
Suite 705
Washington, DC 20036

T: 202.466.4110 | F: 202.380.0531
jnichols@cohenseglias.com
www.cohenseglias.com

February 11, 2019

Via Facsimile (410) 685-4416 & Overnight Mail

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

***Re: Water Contract 1365 for Berea Neighborhood and Vicinity Water Main Rehabilitation
Bid Protest by J. Fletcher Creamer & Son, Inc. from Decision by City of Baltimore, Department of Public Works***

Dear President and Members of the Board of Estimates:

Cohen Seglias represents J. Fletcher Creamer & Son, Inc. ("Creamer") regarding the Water Contract 1365 for Berea Neighborhood and Vicinity Water Main Rehabilitation ("Water Contract"). Please accept this letter as Creamer's formal bid protest to the Department of Public Works' finding that Creamer's bid was non-compliant.

Issues and Facts

Before the Board of Estimates is whether the Department of Public Works' determination that Creamer's bid for the Water Contract was non-compliant for failure to meet the MBE goal was made in error. For the reasons set forth herein, Creamer was compliant and in fact achieved its MBE goal by listing a certified MBE subcontractor as a sufficient percentage of the overall contract.

On December 19, 2018, Creamer submitted its sealed bid for the Water Contract. Pursuant to the Water Contract solicitation, there is a 12% MBE goal. See Section I, p.12 of the Water Contract solicitation attached hereto as Exhibit 1. The solicitation requires that each bidder identify each proposed MBE on "Part B" as well as a description of the services provided by the MBE, dollar value of the MBE's contract, percentage of the overall bid represented by the MBE's contract, and the signature of an authorized representative of the MBE. The solicitation requires that each MBE used on a contract must be certified by the Minority and Women's

Honorable President
and Members of the Board of Estimates
February 11, 2019
Page 2

Business Opportunity Office (“MWBOO”). For the MBE’s work to count 100% towards the MBE goal, the MBE must actually perform work on the project or be a manufacturer. See solicitation, Part A, p. 180-82. If the bidder wishes to use an MBE who is merely a material supplier, the supplier contract value may count towards 25% of the overall goal. See solicitation, Part A, p. 180-82.

As part of its bid, Creamer completed Part B. See Creamer’s completed Part B attached hereto as Exhibit 2. Creamer identified that it was selecting an MBE (rather than a WBE which was also permitted); that the MBE was “ M Luis”; that the MBE will perform “Paving” work in the amount of \$710,000; and that the dollar value represents 12.18% of Creamer’s overall bid. Part B was signed by Jo Ellen Sines who is the Vice President of Construction for Manuel Luis Construction, Co., Inc. See Affidavit of Jo Ellen Sines attached hereto as Exhibit 3.

On December 19, 2018, the Water Contract bids were opened and Creamer was identified as the lowest bidder with an overall contract value of \$5,828,456. The second lowest bidder, Civil Construction, Co., submitted a bid of \$6,013,372, which was \$184,816 more than Creamer. On February 7, 2019, Creamer received a January 30, 2019 letter (sent certified mail, return receipt requested and stamped February 2, 2019) from the Contract Administrator, Torron Coleman, from the Department of Public Works. See the January 30, 2019 letter attached hereto as Exhibit 4. The letter states that MWBOO found Creamer’s bid non-compliant because it did not achieve the MBE goal. See Exhibit 4. The letter also states that the “[b]idder listed M. Luis Products, L.L.C. for \$710,000.00. However, not more than 25% of each MBE/WBE goal may be attained by expenditures to MBE/WBE suppliers who are not manufacturers.”

Importantly, Manuel Luis Construction, Co., Inc. and M Luis Products, LLC are two, separate companies which are both certified by the MWBOO. Attached hereto as Exhibit 5 are the MWBOO certificates for both companies. Manuel Luis Construction, Co., Inc. provides, among other work, asphalt and concrete construction including paving, milling, grinding, striping, and sawcutting. See Exhibit 5. Although M Luis Products, LLC is identified as an asphalt paving mixture *supplier*, *id.*, it is actually an asphalt paving mixture *manufacturer*, as identified by the Maryland Department of Transportation.

Creamer Met the MBE Goal

When the MWBOO evaluated Creamer’s bid it assumed that Creamer was listing “M. Luis Products, L.L.C.” as its MBE paving contractor. However, that is not possible because M Luis Products, LLC does not perform paving work. Only Manuel Luis Construction, Co., Inc. performs paving work. Creamer used the short hand name of “M Luis” for Manuel Luis Construction, Co., Inc. See Affidavit of Dave Koger, attached as Exhibit 6. In fact, Manuel Luis Construction, Co., Inc.’s registered trade name is “M. Luis Construction Co., Inc.” Attached hereto as Exhibit 7 is a copy of Manuel Luis Construction, Co., Inc.’s trade name renewal application.

Honorable President
and Members of the Board of Estimates
February 11, 2019
Page 3

This should have been obvious to the MWBOO for several reasons. First, the City of Baltimore has worked with Manuel Luis Construction, Co. for over 20 years; in fact, the City just recently opened four bids from Manuel Luis Construction, Co. See recent bid results attached hereto as Exhibit 8, downloaded from the Comptroller's website at <https://comptroller.baltimorecity.gov/boe/bids>. Bids for these four contracts were opened on January 23, 2019—six days before the MWBOO made the determination that Creamer's bid was allegedly non-compliant. Second, and even more telling, is the fact that the City refers to Manuel Luis Construction, Co., Inc. as "M. Luis." The City itself does not use the full name in publishing the bid results.

In fact, everyone refers to Manuel Luis Construction, Co., Inc. as "M Luis." Attached hereto as Exhibit 9 is the signature block from M Luis's email. As is evident, "Manuel Luis Construction, Co., Inc." is referred to as "M Luis Construction Co, Inc.," and the company's email address is "@mluisconstruction.com." See MWBOO certification attached as Exhibit 5. In fact, the company's logo is "M Luis." See Exhibit 9.

Creamer's listing of "M Luis" instead of "Manuel Luis Construction, Co., Inc." on Part B is a minor and immaterial irregularity. The true intention of Creamer can be gleaned from the line directly below which states that it intends for "M Luis" to perform paving work. Creamer did not try to gain an advantage by listing its MBE contractor as M Luis; instead, Creamer wrote "M Luis" because that is the common and acceptable reference to the company. It is akin to calling Coca Cola, Coke. As set forth in the solicitation, "[t]he Board of Estimate reserve the right to . . . waive technical defects, if in its judgment, the interest of the Mayor and City Council of Baltimore may so require." A true and correct copy of Section I, p. 13 of the solicitation is attached as Exhibit 10. For this reason, and the reasons that follow, Creamer respectfully requests that the Board waive this minor technical defect and award the Water Contract to Creamer as the lowest responsive and responsible bidder.

The Code of Maryland Regulations speaks to minor irregularities in bids. It states:

A minor irregularity is one which is merely a matter of form and not of substance or pertains to some immaterial or inconsequential defect or variation in a bid or proposal form the exact requirement of the solicitation, the correction or waiver of which would not be prejudicial to the other bidders or offerors.

COMAR 21.06.02.04 (A). The Code further provides that:

The defect or variation in the bid or proposal is immaterial and inconsequential when its significance as to price, quantity, quality, or delivery is trivial or negligible when contrasted with the total cost or scope of the procurement.

COMAR 21.06.02.04 (B). Significantly, Title 21 of the State Procurement Regulations provides that the procurement officer shall give the bidder an opportunity to cure or waive the minor informality. In particular, COMAR 21.06.02.04 (C) provides:

The procurement officer shall either give the bidder or offeror an opportunity to cure any deficiency resulting from a minor informality or irregularity in a bid or proposal or waive the deficiency, whichever is to the advantage of the State.

Id. (emphasis added). Thus, in accordance with applicable administrative and civil remedies, the City of Baltimore is required to either waive Creamer's alleged deficiencies as being immaterial, or, alternatively, give Creamer an opportunity to cure the alleged deficiencies. See COMAR 21.06.02.04.

Under the circumstances, the City of Baltimore should waive the alleged discrepancies in Creamer's bid because such waiver would not deprive the City of Baltimore of adequate assurances that Creamer would perform the Water Contract according to the specified requirements, nor would the City of Baltimore's waiver provide an advantage to Creamer over another bidder. Finally, allowing Creamer to cure its alleged deficiency would save the City \$184,916.

In the Alternative, Creamer Made Sufficient Good Faith Efforts

It is Creamer's position that it met the contractual goal for MBE participation by listing Manuel Luis Construction, Co., Inc. as its paving contractor at 12.18% of the overall contract. In the alternative, if Creamer's MBE contractor is mistakenly considered to be "M Luis Products, LLC," Creamer made good faith efforts to meet the MBE goal. M Luis Products, LLC is a MWBOO-certified MBE for supplying paving products. As such, even if only 25% of the \$710,000 would count towards the goal, Creamer made a good faith effort to meet the goal. More importantly, M Luis Products, LLC is actually a certified, MBE asphalt manufacturer by MDDOT, which would allow the full \$710,000 to be counted towards the goal.

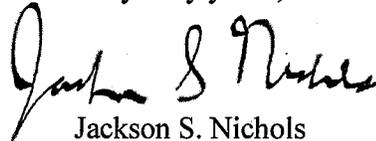
Harm to Protestant

If Creamer's bid is deemed non-compliant, and rejected by the Board of Estimates, not only will Creamer be irreparably harmed because of the immaterial and inconsequential mistake, but also the citizens of the City of Baltimore will be harmed. Creamer will not have the benefit of performing under the Water Contract and receiving compensation for doing so, and Creamer's MBE—Manuel Luis Construction, Co., Inc.—will lose out on its anticipated compensation. Finally, the citizens of Baltimore will suffer the most harm. Creamer's bid was \$184,916 less than the second lowest bidder. The citizens will benefit by having the Board waive the minor defect or allowing Creamer to cure and award the Water Contract to Creamer.

Honorable President
and Members of the Board of Estimates
February 11, 2019
Page 5

We look forward to meeting with you and reaching an amicable resolution of this matter for all of the parties and the citizens of the City of Baltimore.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jackson S. Nichols". The signature is written in a cursive style with a large initial "J".

Jackson S. Nichols
George E. Pallas

JSN:jh

cc: Tamara Brown, Chief of MWBOO (w/encl)
Rudolph S. Chow, P.E., Director (w/encl)

Exhibit 1

**CITY OF BALTIMORE
DEPARTMENT OF PUBLIC WORKS
OFFICE OF ENGINEERING & CONSTRUCTION**

I. NOTICE OF LETTING

Sealed Bids or Proposals, in duplicate addressed to the Board of Estimates of the Mayor and City Council of Baltimore and marked for **Water Contract No. 1365: Berea Neighborhood And Vicinity Water Main Rehabilitation** will be received at the Office of the Comptroller, Room 204 City Hall, Baltimore, Maryland until 11:00 A.M on **November 21, 2018**. Positively no bids will be received after 11:00 A.M. Bids will be publicly opened by the Board of Estimates in Room 215, City Hall at Noon. The Contract Documents may be examined, without charge, in Room 6 located on the first floor of the Abel Wolman Municipal Building, 200 N. Holliday Street, Baltimore, Maryland 21202 as of **October 26, 2018** and copies may be purchased for a non-refundable cost of \$100. **Conditions and requirements of the Bid are found in the bid package.** All contractors bidding on this Contract must first be prequalified by the City of Baltimore Contractors Qualification Committee. Interested parties should call (410) 396-6883 or contact the Committee at 4 South Frederick Street, Baltimore, Maryland 21202 on the 4th floor. **If a bid is submitted by a joint venture ("JV"), then in that event, the document that established the JV shall be submitted with the bid for verification purposes.** The Prequalification Category required for bidding on this project is **B02551 – Water Mains**. Cost Qualification Range for this work shall be **\$5,000,000.01 to \$10,000,000.00**.

A "Pre-Bidding Information" session will be conducted at 3rd floor Conference Room of the Office of Engineering & Construction, Abel Wolman Municipal Building on **October 30, 2018, at 1:00 PM**.

Principal items of work for this Contract include, but are not limited to:

Cleaning and cement-mortar lining of small diameter water mains, abandonment and/or removal of existing water mains and installation of various sized new ductile iron pipes, valves, fittings, and appurtenances, replacement/installation of fire hydrants, corrosion control (if applicable) small (residential) meter settings and meter vaults, renewal and replacement of existing water services, sidewalk restoration, curb and gutter, and roadway paving, as required.

The MBE goal is **12.0%**

The WBE goal is **6.0%**

APPROVED:

APPROVED:

Clerk,
Board of Estimates

Rudolph S. Chow
Director,
Department of Public Works

Courtney Billups
Chief,
Minority and Women's Business Opportunity Office

Lauren Swiecicki
Chief,
Office of Engineering and Construction

W. Michael Mullen
Chief Solicitor,
City Hall

Exhibit 2

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

COMPLETE A SEPARATE FORM FOR EACH MBE AND WBE NAMED IN THIS BID.

(Make additional copies of this form as needed)

PART A: INSTRUCTIONS MUST BE REVIEWED BEFORE COMPLETING THIS FORM, WITH PARTICULAR ATTENTION PAID TO SECTIONS 2, 3a and 3f

Name of Prime Contractor: J. Fletcher Creamer & Son, Inc

Name of MBE or WBE (circle one): M Luis

Brief Narrative Description of the Work/Service to be performed by MBE or WBE:
Paving

Materials/Supplies to be furnished by MBE or WBE:

Subcontract Dollar Amount: \$ 710,000⁰⁰ *(If this is a requirements contract, the subcontract dollar amount may be omitted; however, the subcontract percentage must be included.)*

Subcontract percentage of total contract: 12.18 % *(This is not considered material information for lump sum contracts.)*

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

African American: _____ % Asian American: _____ %
Hispanic American: _____ % Native American: _____ %

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

[Signature]
Signature of Prime Contractor (REQUIRED)

12-7-2018
Date

[Signature]
Signature of MBE or WBE (REQUIRED)

12-7-18
Date

CHANGES TO INFORMATION ON THIS FORM THAT ARE MATERIAL TO THE AGREEMENT BETWEEN THE PRIME CONTRACTOR AND MBE OR WBE MUST BE INITIALED BY BOTH PARTIES.

Exhibit 3

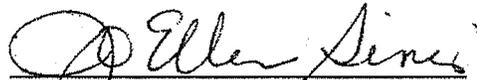
AFFIDAVIT OF JO ELLEN SINES

I, Jo Ellen Sines, being duly sworn, hereby state and depose as follows:

1. I am Jo Ellen Sines, an adult individual, and Vice President of Construction for Manuel Luis Construction Co., Inc.
2. Manuel Luis Construction Co., Inc. is known as "M Luis" within the company and the industry.
3. I have been employed at Manuel Luis Construction Co., Inc. since February 26, 2018.
4. Manuel Luis Construction Co., Inc. is certified by the City of Baltimore as an MBE and WBE contractor to provide, among other things, asphalt and concrete construction and paving.
5. Manuel Luis Construction Co., Inc. has been awarded at least ten (10) separate contracts with the City of Baltimore over the last five (5) years.
6. In my role as Vice President, I oversee the preparation of bids, estimates, and proposals to other contractors.
7. Manuel Luis Construction Co., Inc. submitted a proposal to J. Fletcher Creamer & Son, Inc., to perform paving work for the project known as "Water Contract 1365 for Berea Neighborhood and Vicinity Water Main Rehabilitation" for the City of Baltimore, Department of Public Works.
8. As part of J. Fletcher Creamer & Son, Inc.'s bid to the City of Baltimore, Manuel Luis Construction Co., Inc. executed a document titled "PART B: MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT" which is attached to J. Fletcher Creamer & Son, Inc.'s February 11, 2019 bid protest letter as Exhibit 2.
9. At the bottom of Exhibit 2 is my signature on behalf of Manuel Luis Construction Co., Inc. certifying that Manuel Luis Construction Co., Inc. is a certified MBE with the City

of Baltimore Minority and Women's Business Opportunity Office and that it agreed it would perform the paving work if J. Fletcher Creamer & Son, Inc. was awarded the prime contract.

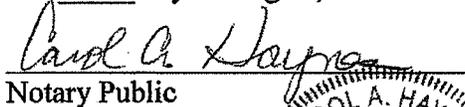
10. I certify that Manuel Luis Construction Co., Inc.'s company email address ends in "@mluisconstruction.com."
11. I certify that Manuel Luis Construction Co., Inc.'s email signature block is contained in the document attached to J. Fletcher Creamer & Son, Inc.'s February 11, 2019 bid protest letter as Exhibit 9.
12. I certify that Manuel Luis Construction Co., Inc.'s corporate logo is "M Luis."



Jo Ellen Sines, Vice President of Construction,
Manuel Luis Construction Co., Inc.

Sworn to and subscribed before me,

this 27th day of August, 2019.



Notary Public

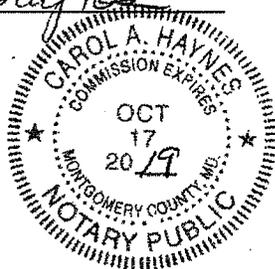


Exhibit 4

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF PUBLIC WORKS

Rudolph S. Chow, P.E., Director
Abel Wolman Municipal Building, 6th Floor
200 N. Holliday Street
Baltimore, Maryland 21202

January 30, 2019

J. Fletcher Creamer & Son, Inc.
101 E. Broadway
Hackensack, NJ 07601

RE: W.C. 1365-Berea Neighborhood and Vicinity Water Main Rehabilitation

Dear Sir or Madam:

On January 29, 2019, the City of Baltimore Minority and Women's Business Opportunity Office (MWBOO) found your bid submission package for W.C. 1365-Berea Neighborhood and Vicinity Water Main Rehabilitation to be non-complaint. The reasons stated are because Bidder did not achieve the MBE goal. Bidder listed M. Luis Products, L.L.C. for \$710,000.00. However, not more than 25% of each MBE/WBE goal may be attained by expenditures to MBE/WBE suppliers who are not manufacturers. Therefore, the maximum value allowed has been applied.

If you require further clarification of this decision, please contact the Department of Public Works Office of Compliance at (410) 396-4041. As a courtesy, your firm will be contacted by the Office of Contract Administration prior to the recommendation to award this contract.

Sincerely,

Torron Coleman
Contract Administrator

cc: DPW-Office of Compliance
File

Visit Our Website @ www.baltimorecity.gov

Exhibit 5

CITY OF BALTIMORE
DEPARTMENT OF LAW
MINORITY AND WOMEN'S
BUSINESS OPPORTUNITY OFFICE

Printed Results from Search

Company	Cert No	Type
M/Luis Products, Inc.		
Address: 101 Dover Road, N.E. Glen Burnie, Md 21060-	18-375242	M/WBE- Hispanic American

Title: Ms. Natalia Luis E-Mail: natalia@mluisproducts.com

Phone: Phone: (410)766-3226 Fax: (410)760-8334 Fax: (410)760-8334

Certified Date: May 2 2018

Expiration Date: May 1 2020

Extension Date:

Services: Asphalt Paving Mixture Supplier; Brick, Stone and Related
Construction Material Supplier

CITY OF BALTIMORE
DEPARTMENT OF LAW
MINORITY AND WOMEN'S
BUSINESS OPPORTUNITY OFFICE

Printed Results from Search

Company	Cert No	Type
Manuel Luis Construction Co., Inc.		
Address: 701 Pittman Road Curtis Bay, Md 21226-	04-004495	M/WBE- Hispanic American
Title: Ms. Cidalia Luis-Akbar E-Mail: Cidalia@mluisconstruction.com		
Phone: Phone: (410)545-0641 Fax: (410)545-0642 Fax: (410)545-0642		
Certified Date: Mar 10 2017		
Expiration Date: Mar 10 2019		
Extension Date:		
Services: ASPHALT & CONCRETE CONSTRUCTION INCLUDING PAVING, MILLING, GRINDING, STRIPING & SAWCUTTING; MAINTENANCE OF TRAFFIC; HAULING; BRIDGEWORK; MASONRY; STONEMWORK; SNOW REMOVAL; LANDSCAPING; SITE PREPARTION; UTILITIES; DEMOLITION; FENCING		

Exhibit 6

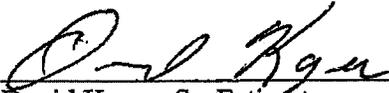
AFFIDAVIT OF DAVID KOGER

I, David Koger, being duly sworn, hereby state and depose as follows:

1. I am David Koger, an adult individual, and Employee for J. Fletcher Creamer & Son, Inc.
2. I have been employed at J. Fletcher Creamer & Son, Inc. for 13 years.
3. J. Fletcher Creamer & Son, Inc. performs, among other things, road and highway construction, pipeline and water main rehabilitation, utility construction, and infrastructure work.
4. In my role as Sr. Estimator, I oversee the solicitation of bids, estimates, and proposals from subcontractors.
5. In my role as Sr. Estimator, I oversee and am involved with the preparation of bids, estimates, and proposals to other contractors, owners, and public entities.
6. I am familiar with the project known as Water Contract 1365 for Berea Neighborhood and Vicinity Water Main Rehabilitation for the City of Baltimore, Department of Public Works ("Water Contract").
7. I prepared J. Fletcher Creamer & Son, Inc.'s bid for the Water Contract and submitted it to the City of Baltimore, Department of Public Works.
8. As part of the bid preparation, I solicited pricing from potential subcontractors including Manuel Luis Construction Co., Inc.
9. I have worked with Manuel Luis Construction Co., Inc. in the past and retained them as a subcontractor at least 2 times.
10. Manuel Luis Construction Co., Inc. is usually referred to as "M Luis" within the construction industry, as well as within J. Fletcher Creamer & Son, Inc.
11. J. Fletcher Creamer & Son, Inc. obtained pricing for the paving portion of the Water Contract from Manuel Luis Construction Co., Inc.

12. Manuel Luis Construction Co., Inc. is certified by the City of Baltimore as an MBE contractor to provide, among other things, asphalt and concrete construction and paving.
13. Manuel Luis Construction Co., Inc. and Fletcher Creamer & Son, Inc. agreed that Manuel Luis Construction Co., Inc. would perform the paving work for the Water Contract for \$710,000 in the event that J. Fletcher Creamer & Son, Inc. be awarded the Water Contract.
14. As part of the bid, I prepared a document titled "PART B: MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT" which is attached hereto as Exhibit X.
15. On Part B, I identified that J. Fletcher Creamer & Son, Inc. was electing to use an MBE contractor and wrote that the name of that contractor was "M Luis."
16. I wrote on Part B that "M Luis" would be performing paving work for \$710,000, and that amount was 12.18% of J. Fletcher Creamer & Son, Inc.'s overall bid.
17. By writing "M Luis" it was my intention to identify the entity Manuel Luis Construction Co., Inc., not "M Luis Products, LLC."
18. At the bottom of Part B is my signature on behalf of J. Fletcher Creamer & Son, Inc. certifying that Manuel Luis Construction Co., Inc. is a certified MBE with the City of Baltimore Minority and Women's Business Opportunity Office, and that J. Fletcher Creamer & Son, Inc. agreed that Manuel Luis Construction Co., Inc. would perform the

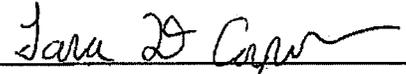
paving work, at the price listed, if J. Fletcher Creamer & Son, Inc. was awarded the prime contract.



David Koger, Sr. Estimator,
J. Fletcher Creamer & Son, Inc.

Sworn to and subscribed before me,

this 11th day of February, 2019.



Notary Public

TARA D. CORPREW
Notary Public of New Jersey
ID# 50087937
My Commission Expires Aug. 9, 2023

Exhibit 7

State of Maryland
Department of
Assessments and Taxation



Larry Hogan
Governor

Sean P. Powell
Director

Charter Division

4
Date: 10/22/2015

MANUEL LUIS CONSTRUCTION CO., INC
7705 POPLAR HILL LANE
CLINTON MD 20735

Renewal Application- Fee \$25

Trade Name: M. LUIS CONSTRUCTION CO., INC.
ID Number: T00090508
Date Registered: 03/15/1996
Lapse Date: 03/15/2016

The trade name filing described above will lapse unless this application and filing fee of \$25 are received at this office by the lapse date. If this trade name is no longer in use, do not file this form and the trade name will lapse automatically.

Below is the address currently in the public record. If you renew this trade name, please check this address for accuracy and make any changes in the space provided. Only the business address may be changed by using this form. In order to change any other information, you must obtain an "Amendment Certificate" form and file it with the Department.

Place of business:
M. LUIS CONSTRUCTION CO., INC.
7705 POPLAR HILL LANE
CLINTON MD 20735

Make changes to business address here:
12200 Plum Orchard Dr. Suite 110
Silver Spring, MD ~~20904~~ 20904

I certify that the above trade name continues to be in use and I hereby apply for another five years.

Owner's signature

CEO
Authorized Title

11/6/15
Date

Charter Division
Balto. metro area (410) 767-1801
Outside metro area (888) 246-594

CUST ID: 0003359626
WORK ORDER: 0004576204
DATE: 12-31-2015 12:16 PM
AMT. PAID: \$25.00

Please make checks payable to the
with this entire form (do not tear

payment

TRADE NAME APPROVAL SHEET

**** KEEP WITH DOCUMENT ****

100090508



1000362008889935

TRANSACTION TYPE FEES REMITTED

TN - Trade Name Registration _____
TA - Amendment _____
TA1 - Amendment Owner Added _____
TA2 - Amendment Owner Deleted _____
TA3 - Amendment Owner Name Change _____
TA4 - Amendment Location Added _____
TA5 - Amendment Location Deleted _____
TA6 - Amendment Location Changed _____
TC - Cancellation _____
TR - Renewal _____ 25

ID # T00090508 ACK # 1000362008889935
PAGES: 0002
M. LUIS CONSTRUCTION CO., INC.

11/17/2015 AT 12:26 P WO # 0004576204

____ Certified Copies Copy Fee: _____
____ Certificates
Certificate of Fact Fee: _____
TOTAL FEES: 25

Other Change(s) _____

NO FEE TRANSACTION TYPES

99T - Departmental Action
99TA - Departmental Action - Name Change
220T - Void Non-Payment
220TA - Departmental Action - Amendment
220TA1 - Departmental Action - Owner Added
220TA2 - Departmental Action - Owner Deleted
220TA3 - Departmental Action - Owner Name Change
220TA4 - Departmental Action - Location Added
220TA5 - Departmental Action - Location Deleted
220TA6 - Departmental Action - Location Changed
220TC - Departmental Action - Cancellation
220TR - Departmental Action - Renewal
240T - Departmental Action - Reinstatement
250T - Incorrect ID Number

Code _____
Attention: _____
Mail to Address: _____

MANUEL LUIS CONSTRUCTION CO., INC.
7705 POPLAR HILL LANE
CLINTON MD 20735

Credit Card _____ Check Cash _____

CUST ID: 0003359626
WORK ORDER: 0004576204
DATE: 12-31-2015 12:16 PM
AMT. PAID: \$25.00

____ Documents on _____ Checks

Approved By: [Signature]
Keyed By: _____

COMMENT(S):

Stamp Work Order and
Customer Number HERE

Exhibit 8

Exhibit 9

M. LUIS is an MDOT, WBENC CERTIFIED MBE/WBE ASPHALT MANUFACTURER



Construction Co., Inc.
Curtis Bay
701 Pittman Road
Curtis Bay, Maryland 21226
410.545.0641 (p)

Montgomery County:
12200 Plum Orchard Drive #110
Silver Spring, Maryland 20904
301.355.0636 (p) 410.545.0643 (f)

Prince George's County:
7705 Poplar Hill Lane
Clinton, Maryland 20735
301.868.7416 (p) 301.868.8907 (f)



Products, LLC.
Glen Burnie Plant:
101 Dover Road, NE
Glen Burnie, Maryland 21060
410.766.3226 (p) 410.760.8334 (f)

Rockville Plant:
14811 Southlawn Lane
Rockville, Maryland 20850
301.294.7561 (p) 301.294.8755 (f)



Exhibit 10

ADDITIONAL BIDDING INFORMATION/ REQUIREMENTS AND CONDITIONS

1. Representatives from the Board of Estimates will be stationed at the Security Unit Counter just inside the Holliday Street entrance of City Hall from 10:45 a.m. to 11:00 a.m. every Wednesday to receive Bids.
2. **Bid Guarantee**: A certified check of the bidder or a bank cashier's check or a bank treasurer's check drawn on a solvent clearing house bank, made payable to the Director of Finance or a bid bond executed on the form as provided in the Bid or Proposal for an amount which is not less than that determined by multiplying the Total Bid submitted by two per cent (2%) will be required with each bid over \$100,000.00. If the bid is less than or equal to \$100,000.00 no Bid Bond is required.
3. Bidders interested in utilizing the **City's Self-Insurance Program** for payment and performance security for contracts not exceeding \$100,000.00 may contact the Department of Finance, the Program Administrator, for eligibility requirements and premium costs.
4. **The Board of Estimates reserves the right to reject any and all Bids and/or waive technical defects, if in its judgment, the interest of the Mayor and City Council of Baltimore may so require.**
5. This contract is subject to a **Performance Evaluation** by the Department of Public Works.
6. **Attention of Bidders is called to all of the requirements outlined in the Baltimore City Code, Article 5 §29.**

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Office
of Engineering and Construction

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
2. \$6,645,564.00	9960-909082-9558	9960-905096-9557-3
Water Utility Funds	Water Infrastructure	Design

The transfer will cover the costs of design for WC 1365, Berea Neighborhood and Vicinity Water Main rehabilitation.

President: "The first item on the non-routine agenda can be found on pages 94 through 95 items one through two Recommendations for Contract Awards/Rejections DPW, OEC, WC 1365 Berea Neighborhood and Vicinity Water Main Rehabilitation and the transfer of funds to cover the cost. Will the parties please come forward. Good morning.

Matthew Garbark, Deputy Director of Public Works: "Good morning, Mr. President, Mr. Mayor, Madam Comptroller, Honorable members of the Board. My name is Matthew Garbark, I'm the Deputy Director of the Department of Public Works. I'm joined with ah -- Tamara Brown the Chief of the Minority and Women's Business Opportunity Office

MINUTES

and Tonorah Huston-Burgee who is the Chief of Contract Administration for the Department of Public Works. As it relates to Water Contract 1365, Berea Neighborhood and Vicinity Water Main Rehabilitation ah-- the City received two bids ah -- one from J. Fletcher Creamer the other from Spiniello. J. Fletcher Creamer's bid was found to be non-responsive due to it not being in compliance with MBE goals. Spiniello was found to be in compliance as a result the Department is recommending award of the contract to Spiniello Companies which is the lowest responsive responsible bidder um -- I can turn it over um -- to Ms. Brown and Ms. Houston-Burgee to speak on any of the details related to the MBE non-compliance finding."

President: "Thank you. Ms. Brown."

Ms. Tamara Brown, Chief of the Minority and Women's Business

Opportunity Office: "Good morning, President Scott, Mayor Young and Madam Comptroller, and members of the Board."

Comptroller: "Please state your name."

Ms. Brown: My name is Tamara Brown, the Chief of the Minority Women's Business Opportunity Office and regarding Contract 1365 our office reviewed the bid package for J. Fletcher submitted by

MINUTES

DPW Contracts Administration on January 1st 2019. In accordance with Baltimore City um -- Baltimore City Code Article 5 Subtitle 28 when we -- when we receive any statement of intent form, we enter the selected subcontractors information into our database to verify the certification of that -- on that particular occasion. The information for the subcontractor was entered exactly how it was submitted to our office which resulted in the following finding that M. Luis was entered on the statement of intent, M. Luis is a supplier of Asphalt. Uh-- further on the statement of intent form the services provided were paving services and M. Luis Products is not certified to provide paving services. They are a supplier of paving materials. So I found that as a material that is a material issue I cannot infer I could not suggest that they mean another company's name and I cannot make any implications. Only the Board of Estimates can correct any or overlooked any material errors at that time. So I found that with that being said they did not get full credit for utilizing M. Luis Products as a subcontractor and didn't meet the MBE or the WBE goal. Thank you."

MINUTES

President: "Thank you. Sir please state your name for the record."

Mr. Jackson Nicols: "Ah -- thank you my name is Jackson Nichols I'm with the law firm of Cohen Seglias um -- I'm here on behalf of J. Fletcher Creamer and Sons Inc., ah -- which is the contractor that submitted the lowest bid. Um -- J. Fletcher Creamer and Sons is an established and respected contractor in this area. They provided a \$100,000.00 worth of services for the City of Baltimore Um -- When they submitted their bid um -- M. Luis was the term that was used but that was actually referring to Manuel Luis Construction Company Inc. ah -- in writing in M. Luis regardless of how it came up in the database um -- for the person who is reviewing this um -- particular contract submission um -- M. Luis is a common trade name that is referred to Manuel Luis Construction Company um -- I have a couple of people here with me um -- one is from Manuel Luis Construction Company Inc. Um -- Ms. Jo Ellen Sines she can testify if called on and she's provided an affidavit um -- that she was in fact the subcontractor that prepared this portion of the bid that was submitted ah -- she can also point out that and I will point out here that the ah -- same Manuel Luis Construction Company Inc. is actually ah -- the paving subcon-

MINUTES

tractor for the third lowest bid which has been recommended for award here. Ah -- so you would end up with the same company either way doing the pavement subcontracting work here. The difference that is quite material here I think for the Board is that the lowest bid is 325 -- almost \$325,000.00 lower ah -- than it is now. The Board has discretion to correct this -- this was a minor technical defect um -- in the bid if even ah -- that it's really just a case of mistaken identity here based on a shorthand reference shorthand name that was used to refer to Manuel Luis's Construction Company by J. Fletcher Creamer when it submitted the bid J. Fletcher Creamer regrets that there was a confusion based on this ah -- but we think ah -- that in the best interest of the taxpayers of Baltimore City it would be in the best interest of the Board and the taxpayers to ah -- save the City the substantial amount of money on this contract by awarding it to the lowest bidder and correcting this minor technical defect."

President: "Director Chow."

MINUTES

Rudolph S. Chow: "Thank you um -- first of all I guess if you -- on the MWBOO form if you just simply stated M. Luis that would have been different. In this case you stated that Manuel -- Luis Products LLC, that was very specific. Now I would say no certainly from a City perspective and we end up paying an extra three hundred plus thousand dollars due to an error on your part or your client's part. Um -- I would just suggest that perhaps um -- J. Fletcher Creamer should be more careful with your supplementals going forward. I mean you know you shouldn't leave up to the Board to -- to make this type of interpretation. It was very explicit, it says M. Luis Products."

Mr. Koger: "We did no say products"

Mr. Nichols: "Ah -- Ah I would like to point out, with me is David Koger who actually prepared the bid and my understanding from him is that um -- I'm not sure um -- which -- which portion of the form you're referring to but what we submitted with our bid protest in February was the actual form that was provided and it states

MINUTES

for the name of the MBE it just says M. Luis which is the proper trade name um -- but I'd be happy to look at whatever it is you see."

Ms. Brown: "Um -- he is correct, M. Luis was entered um -- I will provide you with a copy um -- when M. Luis has entered into our database this is the results and versus what Manual Luis is when that is entered. I have several copies here's a copy for you as well here is some copies for the Board members. I also um -- pulled the data from the Maryland's, The State of Maryland's registration for businesses and you will see that Manuel Luis products and Manuel Luis Construction are two separate entities um -- also listed in the directory with the State of Maryland so that is part of the error um - it --it would take our office to interpret a what they mean -- what company means and and while it would be in favor of J. Fletcher Creamer in an instance, it may not be favorable for someone if we begin to interpret bid documentation. That -- that is not our place we have to enter it exactly how it is. We didn't receive both bid packages at the same time they were submitted at different times. Um -- Ms. Houston Burgee her office Contracts Administration actually does a preliminary compliance

MINUTES

review prior to submitting it to us, and they submitted a recommendation. Now while that does not sway our decision, it's an independent review. Her review was identical so it was it -- was a problem that occurred twice in two separate offices at two different times and I do have she has copies of her review where they came up with the same resolution again that is the independent finding we do a completely separate review and then we review what we've been submitted by the DPW contract administration and we've never really had any differences in our finding and it was it was consistent in both offices."

President: "Thank you. Any other questions from the Board? I will entertain a motion?"

Ms. Moore: "ah -- Mr. President I would move um -- having heard the presentations of both MWBOO and um -- Counsel Jackson Nichols plus the documents that were just handed to us um -- it appears very clear that there are two separate companies and a mistake was made. It was a mistake that clearly has consequences and impact. Names do matter. We have to get them right. I have a name that is shared by someone else in the city of Baltimore and people are learning the hard way that when they send an email to

MINUTES

me, confidential and they don't have it right it goes to someone who's not supposed to have it so we've gone to great lengths to try to correct that. I've even kind of changed my name it's now law.DanaPmoore. All that to say names matter um -- there was a mistake that was made here it's one that um -- obviously has impact regretfully we very much appreciate all of the work that your company has done. Of course M. Luis um -- you can't go around Baltimore and not see their -- their trucks and their contractors very -- very hard at work and we appreciate everything but based on the submissions that have been made today um -- the history and the importance of MWBOO my motion is that the protest though well heard be denied."

Comptroller: "Second."

President: "Thank you. All those in favor of approving this say Aye all those opposed say Nay. The motion carries. Thank you."

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS - cont'dBureau of Procurement

- | | | | |
|----|----------------------------------------------------------|-----------------------------|--------------|
| 3. | B50005706, Cranes
and Hoist Inspection
and Repairs | Air & Power
Technologies | \$ 77,250.00 |
|----|----------------------------------------------------------|-----------------------------|--------------|

MBE/WBE PARTICIPATION:

On February 22, 2019, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON FEBRUARY 22, 2019.

Bureau of Procurement

- | | | | |
|----|-----------------------------------|---------------------------|--------------|
| 4. | B50005786, 25-Foot
Transit Bus | Colonial Equipment
Co. | \$ 99,767.00 |
|----|-----------------------------------|---------------------------|--------------|

MBE/WBE PARTICIPATION:

On February 01, 2019, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is for the purchase of commodities from an authorized heavy equipment dealer who is required to provide associated pre-delivery inspection and warranty repairs.

MWBOO GRANTED A WAIVER ON FEBRUARY 01, 2019.

- | | | | |
|----|-----------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------|
| 5. | B50005805, OEM Parts
and Service for New
Way Trucks | Maryland Industrial
Trucks, Incorporated

Waste Equipment Sales
& Service, LLC | \$4,000,000.00 |
|----|-----------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------|

MBE/WBE PARTICIPATION:

On July 23, 2019, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON JULY 23, 2019.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS - cont'dBureau of Procurement

6. B50005813, OEM Parts & Service for Cummins Engines
- REJECTION** - On July 10, 2019, a total of four bids were received from Peterbilt of Baltimore, Baltimore Freightliner/Harbor Truck Sales & Service, Beltway International, LLC; and Cummins Sales & Service. Upon further review of the solicitation, specifications, and questions submitted by the vendor, it is recommended that the Board reject all bids, in the best interest of the City. The specifications will be reviewed and revised in order to increase competition. A separate Board memo has been concurrently submitted to request an extension to the current contract B50003554, in order to allow time for this process.

(Dept. of Gen. Services, Fleet Mgmt.)

7. B50005829, OEM Parts & Service for General Motors Heavy Duty Trucks
- REJECTION** - On July 31, 2019, one bid was received from Fleetpride, Inc. Upon further review of the solicitation, specifications, and questions submitted by the vendor it is recommended that the Board reject all bids, in the best interest of the City. The specifications will be reviewed and revised in order to increase competition. A separate Board memo has been concurrently submitted to request an extension to the current contract B50003574, in order to allow time for this process.

(Dept. of Gen. Services, Fleet Mgmt.)

MINUTES

EXTRA WORK ORDER

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following pages:

3958 - 3959

The EWO has been reviewed and approved

by the Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

MINUTES

EXTRA WORK ORDER

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

Department of Public Works/Office
of Engineering and Construction

1. EWO #001, \$605,000.00 - SC 910, Improvements to Sanitary Sewer Collection System in the Herring Run Sewershed Part 2: Chinquapin Run

\$23,553,300.00	-	Spiniello Companies	2 Mths.	-
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The Office of Engineering and Construction (OEC) is required to upsize the size of tunneling the machine to 60" tunnel machine being used across Perring Parkway to install the 36" sewer pipe which the OEC originally anticipated it to be using a 42" tunnel machine. The change is due to unforeseen site conditions resulting from abrasive bedrock conditions in the ground. Office of Engineering and Construction request the approval of the not to exceed Lump Sum of \$1,650,000.00 for the agreed 60" micro tunneling work and extension of the contract for 60 non-compensable calendar days due to this change. The contractor will be compensated from funds earmarked for original bid item 817 (42" micro tunneling) until the contractor's work reaches the upset limit of the assigned budget of \$1,045,000.00.

Additional funds to cover the balance of the not-to-exceed agreed lump sum for an amount of \$605,000.00 is required to complete the 60" micro tunneling work that will be added to the 60" micro tunneling bid item.

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.

MINUTES

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

The scope of the construction project includes SC 910 is to remove and abandon the existing sewer line in Chinquapin Run and construct a new upsized newer interceptor away from the stream to substitute the existing sewer interceptor. The scope also includes restoration of Chinquapin stream from Walker Avenue to Perring Parkway.

MBE/WBE PARTICIPATION:

The Vendor will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the 18% MBE and 16% WBE goals assigned to the original agreement.

THE EAR WAS APPROVED BY MWBOO ON APRIL 2, 2019.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to On-Call Agreement (Amendment No. 1) with Johnson, Mirmiran & Thompson, under Project No. 1238, On-Call Mechanical Engineering Services. Amendment No. 1 will extend the period of the agreement through August 31, 2020 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$500,000.00 - Increase in upset limit

BACKGROUND/EXPLANATION:

This time extension and budget increase will allow the Consultant to continue providing mechanical engineering services for various tasks to be assigned by Water and Wastewater facilities including, Wastewater Treatment Plants and Pumping Stations. The Office of Engineering & Construction has a need for these services to address any mechanical issues that requires immediate response and cannot be postponed until the customary architect and engineering selection can be executed.

The scope of the original agreement includes On-Call consulting for various tasks assigned by the Office of Engineering & Construction on an as needed basis. The scope involves mechanical consulting engineering services for various water and wastewater facilities including treatment plants and pumping stations, and may include planning, design and construction phase services. Calls for these services will be made as needs are identified.

MINUTES

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

MBE/WBE PARTICIPATION:

The Consultant will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the 27% MBE and 10% WBE goals assigned to the original agreement.

AUDITS NOTED THE TIME EXTENSION AND THE INCREASE IN UPSET LIMIT AND WILL REVIEW THE TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to On-Call Agreement with Johnson, Mirmiran & Thompson, under Project No. 1238, On-Call Mechanical Engineering Services.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 003 to AECOM Technical Service, Inc. under Project 1803, On-Call Project and Construction Management. The period of the Task Assignment is 18 months.

AMOUNT OF MONEY AND SOURCE:

\$ 58,117.00	-	9956-907542-9551-900020-705032	(SC 892R)
58,117.00	-	9956-917337-9551-900020-705032	(SC 927)
58,117.00	-	9956-902547-9551-900020-705032	(SC 948)
58,117.00	-	9956-908340-9551-900020-705032	(SC 930R)
58,121.42	-	9956-904549-9551-900020-703032	(SC 950R)
\$290,589.42			

BACKGROUND/EXPLANATION:

The Department was in need of inspection of project controls and scheduling services for various engineering and construction projects in watershed facilities.

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 MBE: 29% and WBE: 10%.

THE EAR WAS APPROVED BY MWBOO ON MARCH 12, 2019.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$62,771.13 (Revenue Bond)	9956-923023-9549 Caroline Street Pumping Station	9956-904549-9551 Design

This transfer will fund the costs of Project 1803, On-Call Project and Construction Management. Task No. 003.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 003 to AECOM Technical Service, Inc. under Project 1803, On-Call Project and Construction Management. The Transfer of Fund was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 003 to KCI Technologies, Inc. under Project 1254K, On-Call Environmental Services. The period of the Task Assignment is 24 months.

AMOUNT OF MONEY AND SOURCE:

\$172,051.89 (60.3254%) - Water Revenue
113,154.48 (39.6746%) - Baltimore County
\$285,206.37 - 9960-909991-9557-900020-703032

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is need of improvements for the structural rehabilitation of the underground filtered water reservoir.

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 MBE: 27% and WBE: 10%.

THE EAR WAS APPROVED BY MWBOO ON MARCH 4, 2019.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$214,813.73 Revenue Bond	9960-907305-9558 Montebello Reservoir Study	
<u>143,209.15</u>	" "	
\$358,022.88	-----	9960-909991-9557-3 Design

This transfer will cover the cost of Project 1254K, On-Call Environmental Services, Task No. 003.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 003 to KCI Technologies, Inc. under Project 1254K, On-Call Environmental 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.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 004 to KCI Technologies, Inc. under Project 1254K, On-Call Environmental Services. The period of the Task Assignment is one year.

AMOUNT OF MONEY AND SOURCE:

\$ 94,653.10	(50%)
94,653.09	(50%)
<u>\$189,306.19</u>	- 9956-904950-9551-900020-703032

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction needs an evaluation of the existing condition of the sludge tanks and dissolved air flotation thickeners.

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 MBE: 27% and WBE: 10%.

MWBOO APPROVED THE EAR ON JULY 24, 2019.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$102,225.35 (Wastewater Rev. Bond)	9956-905533-9549 Annual Facilities Improv.	
102,225.34 (County Rev.)	" "	
<u>\$204,450.69</u>		

This transfer will cover the costs of Project 1254K, On-Call Environmental Services, Task No. 004

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 004 to KCI Technologies, Inc. under Project 1254K, On-Call Environmental 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.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 005 to EBA Engineering, Inc. under Project 1255, On-Call Material Testing and Inspection Services. The period of the Task Assignment is 12 months.

AMOUNT OF MONEY AND SOURCE:

\$47,891.35 - 9960-908936-9557-900020-703032

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is in need of project engineering services for WC 1285, Caroline Street and Vicinity Water Main Replacement.

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 MBE: 27.01% and WBE: 10%.

MWBOO APPROVED THE EAR ON JULY 18, 2019.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$102,017.77	9960-909100-9558	9960-908936-9557
Water Utility	Water Infrast.	WC 1285 Caroline
Funds	Rehab	WM Replace

This transfer will cover the costs of Project 1255, On-Call Material Testing and Inspection Services, Task No. 005.

UPON MOTION duly made and seconded, the Board is requested to approve the assignment of Task No. 005 to EBA Engineering, Inc. under Project 1255, On-Call Material Testing and Inspection 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.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 004 to EBA Engineering, Inc. under Project 1255, On-Call Material Testing and Inspection Services. The period of the Task Assignment is 12 months.

AMOUNT OF MONEY AND SOURCE:

\$29,395.25 - 9960-906935-9557-900020-703032

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is in need of project engineering services for WC 1284, Brewer Hill Neighborhood Water Main Replacement.

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 MBE: 27.01% and WBE: 10%.

MWBOO APPROVED THE EAR ON JULY 28, 2019.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$52,000.00	9960-913044-9558	
Water Utility	(Water Infrast.	
Fund	Rehab	
29,962.43	9960-909100-9558	
Water Utility	(Water Infrast.	
<u>Fund</u>	Rehab	
\$81,962.43	-----	9960-906935-9557
		WC 1284 Brewers WM
		Replace

This transfer will cover the costs of Project 1255, On-Call Material Testing and Inspection Services, Task 004.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 004 to EBA Engineering, Inc. under Project 1255, On-Call Material Testing and Inspection 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.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 016 to Rummel, Klepper & Kahl, LLP under Project 1504, Construction Management Assistance. The period of the Task Assignment is 18 months.

AMOUNT OF MONEY AND SOURCE:

\$118,563.60 - 9960-905668-9557-900020-705032

BACKGROUND/EXPLANATION:

The Consultant will provide inspection services for WC 1286, Guilford Avenue and Vicinity Water Main Replacement.

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 MBE: 17.5% and WBE: 2.82%.

MWBOO APPROVED THE EAR ON July 24, 2019

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved assignment of Task No. 016 to Rummel, Klepper & Kahl, LLP under Project 1504, Construction Management Assistance.

MINUTES

Department of Public Works/Office of Engineering and Construction - Post Award Services Agreement for Project No. 1124U (SC 956), Improvement to the Sanitary Sewer Collection System in the Herring Run Sewershed Part 1: Sanitary Sewers

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Post Award Services (PAS) Agreement with AECOM Technical Services, Inc. (AECOM), under Project No. 1124U (SC 956), Improvement to the Sanitary Sewer Collection System in the Herring Run Sewershed Part 1: Sanitary Sewers. The period of the PAS Agreement is effective upon Board approval for three years or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$499,554.56 - Upset limit

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is requesting AECOM to provide the City of Baltimore with the PAS necessary during the construction of SC 956, Improvement to the Sanitary Sewer Collection System in the Herring Run Sewershed Part 1: Sanitary Sewers, to oversee that the work performed by the Contractor is completed in accordance with the design and as specified in the contract documents. The area is within the Herring Run Sewershed.

MINUTES

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

The scope of the original agreement includes project management, attending project meetings, reviewing submittals, reviewing Request for Information, reviewing change orders, redlines, preparing As-builts, and other PAS activities.

MBE/WBE PARTICIPATION:

The Consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and the 30% MBE and 15% WBE goals assigned to this agreement.

MBE: Savin Engineers, P.C	\$ 80,775.72	16.16%
DM Enterprise	<u>70,373.20</u>	<u>14.09%</u>
TOTAL	\$151,148.92	30.26%
 WBE: Phoenix Engineering, Inc.	 \$ 76,663.45	 15.35%

MWBOO FOUND CONSULTANT IN COMPLIANCE ON AUGUST 2, 2019.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Post Award Services Agreement with AECOM Technical Services, Inc., under Project No. 1124U, Improvement to the Sanitary Sewer Collection System in the Herring Run Sewershed Part 1: Sanitary Sewers.

MINUTES

Department of Finance/Office - Expenditure of Funds
of Risk Management

ACTION REQUESTED OF B/E:

The Board is requested to approve the Expenditure of Funds to purchase Cyber insurance for the City for those agencies who are the responsibility of Baltimore City Office of Information and Technology. The Expenditure of Funds is effective upon Board of Estimates approval.

AMOUNT OF MONEY AND SOURCE:

\$835,103.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

Following a competitive process that included 17 insurance carriers, the Office of Risk Management was able to secure a quote for \$20,000,000.00 in Cyber Liability coverage. The first \$10,000,000.00 in coverage is being provided by Chubb Insurance at a cost of \$500,103.00. The second \$10,000,000.00 in excess coverage is being provided by AXA insurance at a premium of \$335,000.00.

The coverage will include, Cyber Incident response coverage including an investigative team. Business Interruption loss and Extra Expense, as well as Contingent Business Interruption and Extra Expense Loss. Digital Data Recovery and Network Extortion. Third party coverage for Cyber Privacy and Network Security, Payment Card loss, Regulatory Proceedings and Electric Social and Printed Media Liability.

APPROVED FOR FUNDS BY FINANCE.

UPON MOTION duly made and seconded, the Board **DEFERRED** the Expenditure of Funds to purchase Cyber insurance until September 11, 2019.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Procurement

- | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|
| 2. BELAIR ROAD SUPPLY
COMPANY, INCORPORATED | \$ 0.00 | Renewal |
| Contract No. B50004699 - Water Meter Expansion Connectors -
Department of Public Works - Revenue Measuring and Billing -
P.O. No.: P537208 | | |

On October 12, 2016, the Board approved the initial award in the amount of \$200,000.00. The award contained three 1-year renewal options. On October 23, 2018, the Board approved the first renewal in the amount of \$0.00. This second renewal in the amount of \$0.00 is for the period October 12, 2019 through October 11, 2020, with one 1-year renewal option remaining.

MBE/WBE PARTICIPATION:

On June 29, 2016, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON JUNE 29, 2016.

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 3. FERGUSON ENTERPRISES, INC.
D-S PIPE AND STEEL SUPPLY
LLC | \$100,000.00 | Renewal |
| Contract No. B00004276 - Steel Pipes, Valves and Fittings -
Department of Public Works, Wastewater Facilities - P.O. Nos.:
P533359 and P533360 | | |

On October 28, 2015, the Board approved the initial award in the amount of \$100,000.00. The award contained two renewal options. Subsequent actions have been approved. This final renewal in the amount of \$100,000.00 is for the period October 28, 2019 through October 27, 2020. The above amount is the City's estimated requirement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

MWB/WBE PARTICIPATION:

On August 16, 2015, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON AUGUST 15, 2016.

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------|---------|---------|
| 4. PAPCO, INC. | \$ 0.00 | Renewal |
| Contract No. B50003771 - Gasoline and Diesel Fuel - Department of General Services and Department of Transportation - P.O. No.: P53230 | | |

On June 17, 2015, the Board approved the initial award in the amount of \$54,000,000.00. The award contained two renewal options. On October 3, 2018, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period September 1, 2019 through August 31, 2020. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On December 18, 2014, MWBOO set goals of 3% MBE and 1% WBE. On August 2, 2019, MWBOO found vendor in compliance.

	<u>Commitment</u>	<u>Performed</u>	
MBE: JJ Adams Fuel Oil Company, LLC	3%	\$320,378.01	4.86%
WBE: Bay Oil, Inc.	1%	\$ 0.00	0%

MWBOO FOUND VENDOR IN COMPLIANCE ON AUGUST 2, 2019.

MINUTES

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

5. MCLEAN CONTRACTING
 COMPANY \$1,700,000.00 Renewal
 Contract No. B50004126 - Structural Maintenance and Dredging
 of Inner Harbor - Department of Transportation - P.O. No.:
 P532947

On September 23, 2015, the Board approved the initial award in the amount of \$629,580.00. The award contained two 1-year renewal options. On August 29, 2018, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$1,700,000.00 is for the period August 16, 2019 through August 15, 2020. The above amount is the City's estimated requirement.

MBW/WBE PARTICIPATION:

On May 20, 2015, MWBOO set goals of 8.3% MBE and 3% WBE. On August 20, 2019, MWBOO found vendor in compliance.

	<u>Commitment</u>	<u>Performed</u>	
MBE: G.E. Frisco Company, Inc.	8.3%	\$20,932.93	9.82%
WBE: A2Z Environmental Group, LLC.	3.3%	\$ 3,789.40	1.77%

MWBOO FOUND VENDOR IN COMPLIANCE ON AUGUST 20, 2019.

6. ROBERT HALF INTERNATIONAL Selected Source/
 INC. \$ 800,000.00 Renewal
 Contract No. TSO6-17 - Professional Staffing Services -
 Departments of Finance, Public Works, General Services,
 Housing and Community Development, Baltimore City Information
 Technology - P.O. No.: P543767

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

On May 16, 2019, the Board approved the initial award in the amount of \$500,000.00. Subsequent actions have been approved. The Houston-Galveston Area Council of Governments cooperative has renewed the submitted contract for professional staffing services through a competitive process. This contract is necessary in order to have certain professionals (such as procurement, legal and accounting) immediately available to agencies for urgent projects and/or to provide support during the employee recruitment process. This renewal will allow for continued support of projects, including but not limited to the City's ERP project. This renewal in the amount of \$800,000.00 is for the period September 1, 2019 through May 31, 2021. 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.

MWBOO GRANTED A WAIVER ON MAY 7, 2018.

- | | | |
|-----------------------------------------------------------------------------------------------------|---------------|---------------------|
| 7. ACCRUENT, LLC d/b/a | | Ratification and |
| VFA | \$ 200,000.00 | Sole Source Renewal |
| Contract No. 08000 - VFA Reporting Software - Department of
General Services - P.O. No.: P537003 | | |

This request meets the condition that there is no advantage in seeking competitive responses.

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

On September 28, 2019, the Board approved the initial in the amount of \$33,213.85. The award contained four 1-year renewal options as well as an option for Facility Condition Assessment Services. Two renewal options have been exercised. This third renewal will allow for the continuation of the option for Assessment Services.

The VFA database is proprietary. This renewal and increase will allow other City agencies to utilize the engineer facility assessment services provided through the VFA contract. The engineering facility assessment services will allow for condition assessments over an additional 4 million square feet of Mayor and City Council owned facilities to be added to the VFA assessment data and capital planning tool. The Department of General Services (DGS) will support subscription fee costs and facility assessment services for DGS managed properties. Expansion of the Assessment Services option will improve the City's budgeting, capital planning, and facilities maintenance decision making. The services requested in this action include specialized engineering services/tasks (i.e. Statistical Modeling, Lifecycle Assessment and Facility Condition Assessments). This data is required for inclusion in the VFA proprietary database. The goal of the VFA engagement is to develop and mature facilities capital planning and management strategies.

The period of the ratification is July 15, 2019 through August 27, 2019. The period of the renewal is August 28, 2019 through July 14, 2020, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

MBE/WBE PARTICIPATION:

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 not applicable. This contract is for proprietary licenses and related services. These tasks have no areas of segmentation as they are inextricably linked with the existing VFA proprietary software.

8. NATIONAL CAPITAL
INDUSTRIES \$74,000.00 Increase
Contract Number B50005392 - Supply Barriers/Quadguards -
Department of Transportation - P.O. No.: P544099

On June 6, 2018, the Board approved the initial award in the amount of \$48,990.00. An increase is needed in order to purchase an additional supply of Barriers and Quadguards as needed. The contract expires on June 5, 2021. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. Original award was below the MBE/WBE subcontracting threshold of \$50,000.00.

9. KINGSVILLE KARTS, LLC \$23,000.00 Increase
Contract Number B50005247 - OEM Parts, Service and Warranty
Repairs for Golf Carts - Department General Services - P.O.
No.: P542181

On January 8, 2018, the City Purchasing Agent approved the initial award in the amount of \$23,000.00. The increase is

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

MBE/WBE PARTICIPATION:

Not Applicable. The initial award was below MBE/WBE subcontracting threshold of \$50,000.00.

10. CCG SYSTEMS, INC.	\$80,467.60	Sole Source/ Increase
Contract Number 08000 - FASTER WEB Migration Upgrade - Department of General Services - P.O. No.: P541673		

This request meets the condition that there is no advantage in seeking competitive responses.

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT.

On October 25, 2017, the Board approved an initial award in the amount of \$373,163.00. Subsequent have been approved.

The increase is necessary because additional funds are required for the FASTER WEB Migration Upgrade due to the need to increase the pace of the migration to a cloud-based system. The contract expires January 31, 2020. The above amount is the City's estimated requirement.

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.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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| 11. BROOKLYN/PROGRESSIVE
AUTO PAINT GROUP, INC. | \$ 49,000.00 | Low Bid |
| Solicitation No. B50005843 - Automotive Paint and Supplies -
Department of General Services, Fleet Management - Req. No.
R817690 | | |

Vendors were solicited by posting on CitiBuy. On August 7, 2019, two bids were received and opened. Award is recommended to the lowest responsive, responsible bidder. The period of the award is September 7, 2019 through September 6, 2021, with three 1-year renewal options. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. Award is below MBE/WBE threshold of \$50,000.00.

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 12. READYCLEAN SERVICES
GROUP, INC. | \$ 39,420.00 | Low Bid |
| Solicitation No. B50005841 - Janitorial Services at 2700 North
Charles Street, Suite 201 - Department of Housing and Community
Development - Req. No.: R825747 | | |

Vendors were solicited by posting on CitiBuy. On July 29, 2019, four bids were received and opened. ReadyClean Services Group, Inc. was found to be the lowest responsive responsible bidder. The period of the award is August 28, 2019 through August 27, 2020, with two 1-year renewal options. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. Award is below MBE/WBE threshold of \$50,000.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Convention Center currently has a maintenance contract with Stanley Access Technologies for all of their current sliding and automatic doors. Stanley Access Technologies are the manufacturer of these doors. 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.

MBE/WBE PARTICIPATION:

Not applicable. The initial award is below MBE/WBE subcontracting threshold.

- | | | |
|-------------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| 15. CANON SOLUTIONS AMERICA,
INC. | \$ 30,984.69 | Selected Source |
| Contract No. 06000 - Buyout of Leased Canon Scanner/Printer -
Department of Transportation - Req. No.: R830322 | | |

This request meets the condition that there is no advantage in seeking competitive responses.

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT.

On November 30, 2013, the Board approved the initial award of Contract B50003158, which expired on December 3, 2018. The Board is requested to approve the amount associated with the buyout of the Canon Scanner/Printer leases under that contract.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

MBE/WBE PARTICIPATION:

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. Not applicable. The initial award is below MBE/WBE subcontracting threshold.

MBE/WBE PARTICIPATION:

N/A

- | | | |
|---------------------------------------------------------------------------------------------------|--------------|-----------------|
| 16. SB & COMPANY, LLC | \$ 30,654.00 | Selected Source |
| Contract No. 06000 - Audit FY 2017 and FY 2018 - Department of Transportation - Req. No.: R822627 | | |

This request meets the condition that there is no advantage in seeking competitive responses.

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT.

The Board is requested to ratify the above amount and approve the payment of invoices for Audit Services during FY 2017 and FY 2018 for the Examination of National Transit Database (NTD). The procurement procedures were not followed due to the time sensitive Federal Transit Administration request for the NTD report. This audit was performed to ensure the integrity of the data meets the FTA accounting standards. SB & Company was selected as they were the awarded vendor on a separate competitively bid contract with the City.

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.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement - cont'd

MBE/WBE PARTICIPATION:

Not applicable. The award is below MBE/WBE subcontracting threshold.

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|---------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| 17. AIRMED INTERNATIONAL,
LLC | \$200,000.00 | Selected Source |
| Contract No. 06000 - Non-Emergent Medical Air Transportation Services - Health Department - Req. No.: R825941 | | |

This request meets the condition that there is no advantage in seeking competitive responses.

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT.

The Baltimore City Health Department (BCHD) receives an annual grant from the Maryland Department of Health (MDH), Medical Assistance Non-Emergency Transportation program. As part of this grant, the BCHD - Office of Field Health Services is tasked to review air medical transportation claims submitted by variety of aero transport providers that State approved Medicare/Medicaid providers. The City pays the medical claims and the State reimburses the City at 100% pass through rate for performing this service on their behalf. The BCHD and the City have no contractual relationship with, and play no part in the selection of these providers. The BCHD reviews the claims and act as a conduit of grant funds as an agent for MDH. The period of the award is August 29, 2019 through August 28, 2020, with two 1-year renewal options. The above amount is the City's estimated requirement.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement - cont'd

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:

On August 8, 2019, it was determined that no goals would be set because of no opportunity to segment the contract.

18. HARBOR TRUCK SALES AND SERVICES, INC. t/a

BALTIMORE FREIGHTLINER	\$ 100,000.00	Extension
Contract No. B50003554 - O.E.M. Parts and Service for Cummins Engines - Department of General Services - Fleet Management - P.O.: P528193		

On July 30, 2014, the Board approved the initial award in the amount of \$150,000.00. The award contained two renewal options. Subsequent actions have been approved and both renewals have been exercised. An extension is necessary to continue parts and services for Cummins Engines for Fleet Management while a new solicitation B50005889 is awarded. The contract expired on July 31, 2019. The period of the award is August 1, 2019 through February 28, 2020. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On May 8, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON MAY 8, 2014.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement - cont'd

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------|
| 19. BOB BELL CHEVROLET/
NISSAN, INC. t/a BOB
BELL CHEVROLET | \$ 100,000.00 | Extension |
| Contract No. B50003574 - OEM Parts and Service for General Motors Heavy Duty Trucks - Department of General Services - Fleet Management - P.O. No.: P528103 | | |

On July 23, 2014, the Board approved the initial award in the amount of \$166,375.00. The award contained two renewal options. Subsequent actions have been approved and both renewals have been exercised. An extension is necessary to continue service for General Motor Heavy Trucks for Fleet Management while a new solicitation is B50005888 is awarded. The contract expired on July 31, 2019. The period of the extension is August 1, 2019 through February 28, 2020. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On January 24, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON JANUARY 24, 2014.

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------|
| 20. PREMIER INTERNATIONAL
ENTERPRISES, INC. | \$1,250,000.00 | Selected Source/
Agreement |
| Contract No. 08000 - Data Transformation Using Proprietary Applaud Software - Baltimore City Information Technology, Department of Human Resources, Department of Finance - Req. No.: R834442 | | |

The Board is requested to approve and authorize execution of an Agreement with Premier International Enterprises, Inc. The period of the agreement is August 29, 2019 through March 31, 2021.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement - cont'd

This request meets the condition that there is no advantage in seeking competitive responses.

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT.

The Vendor was selected because of its proven track record in transforming and mitigating multiple legacy applications and their data into the Workday Platform through their best practices approach and use of Applaud Software. Applaud Software is not available from other service providers. The City's data from legacy HR and Finance systems will be extracted, profiled, analyzed, cleansed, enriched, transformed, loaded, and reconciled through multiple iterations, as part of the Workday ERP project. The period of the agreement is August 29, 2019 through March 31, 2021. The above amount is the City's estimated requirement.

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 selected source procurement. On May 31, 2019, MWBOO determined that no goals would be set because of no opportunity to segment the contract as Applaud software and process is proprietary.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement - cont'd

21. AMERICAN OFFICE EQUIPMENT CO., INC.	\$400,000.00	Sole Source/ Increase
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Contract No. 2015-42 Furniture (Office, School, Library, etc.) and Equipment - Baltimore Convention Center - P.O. No.: To be Determined

On April 27, 2016, the Board approved the initial award in the amount of \$4,000,000.00. The first renewal in the amount of \$2,500,000.00 was approved by the Board on October 17, 2018. This increase in the amount of \$400,000.00 is to add an additional vendor. This contract expires on December 31, 2019 with six one-year renewal options remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On April 23, 2015, MWBOO set goals of 5% MBE and 0% WBE.

MBE: Affordable Delivery Services, \$10,550.00 5%
LLC

WBE: N/A

This is a Howard County contract that Baltimore City is "piggybacking." The City awarded the contract on April 27, 2016. At the time of award, this vendor was not compliant with Baltimore City MBE/WBE requirements and was not added to the original list of "highest discount" furniture providers for the City. The Convention Center has asked to now add the vendor to fulfill pre-existing requirements. The goals established for the contract are voluntary as there is no binding language in the Howard County contract with established M/WBE goals. The

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

City has not established guidelines for MBE/WBE goals when joining a cooperative agreement from another jurisdiction. At this time, the vendor is not legally bound to comply with Article 5, subtitle 28, therefore, MWBOO cannot determine compliance.

22. <u>A&A SALES ASSOCIATES, LLC</u>	\$ 0.00	Correction
Contract No. B50004680 - Steel Toe Rubber Hip Boots - Department of Public Works - P.O. No.: P536876		

On September 14, 2016, the Board approved the initial award in the amount of \$180,000.00. The first renewal in the amount of \$60,000.00 was approved by the Board on October 17, 2018. On July 17, 2019 the Board approved the second of three, one-year renewal options, in the amount of \$60,000.00, with only two of the three vendors; District Safety Products, Inc., and Stauffer Manufacturing Company. The third vendor, A&A Sales Associates, LLC was inadvertently excluded from the memorandum submitted to the Board requesting the renewal. The Board is requested to approve the correction, in the amount of \$0.00, of the renewal action to include A&A Sales Associates, LLC. This correction is for the period September 14, 2019 through September 13, 2020 with one, one-year renewal option remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On July 13, 2016, MWBOO determined that no goals would be set because there is no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement - cont'd

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

MINUTES

CITY COUNCIL BILL:

18-0304 - An Ordinance concerning Property Tax Credit - 9-1-1 Public Safety Telecommunicators for the purpose of establishing a tax credit against the property tax imposed on the principal residences of certain 9-1-1 public safety communicators; imposing certain limitations, conditions, and qualifications for credit eligibility; providing for the amount, duration, and administration of the credit; defining certain terms; providing for a special effective date; and generally relating to a property tax credit for qualified 9-1-1 public safety telecommunicators.

The Department of Law is favorable with the following amendments:

After the bill was introduced, there was a slight change in state law. The term "9-1-1 public safety telecommunicator" was replaced by "9-1-1 specialist." See, 2019 Maryland Laws Ch. 299 (H.B.1090). The definition of 9-1-1 telecommunicator (now "specialist") was changed to "an employee of [Baltimore City] public safety answering point, or an employee working in a [Baltimore City] public safety answering point, whose duties and responsibilities include: (i) receiving and processing 9-1-1 requests for emergency assistance; (ii) other support functions directly related to 9-1-1 requests for emergency assistance; or (iii) dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency." Md. Code, Tax-Prop. §9-262 (a) (3).

This change in terminology should be reflected in the bill to parallel state law.

The state law provides most of the requirements for the credit, which the City cannot alter. Md. Code, Tax-Prop., §9-262; Worton Creek Marina, LLC v. Claggett, 381 Md. 499, 512-513

MINUTES

CITY COUNCIL BILL 18-0304:

(Md. 2004) (citations omitted). The credit is against the local portion of the real property tax "on a dwelling located in [Baltimore City] that is owned by a 9-1-1 specialist." Md. Code, Tax-Prop., §9-262 (b). The credit is only available if the 9-1-1 specialist "is otherwise eligible for the credit authorized under §9-105" of the Tax-Property Article, which is the Homestead Tax Credit. *Id.*

Dwelling is defined to be a house used and occupied as a principal residence "for more than 6 months of a 12-month period beginning with the date of finality for the taxable year for which the property tax credit under this section is sought," and includes the lot upon which the house sits. Md. Code, Tax-Prop., §§9-262; 9-105(a)(5)(i). A qualified dwelling can include certain condominiums and apartments. Md. Code, Tax-Prop., §9-105(a)(5)(ii).

Each taxable year, the credit may not exceed the lesser of \$2,500 per dwelling or the total local real property tax imposed on the dwelling. Md. Code, Tax-Prop., §9-262 (c). If the 9-1-1 specialist chooses to take this credit, he or she is prohibited from receiving any other property tax credit provided by Baltimore City, except the local portion of the homestead tax credit and the income tax rate offsetting credit. CCB 18-0304, p. 3, line 10. The City is authorized to make this limitation as an additional eligibility requirement. Md. Code, Tax-Prop. §9-262 (d)(3).

The City has been granted the power to set the amount and duration of the credit as well as the rules and procedures necessary for application and uniform processing and any other provisions necessary to carry out the state law. Md. Code, Tax-Prop., §9-262(d).

MINUTES

CITY COUNCIL BILL 18-0304:

With the above changes, City Council Bill 18-0304 is consistent with the powers granted to the Mayor and City Council by the State, the Law Department approves it for form and legal sufficiency.

Amendments to City Council Bill 18-0304

Proposed by the Law Department (to conform to recent changes in the State law)

Amendment No. 1

Replace all references to "9-1-I public safety telecommunicator" with "9-1-1 specialist"

Amendment No. 2

On page 2, line 6, after "EMPLOYEE" insert OF A PUBLIC SAFETY ANSWERING POINT

Line 8 delete ANSWERING, RECEIVING TRANSFERRING, AND DISPATCHING 9-1-1 CALLS and replace with RECEIVING AND PROCESSING 9-1-1 REQUESTS FOR EMERGENCY ASSISTANCE

Line 9, after FUNCTIONS insert DIRECTLY and after 9-1-1 delete CALLS and replace with REQUESTS FOR EMERGENCY ASSISTANCE

The Bureau of the Budget and Management Research is unfavorable with the following comments:

Context and Background

The City has recently added two new tax credits for public safety workers. On December 4, 2017, the Mayor signed City Council Bill 17-0120, which grants a local real property tax credit of up to

MINUTES

CITY COUNCIL BILL 18-0304:

\$2,500 to eligible public safety officers owning and living in a property located in the City. On November 19, 2018, the Mayor signed City Council Bill 18-02545, which extends the public safety officers tax credit to also include individuals employed by the BCPSS.

Fiscal Impact

City Council Bill #18-0304 would provide a credit of up to \$2,500.00 for 9-1-1 Public Safety Communicators.

The fiscal impact of the proposed legislation would be estimated based on three eligible groups: City residents who own and occupy their home, City residents who rent, and non-City residents. The City employs 91 full-time 9-1-1 operators. Thirty-seven of these individuals have been identified as owner-occupied City residents, and therefore are immediately eligible for the proposed tax credit. Total property taxes from the eligible operators is \$89,500.00. After benefiting from the proposed credit, tax liability for 22 of the 37 individuals would be reduced by 100 percent, while the remaining 15 would have their tax liability reduced by about 81 percent. Total anticipated cost of the proposed tax credit, if granted to current owner-occupied residents, is estimated at \$78,600.

The remaining 9-1-1 operators either live in the City, but rent, or live outside the City. It is unknown if this policy would entice the remaining 54 individuals to purchase real property in the City as their principal residence. If additional 9-1-1 employees moved to the City, the cost of the credit would increase, but these individuals would also generate additional revenue from income, transfer, and recordation taxes. The following table summarizes the possibilities:

MINUTES

CITY COUNCIL BILL 18-0304:

	#	1st Year Impact			Offsetting Revenues		
		City Tax	Est'd Tax Credit	Remaining Taxes	Income Tax	Transfer & Recordation Tax	Net Gain/(Loss)
Current Owner-Occupied Residents	37	\$89,533	(\$78,576)	\$10,956	\$0	\$0	(\$78,576)
Current City Renters	24	\$58,075	(\$50,968)	\$7,107	\$0	\$90,000	\$39,032
Non-Residents	30	\$72,594	(\$63,711)	\$8,883	\$38,553	\$112,500	\$87,342
Total Net Cost of 1st year*	91	\$220,202	(\$193,255)	\$26,946	\$38,553	\$202,500	\$47,797

	#	2nd Year Impact			Offsetting Revenues		
		City Tax	Est'd Tax Credit	Remaining Taxes	Income Tax	Transfer & Recordation Tax	Net Gain/(Loss)
Current Owner-Occupied Residents	37	\$89,533	(\$78,576)	\$10,956	\$0	\$0	(\$78,576)
Current City Renters	24	\$58,075	(\$50,968)	\$7,107	\$0	\$0	(\$50,968)
Non-Residents	30	\$72,594	(\$63,711)	\$8,883	\$38,553	\$0	(\$25,158)
Total Net Cost of 2nd year**	91	\$220,202	(\$193,255)	\$26,946	\$38,553	\$0	(\$154,703)

* During the 1st year of implementation, and assuming that all City renters and non-City residents become owner-occupied residents, the net benefit/loss to the City is \$47.8K revenue gain due to the increase from income and one-time transfer and recordation tax revenues

** For the 2nd year, all one-time transactional revenues are not available; therefore, there would be a net \$154.7K revenue loss to the City

Other Considerations

Tax Credits: Finance has currently contracted with a consultant, Ernst and Young, to refresh its 10-Year Financial Plan. As part of that contract, the consultant is analyzing the impact of all existing City tax credits. Although the final report is not yet complete, preliminary findings suggest that many of the City's existing tax credits have not spurred additional investment as intended. In addition, tax credits are generally an expensive way to provide a benefit, due to the staffing required to oversee the credit (applications, eligibility criteria, etc.).

Public Safety Officer Credit: The proposed 9-1-1 Officer Tax Credit is structured most similarly to the existing Public Safety Officers Tax Credit, which is still in its infancy. It is unclear if that credit has enticed additional officers to move into the City. Both credits provide a benefit to property owners whose primary residence is already located in the City.

MINUTES

CITY COUNCIL BILL 18-0304:

911 Operations: During the 2019 General Assembly session, legislation was passed to begin the upgrade of 911 call center technology. It includes additional funding for local jurisdictions based on a change in how 911 fees are billed, from a per household basis to a per device basis. In preparation for these changes, BBMR and Fire have teamed up to co-sponsor a study for how existing operations should be re-aligned with the new requirements and funding.

Conclusion

Given that City has two critical studies underway that are relevant to this legislation (tax credit policy, and 911 operations), Finance respectfully requests that this legislation be deferred for consideration until this work is completed. We expect both reports to be complete by the end of calendar year 2019.

THE DEPARTMENT OF PLANNING HAS NO OBJECTION AND DEFERS TO THE DEPARTMENT OF FINANCE.

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NO OBJECTION AND DEFERS TO THE DEPARTMENT OF FINANCE.

ALL OTHER REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved bill 18-0304 and directed that the bill be returned to the City Council with the recommendation that they also be approved and passed by that Honorable Body. The Mayor **ABSTAINED**. The President **ABSTAINED**.

MINUTES

Bureau of the Budget and
Management Research (BBMR)

- Implementation Grant
Agreement and AAO No. 58

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize approval of the Implementation Grant Agreement with the National League of Cities Institute for Cities Connecting Children to Nature (CCCN). The period of the Grant Award Agreement is March 14, 2019 through October 31, 2020.

The Board is further requested to approve the AAO No. 58 to transfer appropriation within the Department of Recreation and Parks for \$50,000.00 from Special funds unallocated appropriation Service 648: Community Recreation Centers to Service 653: Park Programs.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - From: 6000-600019-4803-676700-607004 (Service 648)
Community Recreation Centers

To: 6000-600018-4731-676700-607004 (Service 653)
Park Program

The appropriation will be placed in detailed fund no. 609919.

BACKGROUND/EXPLANATION:

The CCCN will work with City leaders to confront pressing child development issues related to increasingly indoor lifestyles. These include higher rates of emotional and physical health challenges. The Initiative has an implementation plan with specific strategies that will address disparities regarding access to nature, particularly those that run along economic and racial lines.

MINUTES

BBMR - cont'd

For greatest impact, it is crucial that City leaders hold equitable access to nature for all their residents as the first and foremost tenet of their efforts.

This request is late because of delays in the administrative process.

MBE/WBE PARTICIPATION:

N/A

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 the Implementation Grant Agreement with the National League of Cities Institute for Cities Connecting Children to Nature. The Board further approved AAO No. 58 to transfer appropriation within the Department of Recreation and Parks for \$50,000.00 from Special funds unallocated appropriation Service 648: Community Recreation Centers to Service 653: Park Programs.

MINUTES

Department of Law - MWBOO Recommended Penalty - Non-Compliance AM Liner East Sanitary Sewers in the Herring Run Sewer Shed

ACTION REQUESTED BY THE B/E:

The Board is requested to approve the MWBOO Recommended Penalty for AM-Liner East, Inc. pursuant to Article 5 §28-122 of the Baltimore City Code for failure to comply with the sub-goals established for SC 908.

AMOUNT OF MONEY AND SOURCE:

\$40,425.80 - Retainage Funds for SC 908

BACKGROUND/EXPLANATION:

On April 2, 2013, the Minority and Women's Business Opportunity Office (MWBOO) set the following goals for the Department of Public Works (DPW) Sanitary Sewers in the Herring Park Sewer Shed Project - SC 908: MBE: 16% WBE 6% with 11% African American (AA) and 5% Hispanic American (HA) sub-goals.

In accordance with Article 5, Subtitle 28 of the Baltimore City Code, on November 6, 2013, AM-Liner East, Inc. was found compliant by MWBOO for submitting a bid package meeting all required goals and sub-goals. At the time, AM-Liner East, Inc. was the 2nd lowest responsive bidder. The lowest responsive bidder, Anchor Construction Corp, did not meet the HA sub-goal, therefore, their bid was found non-complaint by MWBOO. For that reason, they were not awarded the contract.

Subsequently, on February 5, 2014, the Board of Estimates awarded the subject contract to Am-Liner East, Inc. At the time of the award, Am-Liner East committed to utilizing R.E. Harrington Plumbing & Heating Co., Inc. for 10.50% of the contract (\$1,207,139.38) and CCTV Masters, LLC for 0.50% of the contract (\$57,482.83) in order to satisfy the stipulated AA sub-

MINUTES

Department of Law - cont'd

goal requirement. At completion of the contract, R.E. Harrington Plumbing & Heating Co., Inc. was only utilized for 3.41% (\$367,632.90) of the contract and CCTV Masters, LLC was never utilized.

On February 13, 2019, MWBOO found that AM-Liner East, Inc. failed to meet the AA sub-goal. A review of contract records noted that both R.E. Harrington Plumbing and AM-Liner East identified conflicts during the contract which resulted in R.E. Harrington Plumbing requesting removal from the contract.

AM-Liner East, Inc. made no formal attempt to substitute either of the AA subcontractors as required in Article 5, Subtitle 28 of the Baltimore City Code.

An investigation was conducted which confirmed that AM-Liner East failed to utilize the AA MBEs.

As a result of the aforementioned finding of non-compliance, the Chief of MWBOO declined to approve the final Release of Retainage.

On April 18, 2019, in accordance with Article 5, subtitle 28 of the Baltimore City, MWBOO formally notified AM-Liner East of non-compliance. On May 10, 2019, in an attempt to resolve the issue of non-compliance through conciliation, MWBOO held a meeting with Mr. Sean Merryman of AM-Liner East, Inc. and Mr. Michael Mullen of the Baltimore City Law Department. At the meeting, we discussed the issue of non-compliance and possible resolutions were discussed. The initial MWBOO recommendation was to add the AA shortage to an existing Baltimore City Contract. Unfortunately, Mr. Merryman stated that AM-Liner East, Inc. is not currently in a position to do so. MWBOO then recommended that AM-Liner, East, Inc. discuss the findings and recommend a solution to the issue at next meeting. A follow up meeting was scheduled for May 17, 2019.

MINUTES

Department of Law - cont'd

On May 16, 2019, AM-Liner East's Counsel contacted MWBOO via email, stating "AM-Liner has not yet had a chance to complete its investigation of the allegations made at our meeting last week. Consequently, we think it would be more productive if the parties agree to postpone this meeting for a few days to allow us to be in a position to provide a meaningful response." To date, the follow-up meeting has not occurred, and AM-Liner has not presented any recommendations to resolve the matter of non-compliance.

The MWBOO recommendation of the penalty was submitted to the Director of DPW, Mr. Rudy Chow, and was affirmed. AM-Liner East was formally notified of the recommended penalty on July 24, 2019.

RATIONALE FOR RECOMMENDATION

At this time, MWBOO has found that AM-Liner East, Inc. has failed to comply with the provisions of the Baltimore City Code. and recommends the following penalty to the Board of Estimates:

1. Withholding of \$40,425.80 from Final Release of Retainage.

- a. Rationale: AM-Liner East, Inc. was the second lowest bidder. The first lowest bidder, Anchor Construction Corp. was found non-responsive because the bid did not achieve the 5% HA sub-goal. The recommended withholding is the difference between the lowest bid and the awarded second lowest bid. The City ultimately rejected a lower bid based on non-compliance with sub-goals while the awarded bidder elected to disregard the sub-goals during the contract. This resulted in a potential loss of \$40,425.80 to the City.

(Note: The actual final cost of the contract was \$10,775,980.75 which is a difference of \$720,584.80. Based on the nature of the work on the contract, it is understood that the lowest bidder would have also realized a similar cost difference from the original bid.)

MINUTES

Department of Law - cont'd

Please be advised that this is merely a recommended penalty, and that the Board of Estimates may impose any or all of the following penalties per Article 5, subtitle 28-122 of the Baltimore City Code:

1. Suspension of contract (not applicable as the contract has completed);
2. Withholding of funds;
3. Rescission of contract based on material breach (not applicable)
4. Refusal to accept bid (not applicable)
5. Disqualification of a bidder, contractor, or other business from eligibility from providing goods or services to the City for a period not to exceed 2 years; and
6. Payment of liquidated damages

This item has been **DEFERRED** until September 11, 2019 pages 149 through 151.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board **DEFERRED** the Recommended Penalty for AM-Liner East, Inc. pursuant to Article 5 §28-122 of the Baltimore City Code for failure to comply with the sub-goals established for SC 908.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Police Department</u>			
1. Michael Harrison	International Association of Chiefs of Police Annual Fall Conference Chicago, IL Oct. 24, - 28, 2019 (Reg. Fee \$0.00)	Asset Forfeiture Funds	\$1,867.09

The subsistence rate for this location is \$299.00 per night. The cost of the hotel is \$299.00 per night, plus total hotel taxes of \$52.03 per night. The Department is requesting additional subsistence of \$160.00 for meals and incidentals. The airfare cost of \$242.97 and hotel cost of \$1,196.00 were prepaid on a City-issued procurement card assigned to Mr. Harrison. Therefore, Mr. Harrison will be disbursed \$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.

2. Christopher Jones Mark Walrath Daniel Santos	Delaware State Police Homicide Conference Dover, DE Oct. 14, - 18, 2019 (Reg. Fee \$575.00 ea.)	Asset Forfeiture Funds	\$3,730.44
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The subsistence rate for this location is \$150.00 per night. The cost of the hotel is \$89.00 per night, plus hotel taxes of

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Police Department</u> - cont'd			

\$17.12 per night. The hotel cost and registration fee of \$575.00 for each attendee was prepaid on a City-issued procurement card assigned to Mr. Tribhuvan Thacker. The attendees will be travelling by departmental vehicle. Therefore the each attendee will be disbursed \$244.00.

Office of the Inspector General

3. Reginald Cohen	Association of Fraud Examiners Washington, DC Sept. 16 - 19, 2019 (Reg. Fee \$2,128.00)	General Fund	\$2,305.24
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Mr. Cohen will be travelling by personal vehicle and is only requesting mileage. The registration fee of \$2,128.00 was prepaid on a City-issued procurement card assigned to Yvonne Brooks. Therefore, Mr. Cohen will be disbursed \$177.24.

4. Jennifer Caffrey	Association of Fraud Examiners Washington, DC Sept. 16 - 19, 2019 (Reg. Fee \$2,128.00)	General Fund	\$2,305.24
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Ms. Caffrey will be travelling by personal vehicle and is only requesting mileage. The registration fee of \$2,128.00 was prepaid on a City-issued procurement card assigned to Yvonne Brooks. Therefore, Ms. Caffrey will be disbursed \$177.24.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Planning</u>			
5. Anne Draddy	National Assoc. of City Transportation Officials Annual Conference Toronto, CA Sept. 5 - 11, 2019 (Reg. Fee \$0.00)	Non-City Fund	\$ 0.00

Ms. Draddy will travel at her own expense from September 5 - 8, 2019. Beginning September 9 - 11, 2019 she will attend the conference. The Urban Sustainability Directors Network will pay the cost of registration and four nights of hotel accommodations during the conference. City funds will not be expended.

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

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.

Office of the State's Attorney for Baltimore City**RETROACTIVE TRAVEL APPROVAL**

6. Michelle Lee	National Center for Victims of Crime, National Training Institute Orlando, FL Sept. 4 - 7, 2018 (Reg. Fee \$625.00)	Asset Forfeiture Fund	\$1,563.58
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MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the State's Attorney for Baltimore City - cont'd</u>			

On September 4 - 7, 2018, Ms. Lee traveled to Orlando, Florida to attend the Annual National Training Institute. The allowed

RETROACTIVE TRAVEL APPROVAL

subsistence rate for this location is \$188.00 per day. The hotel rate was \$129.00 per night. The hotel taxes were \$16.125 per night and resort fee of \$25.00 per night. The registration fee of \$625.00, airfare cost of \$337.96, and hotel cost of \$387.00, and hotel taxes of \$123.38 were prepaid using a City-issued credit card assigned to Ms. Timi Roberts. Therefore, the reimbursement to Ms. Lee is \$90.24.

This request is late because of an attempt to locate lower airfare. The Department requests retroactive travel approval. The requested travel reimbursement is as follows:

TRAVEL REIMBURSEMENT

\$90.24 - Meals

RETROACTIVE TRAVEL APPROVAL

7. Carolyn Hutchings	National Center for Victims of Crime, National Training Institute Orlando, FL Sept. 4 - 7, 2018 (Reg. Fee \$625.00)	Asset Forfeiture Fund	\$1,538.02
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On September 4 - 7, 2018, Ms. Hutchings traveled to Orlando, Florida to attend the Annual National Training Institute. The

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the State's Attorney for Baltimore City - cont'd</u>			

RETROACTIVE TRAVEL APPROVAL

allowed subsistence rate for this location is \$188.00 per day. The hotel rate was \$129.00 per night. The hotel taxes were \$16.125 per night and resort fee of \$25.00 per night. The registration fee of \$625.00, airfare cost of \$337.96, and hotel cost of \$387.00, and hotel taxes of \$123.38 were prepaid using a City-issued credit card assigned to Ms. Timi Roberts. Therefore, the reimbursement to Ms. Hutchings is \$104.68.

This request is late because of an attempt to locate lower airfare. The Department requests retroactive travel approval. The requested travel reimbursement is as follows:

TRAVEL REIMBURSEMENT

\$104.68 - Meals

MINUTES

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the State's Attorney for Baltimore City</u>			
8. Michelle Lambert	Forensic Evidence Training Phoenix, AZ Dec. 10 - 14, 2017 (Reg. Fee \$625.00)	Asset Forfeiture Funds	\$1,801.26

Ms. Lambert traveled to Phoenix, Arizona to attend Forensic Evidence Training from December 10 - 14, 2017.

The subsistence rate for this location was \$183.00 per night. The cost of the hotel was \$124.00 per night, plus hotel taxes of \$15.58 per night.

The airfare in the amount of \$425.96, the hotel costs, and hotel taxes were prepaid by a City-issued credit card assigned to Ms. Robin Haskins.

The registration fee in the amount of \$625.00 was prepaid by a City issued credit card assigned to Ms. Timi Roberts. Ms. Lambert personally incurred the cost of meals and incidentals. Therefore, the disbursement to Ms. Lambert is \$191.95.

TRAVEL REIMBURSEMENT

\$191.95 - Meals and incidentals

This request is late because of an oversight during the administrative review process.

MINUTES

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the State's Attorney for Baltimore City</u>			
9. Valerie Brice	2018 National Training Institute Orlando, FL Sept. 4 - 7, 2018 (Reg. Fee \$625.00)	Asset Forfeiture Funds	\$1,511.43

Ms. Brice traveled to Orlando, Florida to attend the 2018 National Training Institute from September 4 - 7, 2018.

The subsistence rate for this location was \$188.00 per night. The cost of the hotel was \$129.00 per night, plus hotel taxes of \$16.125 per night, and a resort fee of \$25.00 per night.

The airfare in the amount of \$297.96, the hotel costs, the hotel taxes, resort fees, and the registration fee in the amount of \$625.00 was prepaid by a City-issued credit card assigned to Ms. Timi Roberts. Ms. Brice personally incurred the cost of meals and incidentals. Therefore, the reimbursement to Ms. Brice is \$78.09.

TRAVEL REIMBURSEMENT

\$78.09 - Meals and incidentals

This request is late because of delays in the administrative approval process.

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

MINUTES

Visit Baltimore - Certify and Approve Petitions of
Baltimore Tourism Improvement District

ACTION REQUESTED OF B/E:

The Board is requested to certify and approve the signed petitions from assessed business owners for the formation of the Baltimore Tourism Improvement District as outlined in Council Bill 18-0293 §20-15.

AMOUNT OF MONEY AND SOURCE:

No City funds are involved in this transaction.

BACKGROUND/EXPLANATION:

Council Bill 18-0293, a bill sponsored by the administration, was introduced in October 2018 for the purpose of establishing the Baltimore Tourism Improvement District. Tourism Improvement Districts are authorized to support marketing, sales and other promotional programs and activities to increase tourism and specifically benefit assessed businesses.

On May 6, 2019 Council Bill 18-0293 was signed into law by Mayor Bernard C. "Jack" Young. In accordance to §20-15 of 18-0293, the District is established following a petition process which includes 54% of all assessed Business Owners or their duly authorized representatives to be returned to the Board of Estimates.

The Board of Estimates will certify that the District is approved for formation and the association is approved as the District's Association if it determines that 54% of all assessed business have submitted petitions in favor of the formation of the district and 54% of the total room count of all assessed businesses within the district have submitted petitions in favor of the formation of the District.

MINUTESVisit Baltimore - cont'd

The petition collection began on Tuesday, May 14th with an invitation to area Hotel General Managers and Business Owners. A list of the assessed businesses was received from the Bureau of the Budget and Management Research on August 13, 2019 and it was determined that signed petitions had been collected from 37 of the 65 (56.9%) of the assessed businesses and 8,427 of the 10,959 (77.7%) of total available rooms of the businesses within the District boundaries which exceeded the required 54% for both assessed businesses and of the total rooms. Petition signatures and a list totaling of assessed businesses has been submitted.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board certified and approved the signed petitions from assessed business owners for the formation of the Baltimore Tourism Improvement District as outlined in Council Bill 18-0293 §20-15.

MINUTES

President: "As there's no more business before the Board we will recess until bid opening at 12:00 noon. The Board will also be in recess September the 4th 2019. We will reconvene September 11, 2019 have a happy and safe Labor Day Thank you."

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MINUTES

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

BIDS, PROPOSAL AND CONTRACT AWARDS

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

Department of Public Works

- WC 1403 Urgent Need Water
Infrastructure Rehabilitation
and Improvements Phase II
FY 20
BIDS TO BE RECV'D: 09/11/2019
BIDS TO BE OPENED: 09/11/2019

MINUTES

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

Department of Public Works - SC 997, On-Call Assessment and Repairs of Sanitary Sewer Mains and Laterals Citywide

IPR Northeast
Midas Utilities
Spiniello
Metra Industries
Anchor Construction Corporation

Bureau of Procurement - B50005362, Building Facilities Renovations

Boulevard Contractors Corp.
UK Construction
First Potomac Environmental Co.
Colossal Contractors Inc.

Bureau of Procurement - B50005822, Water Bill Envelopes

Husky Envelope

Bureau of Procurement - B50005844, OEM Parts and Services for Cement Trucks

FleetPride, Inc.

MINUTES

Bureau of Procurement

- B50005850, Tow Trucks with
Carrier Bed

Beltway International, LLC

Bureau of Procurement

- B50005864, OEM Parts and
Services for Quinn Generators
and Electrical Equipment

No Bids Received

Bureau of Procurement

- B50005884, Steel Products

DS Pipe & Steel Supply, LLC

MINUTES

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There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday September 11, 2019.


JOAN M. PRATT
Secretary