

**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  
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 September 25, 2019 meeting of the Board of Estimates is now called to order. In the interest of promoting order in the efficiency 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 September 23, 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

City Solicitor: "Mr. President before making an appropriate motion I -- I simply want to mention that the Law Department and MWBOO have continued to express concern that certain items are making their way to the Board's agenda without an appropriate review by the Law Department and MWBOO. Um -- it -- it's nobody's fault. Ah -- but I'm pleased to report to the Board that ah -- the ah -- Chief of Staff together with the leadership in the Department of Public Works, ah -- just yesterday circulated a memorandum and an email notifying everyone that we're going to get back to a very robust pre-board of Estimates Agenda review. So that the various agencies in the City are talking to each other about matters of common --con -- ah -- common interest, and to ensure that the Law Department has full opportunity to use its talented lawyers to review matters of importance to the City so that best practices are followed. In that regard, I'm going to meet with the Director of Finance later today and fill out some of the procedures that we need to follow to make sure that this happens. Ah -- because we all want to make sure that what happens before the Board is in the best interest of the City. So with that Mr. President, I'm pleased to move ah -- approval of the items on the routine agenda."

MINUTES

Comptroller: "Second."

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

\* \* \* \* \*

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

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

Badger Daylighting Corp.	\$	941,760,000.00
Michels Corporation		\$1,729,010,000,000.00

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:

Gaudreau, Inc.	Architect
Mott MacDonald, LLC	Engineer

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

**MINUTES**

Department of Communication - Member Participation Agreement  
Services

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Member Participation Agreement with Verizon Business Network Services, Inc. on behalf of MCI Communications Services, Inc. d/b/a Verizon Business Services. The period of the agreement is effective upon Board approval for three years.

**AMOUNT OF MONEY AND SOURCE:**

No additional cost. (The cost of services were projected in the Centrex contract with Verizon.)

Account: 2039-000000-1330-158400-603084

**BACKGROUND/EXPLANATION:**

On April 1, 2009, the City entered into a MiCTA Participation Agreement with Verizon with subsequent amendments. This agreement sets new and negotiated discounted rates for services such as Voice over IP, Internet dedicated, Private IP, Access Services, customer premises equipment and Managed WAN on behalf of the Housing Authority, Police Department, Municipal Telephone Exchange and the Department of Public Works.

As a result of the merger between MCI Communication Services, Inc. (MCI) and Verizon, some services and or upgrades to services, which were in the past provided under the City's contract with Verizon for Centrex, now must be procured through Verizon on behalf of MCI.

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Department of Communication Services - cont'd

UPON MOTION duly made and seconded, the Board approved the Member Participation Agreement with Verizon Business Network Services, Inc. on behalf of MCI Communications Services, Inc. d/b/a Verizon Business Services.

**MINUTES**Baltimore Development Corporation - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Lease Agreement with the Baltimore City Law Department, Tenant, for 4,092 total rentable square feet of floor area (Premises) on the Mezzanine Level of an office building, at 7 East Redwood Street in Baltimore City, Maryland. The period of the Lease Agreement is July 1, 2019 through June 30, 2024.

**AMOUNT OF MONEY AND SOURCE:**

<u>Monthly Rent</u>	<u>Annual</u>	<u>Year</u>
\$2,557.50	\$30,690.50	July 1, 2019 - June 30, 2020
\$2,634.27	\$31,611.24	July 1, 2020 - June 30, 2021
\$2,713.30	\$32,559.60	July 1, 2021 - June 30, 2022
\$2,794.70	\$33,536.40	July 1, 2022 - June 30, 2023
\$2,878.54	\$34,542.48	July 1, 2023 - June 30, 2024

**BACKGROUND/EXPLANATION:**

The Law Department will use the premises for storage of files and workspace and for no other purpose.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with the Baltimore City Law Department, Tenant, for 4,092 total rentable square feet of floor area (Premises) on the Mezzanine Level of an office building, at 7 East Redwood Street in Baltimore City, Maryland.

**MINUTES**

Fire and Police Employees' - Subscription Agreement  
Retirement System \_\_\_\_\_

**ACTION REQUESTED OF B/E:**

The Board is requested by the Board of Trustees of the Fire and Police Employees' Retirement System (F&P) to approve a Subscription Agreement for its investment in Brookfield Capital Partners V, L.P., a Cayman Islands Exempted Limited Partnership.

**AMOUNT OF MONEY AND SOURCE:**

\$15,000,000.00 - approximately of F&P funds

No General Fund monies are involved in this transaction.

**BACKGROUND/EXPLANATION:**

The F&P Board of Trustees conducted a search for a value-added real estate investment manager and, as a result of that search, selected Brookfield Asset Management, Inc. to accept an initial investment of \$15,000,000.00 to be placed with Brookfield Capital Partners V, L.P. The search and selection process was conducted with the assistance and advice of the F&P System's investment advisor, New England Pension Consulting.

**MWBOO GRANTED A WAIVER.**

UPON MOTION duly made and seconded, the Board approved the request by the Board of Trustees of the Fire and Police Employees' Retirement System to approve a Subscription Agreement for its investment in Brookfield Capital Partners V, L.P., a Cayman Islands Exempted Limited Partnership. The Comptroller **ABSTAINED.**



**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with HDMONA Properties, LLC, Developer, for the sale of the City-owned property located at 1822 W. Fayette Street.

**AMOUNT OF MONEY AND SOURCE:**

\$9,000.00

**BACKGROUND/EXPLANATION:**

The property is a 3-story dwelling that has been boarded and vacant for quite a while and requires work. The Developer proposes to rehab the dwelling into two residential units and lease at market rate.

The City is authorized to dispose of the property by Article 28, Subtitle 8 of the Baltimore City Code. It was journalized and approved for sale on December 6, 2012.

The purchase of the property will be through private funds.

Pursuant to the provisions under Baltimore City Code, Article 28, 8-3, I have approved all terms and conditions of this agreement.

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

Pursuant to the Appraisal Policy of Baltimore City the Waiver Valuation Process was used and the Department determined the property located at 1822 W. Fayette Street to be valued at \$18,300.00. The property is being sold for \$9,000.00.

**MINUTES**

DHCD - cont'd

The property will be sold below the Waiver valuation price for the following reasons:

- the sale will provide stabilization to the immediate area,
- eliminate blight, and
- generate real estate and other taxes.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with HDMONA Properties, LLC, Developer, for the sale of the City-owned property located at 1822 W. Fayette Street.

**MINUTES**

Department of Housing and - Lien Release  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Lien Release of the property located at 1300 Hollins Street.

**AMOUNT OF MONEY AND SOURCE:**

\$74,848.33 - lien release

**BACKGROUND/EXPLANATION:**

This is a request for release of liens pursuant to the Annotated Code of Maryland, Tax Property 14-806, which gives the Board the authority to release liens against real property under certain circumstances. In this case, the property in question complies with all requirements of the lien release law.

The property is a vacant building and the liens of \$88,084.05 exceed its appraised value of \$6,500.00. The buyer/developer is SG Group, LLC/G. Gar Roberts, Authorized Member, will rehab the building as a multi-family rental unit at market rate. The property will be returned to productive use within a reasonable time, thus eliminate blighting conditions and returning it to the tax rolls of Baltimore City. The release of liens on the property will make it financially feasible for redevelopment and prevent tax abandonment.

At the settlement, the transferee will pay the City the amount of \$13,235.72, which is the combination of the flat tax and water charges and is more than the appraised value (\$6,500.00) of the property. The amount paid will be applied to satisfy the water bill, real estate taxes and flat tax first, then any other liens, including a purchase money mortgage that have accrued prior to the date of this lien release.

## MINUTES

Department of Housing and - cont'd  
Community Development

Any additional property tax assessments, water charges, and liens that accrue from the date of this lien release will be the responsibility of the transferee to pay prior to settlement.

Failure to record the deed and pay the purchase price listed in the Agreement of Sale in the amount of \$13,235.72 within 120 days from the date of approval by the Board will void this release.

UPON MOTION duly made and seconded, the Board approved the Lien Release of the property located at 1300 Hollins Street.



## MINUTES

DHCD - cont'd

3. **JUBILEE BALTIMORE, INC.** **\$ 50,000.00**

Accounts: 2089-208919-5930-436466-603051	\$ 25,000.00
2089-208919-5930-436462-603051	\$ 25,000.00

Jubilee Baltimore, Inc. will utilize the funds to subsidize the operating costs directly related to the historic preservation of a commercial property located at 19-21 E. North Avenue. The Subgrantee will also assist low and moderate-income, long-term, owner occupant residents of the Greenmount West community in obtaining financial assistance for façade improvements and home repairs. The period of the agreement is January 1, 2019 through December 31, 2019.

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

**MWBOO GRANTED A WAIVER ON MARCH 22, 2019.**

4. **BALTIMORE OFFICE OF PROMOTION AND THE ARTS, INC. (BOPA)** **\$ 66,000.00**

Account: 9998-916339-9593-900000-706047

The funds will be utilized to support the Baltimore Community Arts program (BCAP). The BCAP works with artists and neighborhood groups to abate graffiti, revitalize blighted areas, beautify the streetscape and procure local artists. The art forms are created by professional artists in collaboration with neighborhood residents in a variety of mediums and placed on properties located in low- and moderate-income neighborhoods that are primarily residential. These murals will be produced under the agreement. The period of the agreement is January 1, 2019 through December 31, 2019.

## MINUTES

DHCD - cont'd

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

MWBOO GRANTED A WAIVER ON JANUARY 30, 2019.

5. DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC. \$100,000.00

Account: 9997-904555-9593-900000-706047

The funds will be utilized for the development of a community pocket park located at 527 Gold Street. Gold Street Park will provide residents with meditative space, a children's natural play area, rain garden and a community gathering space. The period of the agreement is effective upon Board approval for six-months.

FOR FY 2019, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$220,700.00.

MBE: \$59,589.00

WBE: \$22,070.00

MWBOO GRANTED A WAIVER ON MARCH 7, 2019.

On August 8, 2018, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2018 Annual Action Plan for the Following formula programs:

**MINUTES**

DHCD - cont'd

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

Upon approval of the Resolution, the DHCD's Contracts Section began negotiating and processing the CDBG Agreements as outlined in the plan effective July 1, 2018 and beyond. Consequently, these agreements were delayed due to final negotiations and processing.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorize execution of the foregoing various Community Development Block Grant Agreements.



**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 2502 Denison Street, (Block 3058, Lot 0468A), by gift from Men on the Verge of Excellence, Inc. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Men on the Verge of Excellence, Inc. has offered to donate to the City, title to the property located at 2502 Denison Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through September 9, 2019, other than water bills, are as follows:

## MINUTES

DHCD - cont'd2502 Denison Street

Tax Sale Cert. #329866	5/18/2018	\$ 7,657.15
Tax Sale Cert. #104444	5/17/1999	1,412.54
Real Property Taxes	2019/2020	610.68
Real Property Taxes	2018/2019	733.40
Real Property Taxes	2017/2018	888.50
Real Property Taxes	2016/2017	1,032.29
Property Registration	#54313697	1,500.00
Property Registration	#54827431	1,915.00
Property Registration	#54972997	1,900.00
Property Registration	#069134	<u>1,192.80</u>
<b>Total Taxes Owed</b>		<b>\$18,752.36</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 2502 Denison Street, (Block 3058, Lot 0468A), by gift from Men on the Verge of Excellence, Inc. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 2724 N. Lanvale Street, (Block 2378, Lot 040), by gift from Leovertour Palmer, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Leovertour Palmer, has offered to donate to the City, title to the property located at 2724 N. Lanvale Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through September 19, 2019, other than water bills, are as follows:

## MINUTES

DHCD - cont'd

2724 N. Lanvale Street

Tax Sale Cert #332772	05/14/2018	\$10,284.30
Real Property Taxes	2019/2020	133.10
Real Property Taxes	2018/2019	122.26
Real Property Taxes	2017/2018	Incl. in Tax Sale
Real Property Taxes	2016/2017	Incl. in Tax Sale
Real Property Taxes	2015/2016	Incl. in Tax Sale
Real Property Taxes	2014/2015	Incl. in Tax Sale
Real Property Taxes	2012/2013	Incl. in Tax Sale
Real Property Taxes	2011/2012	Incl. in Tax Sale
Miscellaneous Bill	6296875/U10107	Incl. in Tax Sale
Miscellaneous Bill	6542062/U11957	Incl. in Tax Sale
Miscellaneous Bill	6652036/U13075	Incl. in Tax Sale
Miscellaneous Bill	6948459/U15386	Incl. in Tax Sale
Miscellaneous Bill	7273006/U17590	Incl. in Tax Sale
Miscellaneous Bill	7981616/U23284	Incl. in Tax Sale
Miscellaneous Bill	8097073/U24484	Incl. in Tax Sale
Miscellaneous Bill	8489627/Y27889	Incl. in Tax Sale
Property Registration		<u>2,113.80</u>
<b>Total Taxes Owed</b>		<b>\$12,653.46</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 2724 N. Lanvale Street, (Block 2378, Lot 040), by gift from Leovertour Palmer, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 2549 Hollins Street, (Block 2175, Lot 025), by gift from Ketty Ngoni, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Ketty Ngoni has offered to donate to the City, title to the property located at 2549 Hollins Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through September 15, 2019, other than water bills, are as follows:

## MINUTES

DHCD - cont'd2175 Hollins Street

Tax Sale Cert. #320395	05/15/2017	\$6,171.95
Real Property Taxes	2019/2020	382.32
Real Property Taxes	2018/2019	464.38
Real Property Taxes	2017/2018	763.32
Real Property Taxes	2016/2017	Incl. in 2018 Tax Sale
Miscellaneous Bill	8450470/U27500	236.19
Miscellaneous Bill	8467532/U27669	159.09
Miscellaneous Bill	8525073/U28237	269.81
Miscellaneous Bill	8547119/U28524	145.02
Miscellaneous Bill	8698987/U30072	201.60
Miscellaneous Bill	8793341/U31015	<u>167.20</u>
Property Registration		
<b>Total Taxes Owed</b>		<b>\$8,940.88</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 2549 Hollins Street, (Block 2175, Lot 025), by gift from Ketty Ngonu, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 2322 Whittier Avenue, (Block 3234, Lot 019), by gift from Ms. Ruthie L. Wilder, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Ms. Wilder has offered to donate to the City, title to the property located at 2322 Whittier Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through August 21, 2019, other than water bills, are as follows:

## MINUTES

DHCD - cont'd

2322 Whittier Avenue

Tax Sale Cert.	337299	\$75,419.89
Real Property Tax	2019/2020	49.32
Real Property Tax	2018/2019	Incl. in Tax Sale
Real Property Tax	2017/2018	Incl. in Tax Sale
Real Property Tax	2016/2017	Incl. in Tax Sale
Real Property Tax	2014/2015	Incl. in Tax Sale
Miscellaneous	2790149	Incl. in Tax Sale
Miscellaneous	7466113	Incl. in Tax Sale
Miscellaneous	7658842	Incl. in Tax Sale
Miscellaneous	8808263	Incl. in Tax Sale
Miscellaneous	8040313	Incl. in Tax Sale
Miscellaneous	8072472	Incl. in Tax Sale
Miscellaneous	8272015	Incl. in Tax Sale
Miscellaneous	8306086	Incl. in Tax Sale
Miscellaneous	8433351	Incl. in Tax Sale
Registration	208473	259.50
<b>Total Taxes Owed</b>		<b>\$75,728.71</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 2322 Whittier Avenue, (Block 3234, Lot 019), by gift from Ms. Ruthie L. Wilder, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.



**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1226 Mosher Street, (Block 0065, Lot 014), by gift from APP Consulting Group, LLC, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

APP Consulting Group, LLC has offered to donate to the City, title to the property located at 1226 Mosher Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through July 29, other than water bills, are as follows:

## MINUTES

DHCD - cont'd

1226 Mosher Street

Tax Sale Cert. #338428	10/24/2018	\$5,061.98
Real Property Tax	2019/2020	117.44
Real Property Tax	2018/2019	Incl. in 2018 Tax Sale
Real Property Tax	2017/2018	Incl. in 2018 Tax Sale
Real Property Tax	2016/2017	Incl. in 2018 Tax Sale
Real Property Tax	2014/2015	Incl. in 2018 Tax Sale
Miscellaneous	6656250	Incl. in 2018 Tax Sale
Miscellaneous	7397474	Incl. in 2018 Tax Sale
Miscellaneous	8468449	Incl. in 2018 Tax Sale
Miscellaneous	8741257	218.02
Miscellaneous	8802886	124.09
Miscellaneous	8808271	164.80
Environmental Fine	54607171	1,500.00
Registration	825145	<u>1,718.40</u>
<b>Total Taxes Owed</b>		<b>\$8,904.73</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 1226 Mosher Street, (Block 0065, Lot 014), by gift from APP Consulting Group, LLC, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 712 N. Duncan Street, (Block 1621, Lot 064), by gift from Michel R. ST. Denis and Marcel R. ST. Denis, Owners, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Michel R. ST. Denis and Marcel R. ST. Denis have offered to donate to the City, title to the property located at 712 N. Duncan Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through September 15, 2019, other than water bills, are as follows:

## MINUTES

DHCD - cont'd

712 N. Duncan Street

Real Property Taxes	2019-2020	\$446.26
Miscellaneous Bills	8790792/WO U30990	\$239.26
Property Registration	0731790	
<b>Total Taxes Owed:</b>		<b>\$685.52</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 712 N. Duncan Street, (Block 1621, Lot 064), by gift from Michel R. ST. Denis and Marcel R. ST. Denis, Owners, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 1830 Edmondson Avenue, (Block 0108, Lot 039), by gift from The Estate of Helen Richardson (#97324)/Gary C. Richardson, Personal Representative, Owner SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The Estate of Helen Richardson (#97324) Gary Richardson, Personal Representative has offered to donate to the City, title to the property located at 1830 Edmondson Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through September 12, 2019, other than water bills, are as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #318500	5/17/2017	\$ 74,842.91
Real Property Taxes	2019-2020	23.49
Real Property Taxes	2018-2019	28.20
Real Property Taxes	2017-2018	33.72
Real Property Taxes	2013-2014	Incl. in TS
Real Property Taxes	2012-2013	Incl. in TS
Real Property Taxes	2011-2012	Incl. in TS
Real Property Taxes	2007-2008	Incl. in TS
Miscellaneous Bill	4834115/U26327	Incl. in TS
Miscellaneous Bill	5012125/U32124	Incl. in TS
Miscellaneous Bill	5212709/U40938	Incl. in TS
Miscellaneous Bill	5323290/U47254	Incl. in TS
Miscellaneous Bill	5486121/U56842	Incl. in TS
Miscellaneous Bill	5738646/U63174	Incl. in TS
Miscellaneous Bill	6121321/U89796	Incl. in TS
Miscellaneous Bill	6278345/U99239	Incl. in TS
Miscellaneous Bill	6347165/U10614	Incl. in TS
Miscellaneous Bill	6382709/U10973	Incl. in TS
Additional Miscellaneous Bill	6541932/U11956	Incl. in TS
Additional Miscellaneous Bill	6600621/U12546	Incl. in TS
Additional Miscellaneous Bill	6757009/U14151	Incl. in TS
Additional Miscellaneous Bill	6985121/U15775	Incl. in TS
Additional Miscellaneous Bill	7006208/U15991	Incl. in TS
Additional Miscellaneous Bill	7040223/U16340	Incl. in TS
Additional Miscellaneous Bill	7084684/U16787	Incl. in TS
Additional Miscellaneous Bill	7121775/U17162	Incl. in TS
Additional Miscellaneous Bill	8328262/U26526	267.88
Additional Miscellaneous Bill	8665515/U29873	179.20
Additional Miscellaneous Bill	8714750/U30229	243.33
Additional Miscellaneous Bill	8811226/U31190	162.40
Property Registration	207291/B1072951	752.50
<b>Total Taxes Owed:</b>		<b>\$ 76,533.63</b>

## MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 1830 Edmondson Avenue, (Block 0108, Lot 039), by gift from The Estate of Helen Richardson (#97324)/Gary C. Richardson, Personal Representative, Owner SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Real Estate - Renewal of Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement with the Oliver Beautification Alliance, Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 130A, being on the 1st floor, containing 73 square feet. The period of the renewal is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$555.36	\$46.28

**BACKGROUND/EXPLANATION:**

On October 3, 2018, the Board approved the Lease Agreement for the period April 1, 2018 through June 30, 2019, with the right to renew for two additional one-year periods. The Oliver Beautification Alliance, Inc. has exercised its renewal option for the period July 1, 2019 through June 30, 2020.

All other rentals, conditions and provisions of the Lease Agreement dated October 3, 2018 remain in full force and effect.

The renewal request is late because of delays in the administrative process.

UPON MOTION duly made and seconded, the Board approved the renewal of the Lease Agreement with the Oliver Beautification



**MINUTES**

Department of Real Estate - cont'd

Alliance, Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 130A, being on the 1st floor, containing 73 square feet.

**MINUTES**

Department of Real Estate - Renewal of Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement with Out for Justice, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 131A, 131B, 131C, 131D, 131E, 131F, 131G, and 135, being on the 1st floor, containing 713 square feet. The period of the renewal is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$5,420.15	\$451.71

**BACKGROUND/EXPLANATION:**

On April 24, 2019, the Board approved the Lease Agreement for the period April 1, 2018 through June 30, 2019, with the right to renew for two additional one-year periods. Out for Justice, Inc. has exercised its renewal option for the period July 1, 2019 through June 30, 2020.

All other rentals, conditions and provisions of the Lease Agreement dated April 24, 2019 remain in full force and effect.

The renewal request is late because of delays in the administrative process.

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the renewal of the Lease Agreement with Out for Justice, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 131A, 131B, 131C, 131D, 131E, 131F, 131G, and 135, being on the 1st floor, containing 713 square feet.

**MINUTES**

Department of Real Estate - Renewal of Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement with Meraki Community Uplift, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 129A, 129B, 129C, 129D, 129E, 129F, and 129G, being on the 1st floor, containing 499 square feet. The period of the renewal is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$3,757.12	\$313.09

**BACKGROUND/EXPLANATION:**

On April 24, 2019, the Board approved the Lease Agreement for the period April 1, 2018 through June 30, 2019, with the right to renew for two additional one-year periods. Meraki Community Uplift, Inc. has exercised its renewal option for the period July 1, 2019 through June 30, 2020.

All other rentals, conditions and provisions of the Lease Agreement dated April 24, 2019 remain in full force and effect.

The renewal request is late because of delays in the administrative process.

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the renewal of the Lease Agreement with Meraki Community Uplift, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 129A, 129B, 129C, 129D, 129E, 129F, and 129G, being on the 1st floor, containing 499 square feet.

**MINUTES**

Department of Real Estate - Renewal of Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement with the East Baltimore Community Corporation, Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 112, 112A, and 114, being on the first floor, containing 364 square feet. The period of the renewal is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$2,767.27	\$230.61

**BACKGROUND/EXPLANATION:**

On October 3, 2018, the Board approved the Lease Agreement for the period April 1, 2018 through June 30, 2019, with the right to renew for two additional one-year periods. East Baltimore Community Corporation has exercised its renewal option for the period July 1, 2019 through June 30, 2020.

All other rentals, conditions and provisions of the Lease Agreement dated October 3, 2018 remain in full force and effect.

The renewal request is late because of delays in the administrative process.

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the renewal of the Lease Agreement with the East Baltimore Community Corporation, Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 112, 112A, and 114, being on the 1st floor, containing 364 square feet.

**MINUTES**

Department of Real Estate - Renewal of Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement with the Oliver Community Association, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 109, 109A, 109B, and 111, being on the first floor, containing 364 square feet. The period of the renewal is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$6,028.70	\$502.39

**BACKGROUND/EXPLANATION:**

On October 3, 2018, the Board approved the Lease Agreement for the period April 1, 2018 through June 30, 2019, with the right to renew for two additional one-year periods. The Oliver Community Association, Inc. has exercised its renewal option for the period July 1, 2019 through June 30, 2020.

All other rentals, conditions and provisions of the Lease Agreement dated October 3, 2018 remain in full force and effect.

The renewal request is late because of delays in the administrative process.



**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the renewal of the Lease Agreement with the Oliver Community Association, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street known as Space 109, 109A, 109B, and 111, being on the 1st floor, containing 364 square feet.

MINUTES

TRANSFER OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfer of Funds

listed on the following page:

4425

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

## MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>		
1. \$2,000,000.00	9910-910063-9600	9910-905360-9601
General Funds	Lexington Market (Constr. Res.)	Lexington Market Improvements
1,982,000.00	" "	" "
MCC		
300.00	" "	" "
<u>1<sup>st</sup> Comm. EBF</u>		
<b><u>\$3,982,300.00</u></b>		

The transfer will provide funds to Lexington Market, Inc. for reimbursement of construction architectural designs, construction details, determining structural viability, schematics, site surveys, subsurface exploration, massing studies associated with the renovations and upgrades at Lexington Market.

**MINUTES**Environmental Control Board - Transfer of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Transfer of Funds to the Baltimore City Foundation.

**AMOUNT OF MONEY AND SOURCE:**

\$75,691.00 - 1001-000000-1170-769300-603050

**BACKGROUND/EXPLANATION:**

The Environmental Control Board requests approval to transfer funds to the Baltimore City Foundation for the Care-A-Lot program, under BMORE Beautiful Care-A-Lot Youth program, in order to provide grants to Baltimore neighborhoods that are mentoring youth participants working to maintain identified vacant lots within their community.

The funds will be dispersed to participating community organizations and youth participants based on invoiced maintenance visits and work completed.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Transfer of Funds to the Baltimore City Foundation.

**MINUTES**Environmental Control Board - Transfer of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Transfer of Funds to the Baltimore City Foundation.

**AMOUNT OF MONEY AND SOURCE:**

\$80,059.00 - 1001-000000-1170-769300-607001

**BACKGROUND/EXPLANATION:**

The Environmental Control Board requests approval to transfer funds to the Baltimore City Foundation in order to provide grants to Baltimore neighborhoods that are mentoring youth participants working to maintain identified vacant lots within their community.

The funds will be dispersed to participating community organizations and youth participants based on invoiced maintenance visits and work completed.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Transfer of Funds to the Baltimore City Foundation.

## 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. Avery Chandler	4730 Park Heights Avenue	G/R \$70.00	\$ 467.00
2. Debra A. Moy and Karen A. Meekins Benckini	3520 Woodland Avenue	G/R \$80.00	\$ 533.33

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

3. Worthington Ridge Realty Partnership	1808 Henneman Avenue	G/R \$24.00	\$ 220.00
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Funds are available in account no. 9910-910427-9588-900000-704040, EBDI 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

4. Fred Cohn and Eileen P. Cohn	3309 Woodland Avenue	G/R \$90.00	\$ 600.00
5. Edgar D. Airey	3405 Woodland Avenue	G/R \$90.00	\$ 600.00

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
DHCD - <u>Condemnations</u> - cont'd			
6. Mary Jane Blount	4708 Park Heights Avenue	G/R \$70.00	\$ 467.00

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

UPON MOTION duly made and seconded, the Board approved and  
authorized the foregoing options and condemnations.

**MINUTES**

Department of General Services - Employee Expense Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an Employee Expense Statement to reimburse Ms. Lenora Witherspoon for expenses incurred during the years of 2018 and 2019.

**AMOUNT OF MONEY AND SOURCE:**

\$126.18 - 2030-000000-1890-189900-603002

**BACKGROUND/EXPLANATION:**

The employee was the Fleet Management coordinator for the recent United Way Campaign. She used her personal vehicle to travel throughout the City to all of the Fleet Management substations, as well as other City locations, to meet with Fleet employees and provide oversight of pledge drives, bake sales, and other United Ways events.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved an Employee Expense Statement to reimburse Ms. Lenora Witherspoon for expenses incurred during the years of 2018 and 2019.



**MINUTES**

Department of General Services - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 3 to Johnson, Mirmiran, & Thompson, Inc. under Project 1805, Construction Management Assistance. The Task Assignment is approximately 12 months.

**AMOUNT OF MONEY AND SOURCE:**

\$121,306.30 - 1001-000000-7340-721700-606008

**BACKGROUND/EXPLANATION:**

Johnson, Mirmiran, & Thompson, Inc. will provide construction management assistance to develop and train the Department's staff to effectively utilize Oracle Unifier contract management software and related duties.

**MBE/WBE PARTICIPATION:**

The Consultant has committed to using the following firms as part of this task:

**WBE:** Albrecht Engineering \$16,462.30 13.57%

**THE EAR WAS APPROVED BY MWBOO ON AUGUST 22, 2019.**

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**

Department of General Services - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 3 to Johnson, Mirmiran, & Thompson, Inc. under Project 1805, Construction Management Assistance.

**MINUTES**

Department of Transportation - Developer's Agreement No. 1427-D

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Developer's Agreement No. 1427-D with Baltimore Urban Revitalization, LLC, Developer.

**AMOUNT OF MONEY AND SOURCE:**

\$2,553,197.64

**BACKGROUND/EXPLANATION:**

The Developer desires to perform utility relocations and various utility upgrades as part of the Port Covington Project. This Developer's Agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$2,553,197.64 has been issued to Baltimore Urban Revitalization, LLC which assumes 100% of the financial responsibility.

**MBE/WBE PARTICIPATION:**

Irrespective to Article 5, Subtitle 28-4, this item is not the result of City procurement and the above named entity is responsible for all costs, MBE/DBE goals do not apply.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Developer's Agreement No. 1427-D with Baltimore Urban Revitalization, LLC, Developer.

**MINUTES**

Department of Transportation/DOT - Task Assignment  
Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 013 to STV, Inc., under Project No. 1191, On-Call Design Consultant Services for Federal Aid Resurfacing and Reconstruction Projects. The period of the Task Assignment is approximately 16 months.

**AMOUNT OF MONEY AND SOURCE:**

\$50,718.71 - 9950-929004-9508-900010-705032

**BACKGROUND/EXPLANATION:**

The Consultant will provide post award services for the Belair Road Streetscape from Cook Avenue to Lasalle Avenue, TR 15307. The services will include response to Contractor requests for information (RFIs), shop drawing review, potential redline/green line revisions, attending progress meetings, and site visits

**MBE/WBE PARTICIPATION:**

The Consultant will comply with Title 49 Code of the Federal Regulations, Part 26 (49CFR26) and the DBE goal of 25% established in the original agreement.

The Consultant has exceeded the DBE goal of 25% MBE and achieved a goal of 26%.

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

MINUTES

Department of Transportation/DOT - cont'd  
Engineering and Construction

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$44,632.16 FED	9950-925008-9528 Construc. Res. Belair Road Reconstruction	
11,158.12 <u>HUR</u>	" "	
<b>\$55,790.28</b>	-----	9950-929004-9508

This transfer will fund the costs associated with Task No. 13 on Project No. 1191, Federal Aid Resurfacing and Reconstruction Projects with STV, Inc.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 013 to STV, Inc., under Project No. 1191, On-Call Design Consultant Services for Federal Aid Resurfacing and Reconstruction Projects. The Transfer of Funds was approved, **SUBJECT** to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Department of Transportation/DOT - Task Assignment  
Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 013 to Rummel, Klepper & Kahl, LLP, under Project No. 1209, On-Call Traffic Engineering Services. The period of the Task Assignment is approximately 12 months.

**AMOUNT OF MONEY AND SOURCE:**

\$236,687.20 - 9950-907074-9512-900020-703032

**BACKGROUND/EXPLANATION:**

The Consultant will provide engineering support services for the City of Baltimore to provide traffic engineering and engineering CADD design support.

**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 Consultant has exceeded the MBE goal of 27% MBE and achieved a goal of 44% and exceeded the WBE goal of 10% and achieved a goal of 12%.

**MWBOO APPROVED THIS 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 Transportation/DOT - cont'd  
Engineering and Construction

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 013 to Rummel, Klepper & Kahl, LLP, under Project No. 1209, On-Call Traffic Engineering Services.

**MINUTES**

Department of Transportation/ - Task Assignment  
Conduit Division

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 034 to Johnson, Mirmiran & Thompson, under Project No. 1217, On-Call Construction Project Management Services. The period of the Task Assignment is approximately 12 months.

**AMOUNT OF MONEY AND SOURCE:**

\$190,393.17 - 9962-909075-9562-900000-705032

**BACKGROUND/EXPLANATION:**

This authorization provides the Conduit Division with Public Works Inspector III field services for the observation and monitoring of Conduit Capital Maintenance Contracts TR 160200, Comprehensive Conduit Facilities Management Services and TR 18014, Conduit System JOC.

**MBE/WBE PARTICIPATION:**

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

The Consultant has achieved 24% of the MBE goals and 9% of the WBE goals.

**MWBOO APPROVED THIS EAR ON AUGUST 2, 2019.**

**APPROVED FOR FUNDS BY FINANCE**

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



**MINUTES**

Department of Transportation/ - cont'd  
Conduit Division

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 034 to Johnson, Mirmiran & Thompson, under Project No. 1217, On-Call Construction Project Management Services.

MINUTES

EXTRA WORK ORDERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following pages:

4441 - 4442

The EWO's were reviewed and approved  
by the Department of Audits, CORC,  
and MWBOO, unless otherwise indicated.

MINUTES

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time Ext.	% Compl.
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Department of Transportation/DOT Engineering  
and Construction Division (DOT TEC)

1. EWO #003, (\$730,239.73) - TR 13307, Resurfacing Highways @ Various Locations Southeast-Sector IV  

\$3,043,412.09	\$336,818.20	P. Flanigan & Sons, Inc.	-	100%
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As a result of completing the project close-out audit, this final EWO represents a net credit in the amount of (\$730,239.73). This final EWO reconciles contract bid items. The reconciliation includes overrun and underrun adjustment for items used during the project.

DBE PARTICIPATION:

**DBE SET GOALS OF 25%.**

The Contractor has exceeded the goal and achieved 31%.

2. EWO #007, (\$185.67) - TR 05308, Dundalk Avenue Streetscape from Eastern Avenue to the City Line  

\$14,163,131.25	\$6,391,368.52	Civil Con- struction, LLC	-	-
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As a result of completing the project close-out audit, this final EWO represents a net credit in the amount of (\$185.67). This final EWO reconciles contract bid items. The reconciliation includes overrun and underrun adjustment for items used during the project.

**MINUTES****EXTRA WORK ORDERS**

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

Department of Transportation/DOT Engineering - cont'd  
and Construction Division (DOT TEC)

**DBE PARTICIPATION:****DBE SET GOALS OF 25%.**

The Contractor has achieved the 25% goal.

Department of Transportation/  
DOT - Recreation and Parks

3.	<u>EWO #005, (\$0.01) - TR 12313, Herring Run Greenway</u>				
	<u>\$4,189,000.00</u>	<u>\$257,184.71</u>	<u>P. Flanigan</u>	<u>-</u>	<u>100%</u>
			<u>&amp; Sons, Inc.</u>		

As a result of completing the project closeout audit, this final EWO represents a net credit in the amount of (\$0.01). This final EWO reconciles contract bid items. The reconciliation includes overrun and underrun adjustment for items used during the project.

**DBE PARTICIPATION:****DBE SET GOALS OF 25%.**

The Contractor has exceeded the goal and achieved 26%.

## MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2019 through June 30, 2020, unless otherwise indicated.

1. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS, INC.** **\$ 58,419.00**

Account: 4000-427120-3080-294300-603051

Under this agreement, PACT will provide Autism Classroom services to four children at any given time, in a comprehensive inclusive childcare setting. Children with Spectrum Autism Disorder will spend two hours of their day, three times a week in an intensive, therapeutic classroom that utilizes a mixed methods of teaching approach incorporating Picture Exchange Communication System, Discrete Trail Training, Pivotal Response Training and verbal behavioral. The class will be co-taught by a speech pathologist as well as an experienced occupational therapist and classroom aide.

The agreement is late because of administrative delays.

**MWBOO GRANTED A WAIVER ON AUGUST 8, 2019.**

2. **HEALTHCARE ACCESS MARYLAND, INC.** **\$1,537,416.00**  
**(HCAM)**

Account: 4000-421120-3080-294600-603051

The HCAM will continue to assist Baltimore City residents in accessing comprehensive health care services. The HCAM works closely with Managed Care Organizations to assist Medicaid/Medicaid eligible clients obtain proper and adequate

## MINUTES

Health Department - cont'd

health care services through their insurance and serve as a local resource for information to eligible residents in the City.

The agreement is late because of budget revisions delayed processing.

**MWBOO GRANTED A WAIVER ON AUGUST 22, 2019.**

3. **TOTAL HEALTH CARE, INC.** **\$ 100,500.00**

Account: 4000-499019-3023-513200-603051

Total Health Care, Inc. will utilize the funds to provide services to increase health literacy, HIV counseling, testing, linkage to HIV primary medical care for newly diagnosed and people living with HIV, and linkage to pre-exposure prophylaxis or post-exposure prophylaxis medications for priority populations served within Baltimore City. 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 22, 2019.**

4. **KENNEDY KRIEGER INSTITUTE, INC.** **\$80,361.00**

Accounts: 4000-427120-3080-292300-603051	\$31,198.00
1001-000000-3080-288500-603051	\$26,198.00
6000-622120-3080-292300-603051	\$22,965.00

The Kennedy Krieger Institute, Inc. will utilize the funds to coordinate and provide family support services with the Baltimore Infants and Toddlers Program. Services will

## MINUTES

Health Department - cont'd

include early intervention and coordination of services to infants and toddlers and their families in the Hispanic/Latino and Orthodox Jewish communities.

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

**MWBOO GRANTED A WAIVER ON AUGUST 2, 2019.**

5. **JOHNS HOPKINS BAYVIEW MEDICAL CENTER,                   \$ 50,000.00**  
**INC.**

Account: 4000-422519-3030-271500-603051

The funds will be utilized for the Johns Hopkins Medical Center's "Care-A-Van" program that targets uninsured individuals and provides free outreach medical services in Southeast Baltimore including comprehensive medical care and health care education.

Since it began in 1999, Care-A-Van has aggressively promoted health care and prevention of diseases, including syphilis, HIV and other Sexually Transmitted Infections (STI). Free testing is available for syphilis and HIV, and treatment of some STIs is also available abroad the Care-A-Van. Clients testing positive for HIV are either referred to Johns Hopkins Bayview Medical Center or other health care providers for treatment. The van serves a large rapidly growing Hispanic population, and a bilingual representative is always available on the Care-A-Van. The period of the agreement is January 1, 2019 through December 31, 2019.

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

**MWBOO GRANTED A WAIVER ON AUGUST 8, 2019.**

## MINUTES

Health Department - cont'd

- |    |                                  |              |
|----|----------------------------------|--------------|
| 6. | BEST CARE ASSISTED LIVING, LTD.  | \$ 15,600.00 |
| 7. | HOUSE OF VICTORY HOME CARE, INC. | \$ 15,600.00 |

Account: 5000-534020-3254-767800-607001

The Department will disburse State Subsidized Assisted Housing Funds to low-income residents at the organization's facilities.

These facilities are enrolled in the Senior Assisted Living Group Home Subsidy Program, and will provide subsidized senior assisted housing services for individuals age 62 and over, who have temporary or periodic difficulties with the activities of daily living. The senior assisted residents receive shelter, meals, housekeeping, personal care services, and 24-hour on-site supervision. The period of the agreement is July 1, 2019 through June 30, 2020.

These agreements are late because the Department was waiting on information and signatures from the providers.

- |    |                   |              |
|----|-------------------|--------------|
| 8. | VICTOR A. FERRANS | \$ 20,000.00 |
|----|-------------------|--------------|

Account: 6000-607620-3110-306700-603018

Mr. Ferrans will provide comprehensive reviews and complete the Pre-Administration Screening and Resident Review certification on each evaluation conducted by the Adult Evaluation and Review Services (AERS) multi-disciplinary team and/or the client's private physicians and/or nursing home professional staff for clarification of mental health treatment plan/needs at the request of the AERS team and provide an on-site psychiatric evaluation of nursing home residents.



## MINUTES

Health Department - cont'd

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements. The Mayor **ABSTAINED** on item no. 5. The President **ABSTAINED** on item no. 5.

**MINUTES**

Health Department - Amendment Nos. 1 and 2  
to Notice of Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of Amendment Nos. 1 and 2 of Grant Award from the Corporation for National and Community Service for Retired and Senior Volunteer Program (RSVP).

**AMOUNT OF MONEY AND SOURCE:**

\$ 95,737.00 - 4000-423420-3255-805200-404001  
7,500.00 - 4000-423420-3255-805200-404001  
\$103,237.00

**BACKGROUND/EXPLANATION:**

On May 29, 2019, the Board approved and authorized execution of a Notice of Grant Award for the RSVP in the amount of \$95,737.00 for the period of July 1, 2018 through June 30, 2019 for grant year 1.

On May 22, 2019, the Department received Amendment No. 1 in the amount of \$95,737.00 for the budget period of July 1, 2018 through June 30, 2020 for grant year 2.

On July 27, 2019, the Department received Amendment No. 2 to increase base line funding by \$7,500.00 for grant year 2. This made the total award amount \$103,237.00.

All other terms and conditions will remain the same.

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

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of Amendment Nos. 1 and 2 of Grant Award from the Corporation for National and Community Service for Retired and Senior Volunteer Program.

**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 Corporation for National and Community Service for the Senior Companion Program. The period of the NGA was July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

\$296,031.00 - 4000-423520-3255-805300-404001

**BACKGROUND/EXPLANATION:**

This NGA will allow the Department to accept and utilize funds received from the Corporation for National and Community Service to carry out a national service program as authorized by the Domestic and Volunteer Service Act of 1973, as amended (42 U.S.C. Chapter 22).

Senior Companions are volunteers 55 and over who provide assistance to seniors who have difficulty with daily living tasks, such as shopping or paying bills. The program aims to keep seniors independent longer, and provide assistance to family caregivers.

The NGA is late because of administrative delays.

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Notification of Grant Award from the Corporation for National and Community Service for the Senior Companion Program.

**MINUTES**

Circuit Court for Baltimore City - Sub-Vendor Contract for FY 2020

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Sub-Vendor Contract for FY 2020 with Behavioral Health Systems for the LINKS Program. The period of the Sub-Vendor Contract is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

\$23,624.00 - 5000-540220-1100-109400-405001

**BACKGROUND/EXPLANATION:**

The LINKS Program is a part of the Circuit Court for Baltimore City's Juvenile Court Services (JCS) Office. The JCS LINKS program was established in 2004 to address the immediate needs of youth and families involved in the child welfare and delinquency system. The goal of the program is to divert youth and families from Juvenile Court.

The LINKS Program serves more than 250 youth and families each year. The funds will be utilized to expand services by offering specialized groups to youth and parents.

The Sub-Vendor Contract for FY 2020 is late because of delays in the administrative process.

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**

Circuit Court for Baltimore City - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Sub-Vendor Contract for FY 2020 with Behavioral Health Systems for the LINKS Program.

## MINUTES

Baltimore City Circuit Court - TRANSFER OF LIFE-TO-DATE SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Senora Downs.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>Employee's Names</u>	<u>No. of Days</u>
Sharon George	3
Chris Metcalf	2
Antonio Jackson	5
Christopher McKenziey	5
Beatrice Jones	5
Sharon Green	5
Kathleen Smith	1
LaRue Adams	2
Daniel New-Schneider	<u>2</u>
	<b>30</b>

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Senora Downs.



**MINUTES**

Department of Public Works/Office - Amendment No. 2 to Agreement of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Amendment No. 2 to Agreement (Amendment No. 2) with Patton Harris Rust & Associates, P.C. A Pennoni Company under SC 914, Wastewater Engineering Services for the Improvements to Sanitary Sewershed in Low Level Sewershed Collection System. Amendment No. 1 will extend the period of the agreement through August 31, 2019

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Under Amendment No. 2 the designer will continue to assist the City during construction to oversee that the work performed by the contractor is completed in accordance with the design and as specified in the contract documents for SC 914 and it is in compliance with paragraph 9 of the Consent Decree. Amendment 1 was approved by the Board on August 10, 2011.

The additional scope of work is for engineering services during the construction of SC 914. The services include: review of and provide written response/recommendations to Request for Information (RFI), Conduct field investigations of construction problems, review and provide written recommendations for Proposed Change Orders (PCO) from Contractor, attend all project meetings, review Close Circuit Television (CCTV) and update recordings drawings (as built drawings) and GIS.

**MBE/WBE PARTICIPATION:**

The Consultant will comply with Article 5, Subtitle 28 of the

**MINUTES**

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

Baltimore City Code and the MBE and WBE goals established in the original agreement.

**MBE:** 27%

**WBE:** 9%

**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 and authorized execution of Amendment No. 2 to Agreement with Patton Harris Rust & Associates, P.C. A Pennoni Company under SC 914, Wastewater Engineering Services for the Improvements to Sanitary Sewershed in Low Level Sewershed Collection System.

**MINUTES**

Bureau of the Budget and            - Grant Award and Appropriation  
Management Research (BBMR)      Adjustment Order No. 008

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of a Grant Award to the State's Attorney for Baltimore City, Service 1156: Victim and Witness Services, from the Governor's Office of Crime Control and Prevention. The period of the Grant Award is July 1, 2019 through June 30, 2020.

The Board is further requested to approve the Appropriation Adjustment Order (AAO) No. 008.

**AMOUNT OF MONEY AND SOURCE:**

\$360,000.00 - 5000-513520-1156-117900-406001 (The appropriation will be placed in this detailed fund number.)

**BACKGROUND/EXPLANATION:**

The purpose of the Victim/Witness Relocation Assistance grants is to improve services for victims and witnesses of crime by meeting the need for increased protection and relocation assistance. Program funds provide relocation assistance funds to help victims and witnesses of crime with expenses due to temporary or permanent relocation because of witness intimidation.

This Grant Award and AAO No. 008 is late due to delays in the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

## MINUTES

Bureau of the Budget and - cont'd  
Management Research (BBMR)

**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 a Grant Award to the State's Attorney for Baltimore City, Service 1156: Victim and Witness Services, from the Governor's Office of Crime Control and Prevention.

## MINUTES

Office of the State's Attorney - Agreements  
for Baltimore City

The Board is requested to approve and authorize execution of the various Agreements. The period of the agreement is July 1, 2019 through June 30, 2020.

1. **BALTIMORE CHILD ABUSE CENTER** **\$50,000.00**

Account: 1001-000000-1151-117900-603026

The mission of Baltimore Child Abuse Center is to provide all reported victims of child sexual abuse in Baltimore, and their non-offending caretakers, with comprehensive interviews, medical treatment, referrals and crisis counseling services, with a goal of preventing future sexual child abuse. These funds will support the operational expenses of the forensic interviewer as outlined in the scope of work.

2. **COMMUNITY MEDIATION PROGRAM, INC. (CMP)** **\$43,000.00**

Account: 1001-000000-1151-117900-603026

The mission of the CMP is to reduce interpersonal conflict, community violence, and animosity by increasing the use of none-violent conflict resolution strategies and by making mediation more accessible in the City.

The agreements are late because the agreements were recently received.

**APPROVED FOR FUNDS BY FINANCE**

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

MINUTES

Office of the State's Attorney - cont'd  
for Baltimore City

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

**MINUTES**

Office of the State's Attorney - Ratification of Grant Award  
for Baltimore City and Grant Adjustment Notice

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the Ratification of Grant Award from the State of Maryland – Governor's Office of Crime Control and Prevention (GOCCP). The Board is further requested to approve and authorize acceptance of the Grant Adjustment Notice (GAN). The GAN will extend the period of the Grant Award through September 30, 2019

**AMOUNT OF MONEY AND SOURCE:**

\$2,490.00 - 4000-435720-1156-117900-404001

**BACKGROUND/EXPLANATION:**

The GOCCP has awarded this grant to cover training hosted by the Force Science Institute. This training focuses on the science of law enforcement use of force, as well as the use of force tactics. Grant funds will cover registration and travel. The period of Grant Award was May 1, 2019 through June 30, 2019.

The GAN approval is needed because the original training in June 2019 was full and the attendees were assigned to the next class in September 2019.

The Grant Award is late because of administrative delays.

**APPROVED FOR FUNDS BY FINANCE**

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

## MINUTES

Office of the State's Attorney - cont'd  
for Baltimore City

UPON MOTION duly made and seconded, the Board approved and authorized the Ratification of Grant Award from the State of Maryland – Governor's Office of Crime Control and Prevention. The Board further approved and authorized acceptance of the Grant Adjustment Notice.



MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

4464 - 4489

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 Mayor **ABSTAINED** on item no. 1.

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

## MINUTES

PERSONNELEmployees' Retirement System (ERS)

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>THOMAS B. COREY</b>	\$50.00	<b>\$ 60,000.00</b>

Account: 6000-604019-1520-168600-601009

Mr. Corey, retiree, will continue to work as a Contract Services Specialist I. He will serve as Special Counsel determine whether to waive the ERS' or Elected Officials Retirement System's (EOS) right to a hearing in claims for disability benefits brought under Article 22 of the Baltimore City Code, prepare for and represent the ERS and the EOS at administrative hearings before an independent hearing examiner, and review the hearing examiner's disability decisions and determine whether to appeal any such decision to the Circuit Court for Baltimore City. Mr. Corey will also appeal adverse Circuit Court decisions to the Maryland Court of Special Appeals and to the Maryland Court of Appeals, represent the ERS and the EOS at appellate court hearing in which disability claims decisions have been appealed and prepare summaries of hearing examiners and court decisions pertaining to disability claims. In addition, Mr. Corey will recommend to the ERS' Board of Trustees whether the contracts of hearing examiners should be renewed, recommend candidates to fill the vacancy, and recover overpayments of ERS retirement benefits from members and beneficiaries of members in conjunction with the Baltimore City Law Department. 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 effective upon Board approval for one year.

**MINUTES****PERSONNEL**Department of Finance2. Reclassify the following filled position:Position No.: 12394

From: Accounting Assistant III  
Job Code: 34133  
Grade: 084 (\$37,741.00 - \$45,044.00)

To: Fiscal Technician  
Job Code: 34421  
Grade: 088 (\$43,855.00 - \$53,134.00)

Cost: \$6,539.00 - 1001-000000-1422-160800-601001

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

3. Reclassify the following filled position:Position No.: 12416

From: Accounting Systems Analyst  
Job Code: 34151  
Grade: 923 (\$60,655.00 - \$97,277.00)

To: Accounting Systems Administrator  
Job Code: 34197  
Grade: 936 (\$80,735.00 - \$129,114.00)

Cost: \$13,060.00 - 1001-000000-1423-160800-601001

## MINUTES

PERSONNELDepartment of Finance - cont'd

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

4. Reclassify the following filled position:

Position No.: 12563

From: Accounting Assistant I  
Job Code: 34131  
Grade: 075 (\$29,638.00 - \$33,689.00)

To: Accounting Assistant III  
Job Code: 34133  
Grade: 084 (\$37,741.00 - \$45,044.00)

Cost: \$12,030.00 - 1001-000000-1480-166500-601001

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

5. Reclassify the following vacant position:

Position No.: 12415

From: Operations Officer IV  
Job Code: 31112  
Grade: 931 (\$73,868.00 - \$118,085.00)

To: Operations Officer V  
Job Code: 31113  
Grade: 936 (\$80,735.00 - \$129,114.00)

## MINUTES

PERSONNELDepartment of Finance - cont'd

Cost: \$142,697.00 - 1001-000000-1423-160800-601001

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

6. Reclassify the following nine positions (six filled, three vacant):
- 

Position Nos.: Vacant: 12526, 48591, 48592 Filled: 12556,  
12561, 12562, 48593, 48594, 33387

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From: Office Support Specialist II  
Job Code: 33212  
Grade: 075 (\$29,638.00 - \$33,689.00)

To: Customer Care Analyst II  
Job Code: 34264  
Grade: 082 (\$35,168.00 - \$41,598.00)

Cost: \$74,781.00 - 1001-000000-1480-166500-601001

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

7. Reclassify the following five positions (two filled, three vacant):
- 

Position Nos.: Vacant: 49284, 49287  
Filled: 12550, 49285, 49286

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**MINUTES****PERSONNEL**Department of Finance - cont'd

From: Office Support Specialist III  
Job Code: 33213  
Grade: 078 (\$31,488.00 - \$36,312.00)

To: Customer Care Analyst III  
Job Code: 34265  
Grade: 084 (\$37,741.00 - \$45,044.00)

Cost: \$46,325.00 - 1001-000000-1480-166500-601001

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

Fire and Police Employees' Retirement Systems8. Reclassify the following vacant position:

Position No.: 50386

From: Accounting Assistant III  
Job Code: 34133  
Grade: 084 (\$37,741.00 - \$45,044.00)

To: Operations Assistant I  
Job Code: 31104  
Grade: 902 (\$42,552.00 - \$68,042.00)

Cost: \$5,513.00 - 6000-604119-1540-171400-601001

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

**MINUTES****PERSONNEL**Baltimore City Health Department9. Reclassify the following vacant position:Position No.: 50571

From: Social Services Coordinator  
Job Code: 81171  
Grade: 084 (\$37,741.00 - \$45,044.00)

To: Senior Social Services Coordinator  
Job Code: 81172  
Grade: 086 (\$40,487.00 - \$48,836.00)

Cost: \$3,464.91 - 5000-569720-3023-273305-601001

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

10. Create the following position:

Classification: Program Coordinator  
Job Code: 31192  
Grade: 923 (\$60,655.00 - \$97,277.00)  
Position No.: To be assigned by BBMR

Cost: \$88,010.48 - 5000-505420-3070-268400-601001

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

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

	<u>Hourly Rate</u>	<u>Amount</u>
11. <b>AURACHALEE M. BOLLINGER</b>	\$16.00	<b>\$ 14,976.00</b>

Account: 5000-569720-3023-273305-601009

Ms. Bollinger will work as a Contract Services Specialist II. She will perform data entry of Viral Hepatitis C laboratory reports in the National Electronic Disease Surveillance System (NEDSS) and enter the patient's clinical and laboratory information with the appropriate Center for Disease Control case surveillance definition. Ms. Bollinger will also create investigation records or associate electronic laboratory reports in the NEDSS, follow-up with the health care providers or reporting agency for additional information on the patient, and write the NEDSS patient ID number on each report newly entered. The period of the agreement is effective upon Board approval through June 30, 2020.

12. <b>MICHAEL PERSON</b>	\$10.10	<b>\$ 8,888.00</b>
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Account: 5000-535720-3024-768700-601009

Mr. Person will continue to work as a Contract Services Specialist II. He will assist staff with administrative duties, supervise the fitness center, and perform daily operations including opening and closing procedures. Mr. Person will also provide assistance with fitness center programs and services and conduct new member orientations including tours, blood pressure screenings and membership card distribution. In addition, he will perform facility and equipment cleaning/maintenance processes and assist with program marketing and promotions. This is the same hourly rate as in the previous contract period. The period of the agreement is effective upon Board approval through June 30, 2020.



## MINUTES

PERSONNELBaltimore City Health Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
13. <u>Create the following two positions:</u>		
Classification: Community Health Educator III		
Job Code: 61253		
Grade: 088 (\$43,855.00 - \$53,134.00)		
Position No.: To be assigned by BBMR		
Cost: \$66,813.50 - 4000-499019-3023-718000-601001		
These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 200-4.		
14. <b>CHARLOTTE HAGER</b>	\$50.25	<b>\$ 40,200.00</b>
Account: 4000-422720-3080-294300-601009		
Ms. Hager will work as a Contract Services Specialist II. She will oversee the development, implementation, and evaluation of the Family Planning Toolkit and subsequent trainings for B'more Healthy Babies partnering agencies and health outreach staff and develop and administer a training in collaboration with the Maryland Institute College of Art Center for Social Design for B'more for Healthy Babies staff surrounding family planning and referrals to reproductive health care. Ms. Hager will also develop, administer, implement and evaluate protocol in collaboration with the Johns Hopkins University Center for Communication Programs for the implementation and evaluation of the Family Planning Toolkit with B'more Healthy Babies partnering agencies and health outreach staff and prepare program reports and presentations on the progress of		

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

	<u>Hourly Rate</u>	<u>Amount</u>
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the efforts, major findings and key performance indicators. In addition, she will assist the Animal and Reproductive Health Director and the Family Planning Coordinator in the preparation and implementation of the annual Baltimore City Sexual Health Strategic Roundtable, serve as a liaison in program and policy support for Title X clinical services with the membership organization, the National Family Planning and Reproductive Health Association, attend meetings, conferences, and draft and practice briefs, etc. The period of the agreement is effective October 7, 2019 for nine months.

15.	<b>LUCRETIA SHANNON</b>	\$14.00	<b>\$ 23,296.00</b>
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Account: 4000-433420-3255-761300-601009

Ms. Shannon will continue to work as a Contract Services Specialist II. She will schedule and conduct various community outreach programs such as the Senior Health Insurance Program, prepare Benefits Checkup reports for seniors, and providing individualized counseling for seniors and their families. This is the same hourly rate as in the previous contract period. The period of the agreement is effective upon Board approval through September 30, 2020.

16.	<b>DONNA GREEN</b>	\$10.10	<b>\$ 13,332.00</b>
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Account: 5000-533120-3254-767300-601009

Ms. Green will continue to work as a Contract Services Specialist II. She will assist with scheduling medical and community appointments for clients, escort clients to medical

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

	<u>Hourly Rate</u>	<u>Amount</u>
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and community activities, and shop for food and clothing for clients. Ms. Green will also relocate client's personal items/possessions to alternate living arrangements and monitor clients in nursing homes, assisted living facilities and in their private home. This is the same hourly rate as in the previous contract period. The period of the agreement is effective upon Board approval through June 30, 2020.

17.	<b>WILHELMINA HARGRAVE</b>	\$10.10	\$ <b>7,272.00</b>
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Account: 4000-423520-3255-306500-601009

Ms. Hargrave will work as a Contract Services Specialist II. She will recruit older adult volunteers interested in serving homebound, frail, and disabled Baltimore City residents and research opportunities in various communities to provide presentations and outreach events. Ms. Hargrave will also assist with eligibility and enrollment of volunteers, assist with volunteer orientation, in-service training and annual recognition events, and maintain a quarterly volunteer newsletter. The period of the agreement is effective upon Board approval through June 30, 2020.

18.	<b>ORBIE SHIVELY</b>	\$25.00	\$ <b>1,750.00</b>
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Account: 1001-000000-2401-258300-601009

Mr. Shively will continue to work as a Contract Services Specialist II. He will provide notices of hearings in writing to the aggrieved party, any interested party, and to the Health Department at least five days before the hearing,

## MINUTES

PERSONNELBaltimore City Health Department - cont'd

<u>Hourly Rate</u>	<u>Amount</u>
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attend meetings as scheduled by the Chairperson of the Animal Hearing Panel, and conducting hearings to assure procedural due process in accordance with Panel Hearing Procedure Regulations. Mr. Shively will also obtain all relevant evidence pertaining to the issues in question and limit the evidence to that which has bearings on the issue involved at the hearings. This is the same hourly rate as in the previous contract period. The period of the agreement is effective upon Board approval through June 30, 2020.

Department of Law19. Reclassify the following filled position:Position No.: 15520

From: Assistant Solicitor  
Job Code: 10198  
Grade: 929 (\$68,562.00 - \$109,554.00)

To: Chief Solicitor  
Job Code: 10199  
Grade: 936 (\$80,735.00 - \$129,114.00)

Costs: \$12,007.00 - 2036-000000-8620-175200-601001

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

**MINUTES****PERSONNEL**

Mayor's Office of Employment Development

20. Reclassify the following filled position:

Position No.: 16216

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

To: Operations Manager I  
Job Code: 00090  
Grade: 939 (\$85,417.00 - \$140,766.00)

Costs: \$12,048.00 - 1001-000000-6301-454211-601001

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

21. Reclassify the following filled position:

Position No.: 34871

From: Administrative Services  
Job Code: 01224  
Grade: 920 (\$37,399.00 - \$65,782.00)

To: Professional Services  
Job Code: 01225  
Grade: 923 (\$60,655.00 - \$97,277.00)

Costs: \$9,883.00 - 4000-806020-6301-454801-601001

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

MINUTES

PERSONNEL

Baltimore City Police Department

	<u>Rate of Pay</u>	<u>Amount</u>
22. <b>LAWANG HYMAN</b>	\$20.19	<b>\$42,000.00</b>

Account: 1001-000000-2042-198111-601009

Ms. Hyman will continue to work as a Contract Services Specialist I. She will assist and coordinate total well-being programming to reduce health risks, medical costs and encourage healthy lifestyles; works with vendors and Human Resources staff to administer lasting health and wellness programming into the BPD reviews alerts in the Early Intervention System, schedule interventions and/or support and guidance; assists with the implementation of the Peer Support Program; assists in monitoring Peer Support member's performance to ensure they meet team standard of training, performance and behavior; acts as a critical component to Consent Decree mandates under the section entitled. The period of the agreement is September 30, 2019 through September 29, 2020.

Enoch Pratt Free Library

23. Reclassify the following vacant position:

Position No.: 15891

From: Library Page  
 Job Code: 00600  
 Grade: 069 (\$27,068.00 - \$30,121.00)

## MINUTES

PERSONNELEnoch Pratt Free Library - cont'd

To: Operations Officer II  
Job Code: 00086  
Grade: 927 (\$64,505.00 - \$103,208.00)

Costs: \$40,450.00 - 1001-000000-4501-338600-601001

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 Public Works (DPW)24. Reclassify the following filled position:

Position No.: 52800

From: GIS Supervisor  
Job Code: 33190  
Grade: 927 (\$64,505.00 - \$103,208.00)

To: Agency IT Supervisor/Project Manager  
Job Code: 33150  
Grade: 936 (\$80,735.00 - \$129,114.00)

Costs: \$33,708.00 - 2072-000000-5181-752400-601001

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

## MINUTES

PERSONNELDPW - cont'd25. Reclassify the following vacant position:Position No.: 22605

From: Office Support Specialist II  
Job Code: 33212  
Grade: 075 (\$29,638.00 - \$33,689.00)

To: Contract Administrator I  
Job Code: 72411  
Grade: 085 (\$38,926.00 - \$46,904.00)

Costs: \$19,002.00 - 1001-000000-1901-191800-601001

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

26. Reclassify the following vacant position:Position No.: 22261

From: Office Support Specialist III  
Job Code: 33213  
Grade: 078 (\$31,488.00 - \$36,312.00)

To: Contract Administrator I  
Job Code: 72411  
Grade: 085 (\$38,926.00 - \$46,904.00)

Costs: \$8,454.00 - 1001-000000-1901-191800-601001



## MINUTES

PERSONNELDPW - cont'd

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

27. Reclassify the following vacant position:Position No.: 20445

From: Office Support Specialist III  
Job Code: 33213  
Grade: 078 (\$31,488.00 - \$36,312.00)

To: Liaison Officer I  
Job Code: 31420  
Grade: 090 (\$47,604.00 - \$57,857.00)

Costs: \$20,734.00 - 1001-000000-1901-190800-601001

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

28. Reclassify the following vacant position:Position No.: 22491

From: Utilities Installer Repairer II  
Job Code: 53512  
Grade: 485 (\$32,227.00 - \$33,441.00)

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

## MINUTES

PERSONNELDPW - cont'd

Costs: \$41,529.00 - 2071-000000-5521-393400-601001

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

29. Reclassify the following vacant position:Position No.: 22731

From: Cement Finisher I  
Job Code: 53311  
Grade: 487 (\$33,132.00 - \$34,633.00)

To: Public Works Inspector II  
Job Code: 42212  
Grade: 087 (\$42,131.00 - \$50,927.00)

Costs: \$11,578.00 - 2071-000000-5521-608900-601001

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

30. Reclassify the following vacant position:Position No.: 22488

From: Utilities Installer Repairer II  
Job Code: 53512  
Grade: 485 (\$32,227.00 - \$33,441.00)

## MINUTES

PERSONNELDPW - cont'd

To: Public Works Inspector II  
Job Code: 42212  
Grade: 087 (\$42,131.00 - \$50,927.00)

Costs: \$13,737.00 - 2071-000000-5521-393700-601001

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

31. Reclassify the following vacant position:

Position No.: 22493

From: Utilities Installer Repairer II  
Job Code: 53512  
Grade: 485 (\$32,227.00 - \$33,441.00)

To: Public Works Inspector II  
Job Code: 42212  
Grade: 087 (\$42,131.00 - \$50,927.00)

Costs: \$12,742.00 - 2071-000000-5521-393200-601001

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

## MINUTES

PERSONNELDPW - cont'd32. Reclassify the following vacant position:Position No.: 22478

From: Utilities Installer Repairer II  
Job Code: 53512  
Grade: 485 (\$32,227.00 - \$33,441.00)

To: Public Works Inspector II  
Job Code: 42212  
Grade: 087 (\$42,131.00 - \$50,927.00)

Costs: \$12,742.00 - 2071-000000-5521-393400-601001

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

33. Reclassify the following vacant position:Position No.: 51861

From: Customer Care Analyst Supv. II  
Job Code: 34267  
Grade: 090 (\$47,604.00 - \$57,857.00)

To: Safety Enforcement Officer II  
Job Code: 33642  
Grade: 088 (\$43,855.00 - \$53,134.00)

Costs: \$4,925.00 - 1001-000000-1901-191300-601001

**MINUTES****PERSONNEL**

DPW - cont'd

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

34. a. Abolish the following two vacant positions:

Position Nos.: 22101, 22709

Classification: Motor Vehicle Drive I

Job Code: 54411

Grade: 487 (\$33,132.00 - \$34,633.00)

b. Create the following position:

Classification: Operations Manager I

Job Code: 31114

Grade: 939 (\$85,417.00 - \$140,766.00)

Position No.: To be determined by BBMR

Costs: \$26,180.00 - 2072-000000-5181-390500-601001

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

**MINUTES****PERSONNEL**

DPW - cont'd

35. Reclassify the following filled position:

Position No.: 22056

From: Gen Supt. Utilities Maintenance & Repair  
Job Code: 53523  
Grade: 927 (\$64,505.00 - \$103,208.00)

To: Operations Manager I  
Job Code: 31114  
Grade: 939 (\$85,417.00 - \$140,766.00)

Costs: \$22,518.00 - 2072-000000-5181-390500-601001

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 Recreation and Parks36. Create the following position:

Classification: Greenhouse Supervisor  
Job Code: 53692  
Grade: 084 (\$37,741.00 - \$45,044.00)  
Position No.: To be determined by BBMR

Costs: \$59,602.00 - 1001-000000-4782-583800-601001

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

**MINUTES****PERSONNEL**Department of Recreation and Parks - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
37. <b>BARBARA A. WILLIAMS</b>	\$16.93	<b>\$7,042.88</b>

Account: 2096-796615-7960-861500-60109

Ms. Williams will continue to work as a Contract Services Specialist I. She will be responsible for providing program leadership to senior citizens which includes crafts, guest speaking, music, games, trips, health promotion and special events; attending agency, community and Senior Citizens division meetings, maintaining effective lines of communication with the Recreation Center Director to assure coordination with other center programming, space assignment and custodial needs; maintaining timely and accurate record keeping to include program/attendance reports and providing assistance and adapted programming for senior citizens with limitations and/or special needs and meet with Division Chief on a monthly basis for the purpose of program planning and evaluation. The period of the agreement is October 25, 2019 through October 24, 2020.

38. <b>ANTONIO DICKENS</b>	\$20.99	<b>\$40,006.94</b>
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Account: 1001-000000-4783-583800-601009

Mr. Dickens will continue to work as a Contract Services Specialist II. He will assist the Departments' Recycling coordinator at the City's zero wood waste facility, Camp Small, by overseeing the daily duties of the workforce development crews by assigning and reviewing performance task and monitoring for any possible safety concerns; operating front end loaders, track loaders, log loaders, forklifts and trucks up to 21/2 tons for the purpose of sorting and placing

**MINUTES****PERSONNEL**Department of Recreation and Parks - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
mulch, compost, brush and logs into piles based on species, wood characteristics, quality and grade; keeping all wood material free of trash and foreign debris; maintain the operational capacity off all equipment coordinating with maintenance mechanics; tracking and reporting essential data electronically using google docs, excel, word; reports on daily milling and drying, shipping and receiving; inspecting all incoming deliveries of wood material from a variety of agencies and organizations, directing the placement of the material or rejects unacceptable material such as trash. The Department of Human Resources recommends granting this employment contract. The period of the agreement is effective upon Board approval for one year.		
39. <b>ANGELIA L. MORRISON</b>	\$17.38	<b>\$10,845.12</b>

Account: 6000-605719-6510-371700-601009

Ms. Morrison, will continue to work as a Contract Services Specialist I. She is responsible for providing program leadership to senior citizens which includes crafts, guest speaking, music, games, trips, health promotions and special events; attending agency, community and Senior Citizens Division meetings; maintaining effective lines of communications with the Recreation Center Director to assure coordination with other center programming, space assignment and custodial needs; overseeing health lunch to program provided by Eating Together in Baltimore (ETIB) for registered participants; maintaining timely and accurate record keeping to include program/attendance reports;



**MINUTES****PERSONNEL**Department of Recreation and Parks - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
providing assistance and adapted programming for senior citizens with limitations and/or special needs and meet with the Division Chief on a monthly basis for the purpose of program planning and evaluation. The period of the agreement is October 25, 2019 through October 24, 2020.		

40. <b>CHRISTINE RUTH DREISBUSCH</b>	\$35.70	<b>\$68,074.19</b>
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Account: 5000-578716-4711-361850-601009

Ms. Dreisbusch, will continue to work as a Contract Services Specialist II. She is responsible for designing capital improvements to City parks; developing and implementing projects from conception through construction, preparing conceptual designs, construction drawings, cost estimates, and technical specifications for project advertisement and the acquisition of building permits; attending community meetings to solicit residents' wants and needs for capital projects and collaborating with city colleagues to solve design challenges. The period of the agreement is October 25, 2019 through October 24, 2020.

State's Attorney's Office (SAO)

41. <b>REGINALD LUCKETT</b>	\$25.47	<b>\$48,563.00</b>
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Account: 1001-000000-1150-120900-601009

Mr. Lockett, a retiree, will continue to work as a Contract Services Specialist I. He will assist the State's Attorney in

## MINUTES

PERSONNELSAO - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
<p>the investigation and movement of cases, inputting of charges, finalizing of charging documents, finding open warrants, and communicate with Public Safety staff and members. This is a 2% increase in the hourly rate from the previous contract period. The period of the agreement is October 28, 2019 through October 27, 2020.</p>		
42. <b>KEDRICK SCRIBNER</b>	\$27.74	<b>\$ 52,890.00</b>
<p>Account: 1001-000000-1150-118000-601009</p> <p>Mr. Scribner, a retiree, will continue to work as a Contract Services Specialist I. He will investigate felony, domestic violence and violent crime cases, locate and interview witnesses, and act as a liaison with police agencies. The period of the agreement is October 26, 2019 through October 25, 2020.</p> <p>These contracts (item nos. 41 and 42) are consistent with the waiver of AM 212-1, approved by the Board of Estimates in March 1999 to hire retired Police Officers as Investigators for the Office of the State's Attorney, with no restrictions on the number of hours worked and rates of pay.</p>		
43. <b>JALEN SANDERS</b>	\$20.41	<b>\$ 19,463.00</b>
44. <b>JASON CHRISTIE</b>	\$20.41	<b>\$ 19,463.00</b>
45. <b>KIRA BARAN</b>	\$20.41	<b>\$ 19,463.00</b>
46. <b>JOCELYNE L. GRESOCK</b>	\$20.41	<b>\$ 19,463.00</b>

## MINUTES

PERSONNELSAO - cont'dHourly RateAmount

Account: 1001-000000-1150-118000-601009

These individuals will work as Contract Service Specialist II. They will be responsible for reviewing cases involving the Gun Trace Task Force, reviewing police reports, charges and case details. They will also be responsible for collecting documents for review by the Assistant State's Attorney to determine if the conviction was tainted using various software programs (JIS LIMS, Arrestviewer) to gather documents for review of the case. The period of the agreement is effective upon Board approval for six months.

47. Create the following new Non-Civil Services Classification:

Classification: Department of Social Services, Chief of Staff

Job Code: 02346

Grade: 887 (\$30,000.00 Flat)

Position No.: To be determined by BBMR

Cost: There is no cost associated with this action.

Baltimore City has agreed to provide a supplement to the salary for the above classification at the Department of Social Services for Baltimore City. The supplement will allow the Department of Social Services to attract the best talent to lead the efforts of the agency.

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

**MINUTES**

Department of Planning - Grant Agreement

**ACTION REQUESTED OF B/E:**

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

**AMOUNT OF MONEY AND SOURCE:**

\$26,780.00 - 9905-922004-9188-9000000-703032

**BACKGROUND/EXPLANATION:**

The funds from this program are drawn from the City's Critical Area Management Program offset fee fund, which developers pay into when they disturb land close to the waterfront and cannot meet mitigation requirements on site. Baltimore Tree Trust, Inc. works to restore Baltimore's urban forests, green spaces and corridors that provide clean air, encourage community engagement, and nourish an appreciation for the city's environmental longevity.

Grantees are chosen via an open application process, with the goals of improving water quality by reducing stormwater pollution, conserving and protecting wildlife habitat, and improving quality of life for the citizens of Baltimore. All grant allocations are pre-approved by the State's Critical Area Commission.

Under this agreement, Baltimore Tree Trust, Inc. will be partnering with several stakeholders: Baltimore City Public Schools (City Schools), TreeBaltimore, and Blue Water Baltimore. These entities have worked together for many years to plant new trees at schools, but in the fall of 2018, they convened to discuss ways to better maintain City Schools' large number of "adolescent" trees planted in the past 10 years. To ensure both healthy green spaces for youth, and healthy growth of the trees, pruning and maintenance is needed. This project will focus on training and educating volunteers to properly prune and tend to trees on high-priority City Schools campuses, as determined by City Schools' Ground Shop and the staff at TreeBaltimore.

**MINUTES**

Department of Planning - cont'd

Employees at TreeBaltimore, Baltimore Tree Trust, and Blue Water Baltimore will lead multiple volunteer pruning days at multiple school campuses, including events by Blue Water Baltimore called "Green Ups". At least one training will be for City Schools' Ground Shop.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with Baltimore Tree Trust, Inc.

**MINUTES**

Department of Planning - Non-Construction Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Non-Construction Consultant Agreement the Baltimore Neighborhood Indicators Alliance - Jacob-France Institute, Consultant. The period of the agreement is effective upon Board approval for one year.

**AMOUNT OF MONEY AND SOURCE:**

\$37,500.00 - No City Funds - Paid by Baltimore City Foundation  
(Funding is from a grant from the France-Merrick Foundation)

**BACKGROUND/EXPLANATION:**

This agreement is for the Consultant to design and create a database to track sustainability indicators, the status of Sustainability Plan actions, and supporting documentation.

The database will be structured around the strategies and actions in the 2019 Sustainability Plan and will provide the basis for Annual Reports published by the Office of Sustainability. This project is funded through a grant from the France-Merrick Foundation for which the Baltimore City Foundation is the fiscal sponsor.

**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 Non-Construction Consultant Agreement the Baltimore Neighborhood Indicators Alliance - Jacob-France Institute, Consultant.

**MINUTES**

Mayor's Office of Criminal Justice - Grant Agreement

**ACTION REQUESTED OF B/E:**

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

**AMOUNT OF MONEY AND SOURCE:**

\$22,928.00 - 1001-000000-2254-786000-603050

**BACKGROUND/EXPLANATION:**

The Baltimore City Human Trafficking Grant Programs was created to provide funding to victim service organizations for victims of human trafficking in Baltimore City.

Funding under this program will support trauma informed comprehensive services for all victims of human trafficking sex trafficking and labor trafficking, foreign national/U.S. citizen/legal permanent resident (LPR), adult/minor, male/female, and LGBTQ victims of trafficking. Funding will also support efforts to increase the capacity of local communities to respond to human trafficking victims through the development of interagency partnerships, professional training, and public awareness activities.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with Turnaround, Inc.

**MINUTES**

Office of the Mayor - Capital Projects Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Capital Projects Grant Agreement between the State of Maryland acting through the Board of Public Works, the Board of Directors of the Waterfront Partnership of Baltimore, Inc., Grantee, and the Mayor and City Council of Baltimore.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000,000.00 - State (not-to-exceed)

**BACKGROUND/EXPLANATION:**

The General Assembly has authorized this Grant for the Rash Field Improvement Project. The purpose of this Agreement is for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of Rash Field located, which is located in the Inner Harbor.

The Board is required to approve this Agreement because the City is identified as a Grantee. Though the City is listed as a Grantee for the Agreement, no Grant funds will be allotted to the City. All funds will be allocated to the Waterfront Partnership.

Under the terms of the Agreement, the State may reduce or terminate the authorization to provide the Grant in the event that, Grantee fails to provide the required matching fund by June 1, 2021; if applicable; or if no part of the Project is under contract by June 1, 2026; or the project is abandoned. The Enabling Act's authorization automatically terminates for any grant funds that are unexpended or unencumbered by June 1, 2026.



## MINUTES

Office of the Mayor - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Capital Projects Grant Agreement between the State of Maryland acting through the Board of Public Works, the Board of Directors of the Waterfront Partnership of Baltimore, Inc., Grantee, and the Mayor and City Council of Baltimore. The Mayor **ABSTAINED**.

## MINUTES

Mayor's Office of Homeless - Provider Agreements and Rescission  
Services (MOHS) and Approval of Provider Agreement

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

1. **HEALTH CARE FOR THE HOMELESS, INC.** **\$1,097,870.00**

Account: 4000-407018-3571-757901-603051

The City has received a U. S. Department of Housing and Urban Development grant to undertake the Continuum of Care Program. Under the terms of this Provider Agreement, Health Care for the Homeless, Inc., a sub-recipient, will provide rental assistance and supportive services to 55 individuals and families in Baltimore City experiencing homelessness. The goal of the Project is to increase housing stability and enhance self-sufficiency so that clients do not return to a homeless status. The period of the Provider Agreement is October 1, 2019 through September 30, 2020.

**MWBOO GRANTED A WAIVER.**

2. **HEALTHCARE ACCESS MARYLAND, INC.** **\$ 615,982.50**

Account: 4000-407018-3571-757902-603051

The City has received a U.S. Department of Housing and Urban Development grant to undertake the Continuum of Care Program. Under the terms of this Provider Agreement, Healthcare Access Maryland, Inc., a sub-recipient, will provide rental assistance and supportive services to 25 individuals and families in Baltimore City experiencing homelessness. The goal of the Project is to increase housing stability and enhance self-sufficiency so that clients do not return to a homeless status. The period of the Provider Agreement is September 1, 2019 through August 31, 2020.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Mayor's Office of Homeless Services - cont'd

3. **HEALTHCARE ACCESS MARYLAND, INC.** **\$ 150,000.00**

Account: 4000-407018-3574-759900-603051

Under the terms of this Provider Agreement, Healthcare Access Maryland, Inc. will use the funds to provide rental and utility assistance to individuals experiencing homelessness in the City of Baltimore. The period of the Provider Agreement is July 1, 2019 through June 30, 2020.

The Provider Agreement is late because of delays at the administrative level.

**MWBOO GRANTED A WAIVER.**

RESCISSION AND APPROVAL OF PROVIDER AGREEMENT

4. **PROJECT PLASE, INC.** **\$ 70,000.00**

Account: 5000-529120-3572-754900-603051

On August 7, 2019, the Board approved the Provider Agreement with Project Plase, Inc. under City general funded Account No. 1001-000000-3572-780400-603051. The Board is requested to rescind the original approval and approve the new Provider Agreement under the Federal Continuum of Care funding source.

**MINUTES**

Mayor's Office of Homeless Services - cont'd

Project Plase, Inc. will provide rental assistance to 13 individuals and/or families in Baltimore City experiencing homelessness. The goal of the organization is to increase housing stability and enhance self-sufficiency so that clients do not return to a homeless status. The period of the Provider Agreement is July 1, 2019 through September 30, 2019.

The Provider Agreement is late because of delays at the administrative level.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

## MINUTES

Mayor's Office of Homeless - Grant Award Agreements  
Services (MOHS)

**ACTION REQUESTED OF B/E:**

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

1. **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) \$1,817,160.00**

Account: 4000-407119-3571-760000-404001

The MOHS has been awarded funds under the Emergency Solutions Grant (ESG) program operated by HUD. Through the ESG, homeless individuals and families are provided with housing assistance and/or related supportive services to prevent clients from becoming homeless and move towards independent living. The period of the EGS Agreement is July 1, 2019 through June 30, 2021.

The ESG Grant Agreement is late because notification of the award was recently received from HUD.

2. **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) \$8,380,304.00**

Account: 4000-490819-3571-762400-404001

The MOHS has been awarded funds under the Housing Opportunities for Persons with AIDS (HOPWA) program operated by HUD. Through HOPWA, low-income persons living with AIDS and their families are provided with housing assistance and related supportive services to prevent clients from becoming homeless. The period of the EGS Agreement is July 1, 2019 through June 30, 2022.

The HOPWA Grant Agreement is late because notification of the award was recently received from HUD.

MINUTES

MOHS - cont'd

APPROVED FOR FUNDS BY FINANCE

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

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

**MINUTES**

Mayor's Office of Homeless - Ratification of Provider Agreement  
Services (MOHS)

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Provider Agreement with the National Alliance to End Homelessness Incorporated. The period of the Provider Agreement was May 14, 2019 through June 25, 2019.

**AMOUNT OF MONEY AND SOURCE:**

\$15,150.00 - 4000-407017-3571-759900-603051

**BACKGROUND/EXPLANATION:**

The City needed a Provider to provide training on operation and administration for shelters and services provided to homeless individuals in Baltimore City.

Under the terms of the Provider Agreement, the Provider administered a one-day Best Practices in Emergency Shelter Workshop to key community stakeholders and emergency shelter providers, a Diversion Strategies Training to key community stakeholders, and identified homeless response system providers.

The Provider Agreement is late because of delays in negotiation of contract terms and performance.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the ratification of the Provider Agreement with the National Alliance to End Homelessness Incorporated.

## MINUTES

Department of Recreation and Parks - Donation Agreements

The Board is requested to approve and authorize execution of the various Donation Agreements with the United States Soccer Federation, Inc., (Donor) for the below listed projects. The period of this agreement will begin upon the date this Agreement is approved by the Board of Estimates and will end upon Final Acceptance of the Project by the City, unless earlier terminated pursuant to the terms of the agreement. The Final Acceptance is defined as the acceptance of the Project by the City after Donor and the City have verified that the equipment and systems are fully operational, all warranty work is complete and Contractor has fulfilled its Contract obligations.

	<u>LOCATION</u>	<u>PROJECT</u>	<u>APPROXIMATE AMOUNT</u>
1.	DESOTO PARK 1616 Desoto Road	Soccer Mini-Pitch	\$60,000.00
2.	FARRING BAYBROOK RECREATION CENTER 4501 Farring Court	" "	\$60,000.00
3.	BETTY HYATT COMMUNITY PARK 1725 E. Baltimore Street	" "	\$60,000.00

The mini-pitch will provide an accessible and dedicated space for public recreational activities and soccer in each community and will further improve each location.

The United States Soccer Federation Foundation is a nonprofit whose mission is to enhance, assist and grow the sport of soccer in the United States, with a special emphasis on underserved communities. The Foundation's program "Safe Places to Play" transforms abandoned courts, empty schoolyards, and vacant lots into usable and safe state-of-the-art soccer fields for kids. These "mini-pitches" are hard court spaces suited for organized soccer programs



**MINUTES**

Department of Receptions and Parks - cont'd

and pick-up-games. Each project will cost approximately \$60,000.00 and will be paid entirely by the Donor through which all funds have been raised. The surrounding communities will be improved by the projects.

**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 Donation Agreements with the United States Soccer Federation, Inc., for the above-listed projects.

**MINUTES**

Department of Finance/Office - Purchase of Flood Insurance  
of Risk Management

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Purchase of Flood Insurance for various properties owned by the City. The policies will be insured through Wright National Flood Insurance Company. The Flood Insurance will be effective within 30 days of receipt of premium.

**AMOUNT OF MONEY AND SOURCE:**

\$312,229.00 - 2043-000000-1450-162900-603014

**BACKGROUND/EXPLANATION:**

FEMA mandates the purchase of Flood Insurance for properties located in Special Flood Hazard Areas. The Bureau of Risk Management along with the City's Flood Plain Management Office, identified 88 City-owned properties located in these areas. The below listed properties represent the first batch of eligible properties that require Flood Insurance and Board approval to purchase.

**MBE/WBE PARTICIPATION:**

There are no MBE/WBE goals for the purchase of this insurance policy.

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

Department of Finance/Office - cont'd  
of Risk Management

Location	Premium
301 South Beechfield Ave	\$ 9,507.00
411 Holliday	\$ 9,863.00
500 Dugan's Wharf (changed to NR Other)	\$ 6,948.00
500 Fallsway	\$ 26,684.00
510 Fallsway Street	\$ 26,684.00
520 Fallsway	\$ 9,863.00
620 Fallsway	\$ 7,822.00
1901 Falls Road (changed to NR Other)	\$ 5,656.00
500 East Baltimore Street	\$ 21,413.00
101 North Gay St (changed to NR Other)	\$ 21,413.00
201 Fallsway	\$ 18,667.00
210 Guilford Ave	\$ 30,128.00
220 Guilford Ave	\$ 18,958.00
225 North Holliday Street (changed to NR Other)	\$ 12,858.00
2700 Glenn Avenue (changed to NR Other)	\$ 11,407.00
6100 Cross Country Blvd	\$ 21,413.00
4 South Frederick Street	\$ 35,611.00
100 Holliday Street	\$ 5,778.00
410 East Lexington Street	\$ 5,778.00
417 East Fayette St	\$ 5,778.00
<b>TOTALS</b>	<b>\$ 312,229.00</b>

UPON MOTION duly made and seconded, the Board approved the Purchase of Flood Insurance for various properties owned by the City.

**MINUTES**

Office of Civil Rights & - Grant Award Agreement and Amendment  
Wage Enforcement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Grant Award Agreement and Amendment with the U.S. Department of Housing and Urban Development. The period of the Grant Award Agreement is July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

\$101,464.00 - 6000-433820-1561-171500-607004

**BACKGROUND/EXPLANATION:**

The U.S. Department of Housing and Urban Development granted an award for a Baltimore City Fair Housing Initiatives Program.

This grant will provide fair housing initiative for individuals and families in the City.

The original Award has an Amendment because the original HUD form 1044 that obligated the funds did not include the specific description outlined in Box 16 of the HUD form 1044.

The Grant Award Agreement is late because of administrative delays in accounting.

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

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Office of Civil Rights & - cont'd  
Wage Enforcement

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Award Agreement and Amendment with the U.S. Department of Housing and Urban Development.

**MINUTES**

Department of Finance - Payment in Lieu of Taxes Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Payment in Lieu of Taxes (PILOT) Agreement with TCB Marshall Gardens Limited Partnership for the Marshall Gardens Apartments to be in the 1700 - 1800 Block of Division Street, 500 Block of Wilson, Laurens and Roberts Street. The period of the PILOT Agreement is effective upon Board approval for 75 years.

**AMOUNT OF MONEY AND SOURCE:**

No City funds are requested at this time and the PILOT will have no impact on City revenue for the reasons shown below.

**BACKGROUND/EXPLANATION:**

Marshall Gardens is a proposed 87-unit development encompassing three vacant City blocks in the Upton and Druid Heights neighborhoods of Central West Baltimore. It involves both the new construction of new infill townhouses and apartments, as well as the substantial rehabilitation of five existing historic row houses. This rental development will serve a mixed-income population, including very low-income families (0 - 40% of Area Median Income), workforce households (50% of Area Median Income), and market rate renters (80% of Area Median Income). The project will provide 60 townhouses and 27 apartments, with units ranging from 1-bedroom to 4-bedrooms in size in total, the development will provide 9 one-bedrooms, 33 two-bedrooms, 40 three-bedrooms and 5 four bedrooms.

The project will be in three contiguous blocks as follows:

- Block 1 will be bounded by Wilson Street, Laurens Street and Brunt Street. The block will be anchored by an L-Shaped, three

**MINUTES**Department of Finance - cont'd

story apartment building at the corner of Wilson and Division Streets. This 32,046 square foot apartment building will contain 27 apartments (9 one-bedroom, 12 two-bedrooms, 5 three-bedrooms and 1 four bedroom). It will house a 1,687 sq. ft. community space for residents and a 318 sq. ft. office for property management staff. This block will also include one four-bedroom and 15 three-bedroom new 3-story townhouses, which will front on Division and Laurens Streets.

- Immediately to the north of Block 1, Block 2 will be bounded by Laurens Street, Division Street, Roberts Street and Brunt Street. Block 2 will consist of 19 new townhouse units fronting on Division, Laurens and Roberts Street (15 two-bedrooms and four three-bedrooms).
- Block 3 will consist of 5 renovated row houses and 20 new infill townhouses in the 500 blocks of Robert and Lauren Streets, which are directly adjacent to Block 2.

**PILOT Request**

The Community Builders, Inc. ("TCB") (the "Developer") has requested a Payment in Lieu of Taxes ("PILOT") to assist the Project. Staff from the Department of Housing and Community Development (DHCD) undertook an analysis of the proposed PILOT based on three criteria: (a) is the PILOT necessary to preserve or create affordable housing; (b) does the project need the subsidy to proceed; and (c) did the developer actively seek other sources of funding and subsidy before requesting the PILOT. DHCD's review of information provided by the Developer indicates this Project meets the above-described criteria and that the Project will be unable to move ahead unless a PILOT is approved.

**MINUTES**

Department of Finance - cont'd

**Recommendation**

The Project was reviewed and recommended by the Department of Housing and Community Development and was subsequently approved by the Low-Income Housing Committee to provide a PILOT for the Project. The Developer agrees to pay to the City, in lieu of the ordinary Baltimore City and State of Maryland real estate taxes upon the Project effective from the date the Owner acquires the Project which date the Owner will document by a letter sent to the City (the "Commencement Date") a pro-rated amount through the end of the first fiscal year during which the acquisition occurs and for each fiscal year thereafter, until the obligations of the City to accept negotiated payments provided in this PILOT Agreement will cease under the provisions hereof.

The amount of the annual taxes will be One Hundred Thousand (\$100,000.00) Dollars increasing at three percent (3%) per annum thereafter.

Given the need for affordable housing in the City, the Low-Income PILOT Committee believes that the PILOT is necessary to support both the capital and operating needs of the Project. The Project qualifies for a PILOT under Section 7-503 states in (a)(2)(ii) that the owner of the real property is a "limited partnership whose managing general partner is a limited liability company that is wholly owned by a nonprofit corporation that is exempt from income tax under section 10-104(2) of the Tax-General Article. 12-104 of the Annotated Code of the State of Maryland.

**MBE/WBE PARTICIPATION:**

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



**MINUTES**

Department of Finance - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Payment in Lieu of Taxes (PILOT) Agreement with TCB Marshall Gardens Limited Partnership for the Marshall Gardens Apartments to be in the 1700 - 1800 Block of Division Street, 500 Block of Wilson, Laurens and Roberts Street.

## 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

- |  |              |         |
|--|--------------|---------|
| 1. ITRON, INC.   | \$400,000.00 | Renewal |
| Contract No. 08000 - EERT Equipment, Accessories and Repair Parts - Department of Public Works, Water and Wastewater - Revenue Measuring and Billing - P.O. No.: P532591 |              |         |

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On August 19, 2015, the Board approved the initial award in the amount of \$400,000.00. The award contained two 1-year renewal options. On August 29, 2018, the Board approved the first renewal in the amount of \$400,000.00. This final renewal in the amount of \$400,000.00 is for the period September 1, 2019 through August 31, 2020. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

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

- |  |              |                             |
|--|--------------|-----------------------------|
| 2. GC JONES ELEVATOR<br>COMPANY  | \$ 15,000.00 | Selected Source/<br>Renewal |
| Contract No. 06000 - Elevator Maintenance - Mayor's Office of Employment Development - P.O. No.: P545538 |              |                             |

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

## 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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On October 16, 2018, the City Purchasing Agent approved the initial award in the amount of \$15,000.00. The award contained one 1-year renewal option. This sole renewal in the amount of \$15,000.00 is necessary for the continuation of elevator maintenance service. The period of the renewal is October 1, 2019 through September 30, 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 award was below MBE/WBE subcontracting threshold of \$50,000.00.

3. SMITH BLAIR, INC.	\$100,000.00	Selected Source/ Renewal
Contract No. B50004664 - Pipe Repair Clamps - Department of Public Works, Bureau of Water and Wastewater - P.O. No.: P536586		

On August 17, 2016, the Board approved the initial award in the amount of \$100,000.00. The award contained two 1-year

## 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

renewal options. On January 31, 2017, the Board approved an increase in the amount of \$200,000.00. This first renewal in the amount of \$100,000.00 is for the period September 23, 2019 through September 22, 2020, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On June 9, 2016, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON JUNE 9, 2016.**

- |  |                |         |
|--|----------------|---------|
| 4. PVS TECHNOLOGIES, INC.  | \$3,500,000.00 | Renewal |
| Contract No. B50004332 - Ferric Chloride for Wastewater Treatment Plants - Department of Public Works, Wastewater Facilities - P.O. No.: P533569 |                |         |

On November 18, 2015, the Board approved the initial award in the amount of \$4,000,000.00. The award contained four renewal options. Subsequent actions have been approved and three renewal options have been exercised. This final renewal in the amount of \$3,500,000.00 is for the period November 18, 2019 through November 17, 2020. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On September 29, 2015, it was determined that no goals would be set because there is no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON SEPTEMBER 29, 2015.**

## 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

- |   |              |         |
|---|--------------|---------|
| 5. S. FREEDMAN AND SONS,<br>INC.  | \$ 20,000.00 | Renewal |
| Contract No. B50004705 - Restroom Paper and Soap Supplies for Baltimore Convention Center - P.O. No.: P537199 |              |         |

On October 12, 2016, the Board approved the initial award in the amount of \$178,000.00. The award contained three 1-year renewal options. This first renewal in the amount of \$20,000.00 is for the period November 1, 2019 through October 31, 2020, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On July 21, 2016, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON JULY 21, 2016.**

- |   |              |         |
|---|--------------|---------|
| 6. MISSION MEDIA, LLC   | \$ 16,800.00 | Renewal |
| Contract No. 06000 - CharmTV Website Hosting Service Level Agreement - Mayor's Office of Cable and Communications - P.O. No.: P539936 |              |         |

On June 7, 2017, the Board approved the initial award in the amount of \$16,800.00. The award contained five 1-year renewal options. Subsequent actions have been approved. This first renewal in the amount of \$16,800.00 is necessary to continue to provide support of the website hosting platform. The period of the renewal is June 9, 2019 through June 8, 2020, with four

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

1-year renewal options remaining. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

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

7. LAW ENFORCEMENT

SYSTEMS, LLC	\$ 0.00	Renewal
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Contract No. B50003696 - Driver Motor Vehicle Information -  
Department of Finance - P.O. No.: P528925

On September 24, 2014, the Board approved the initial award in the amount of \$150,000.00. The award contained two renewal options. On August 9, 2017, 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 October 1, 2019 through September 30, 2021. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On August 1, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract. The services consist solely of MVA/DMV motor vehicle information research.

**MWBOO GRANTED A WAIVER ON AUGUST 1, 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

- |  |              |         |
|--|--------------|---------|
| 8. NATIONAL ENVIRONMENTAL,<br>INC.   | \$ 50,000.00 | Renewal |
| Contract No. B50005490 - Supply RPR Supplies to BDC Lab -<br>Health Department - P.O. No.: P545023 |              |         |

On August 29, 2018, the Board approved the initial award in the amount of \$49,000.00. The award contained two 1-year renewal options. This first renewal in the amount of \$50,000.00 is for the period August 29, 2019 through August 28, 2020, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On August 29, 2019, MWBOO determined that no goals would be set because there is no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON AUGUST 29, 2019.**

- |  |         |         |
|--|---------|---------|
| 9. MUNICIPAL EMERGENCY<br>SERVICES INC.  | \$ 0.00 | Renewal |
| Contract No. B50004326 - Turnout Gloves - Baltimore Fire<br>Department - P.O. No.: P534042 |         |         |

On December 16, 2015, the Board approved the initial award in the amount of \$83,148.00. The award contained three renewal options. Subsequent actions have been approved and two renewal options have been exercised. This final renewal in the amount of \$0.00 is for the period December 21, 2019 through December 20, 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 - cont'd

**MBE/WBE PARTICIPATION:**

On September 14, 2015, MWBOO determined that no goals would be set because there is no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON SEPTEMBER 14, 2015.**

## 10. RACE-PACE

INCORPORATED BALTIMORE	\$ 0.00	Renewal
Contract No. B50004810 - Maintenance and Repair of Bicycles - Baltimore Police Department - P.O. No.: P537770		

On December 8, 2016, the City Purchasing Agent approved the initial award in the amount of \$15,457.43. The award contained two renewal options. On November 7, 2018, the Board approved the first renewal in the amount of \$25,000.00. This final renewal in the amount of \$0.00 is for the period December 8, 2019 through December 7, 2020. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

Not applicable. Award was under the threshold of \$50,000.00.

## 11. FISHER SCIENTIFIC

COMPANY, LLC  
VWR INTERNATIONAL,  
LLC

	\$300,000.00	Renewal
Contract No. B50004256 - Laboratory Gases, Chemicals and Supplies - Department of Public Works, etc. - P.O. Nos.: P532977 and P532978		



## 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

On October 7, 2015, the Board approved the initial award in the amount of \$1,000,000.00. The award contained two renewal options. Subsequent actions have been approved. This final renewal in the amount of \$300,000.00 is for the period October 7, 2019 through October 6, 2020.

**MBE/WBE PARTICIPATION:**

On August 17, 2015, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is a commodity purchase,

**MWBOO GRANTED A WAIVER ON AUGUST 17, 2015.**

12. **FIRST CALL**

UNIVAR USA, INC.

**SECOND CALL**

COLONIAL CHEMICAL  
SOLUTIONS, INC.

\$3,500,000.00

Renewal

Contract No. B50005115 - Methanol for Wastewater Treatment Plants - Department of Public Works, Water and Wastewater Back River - P.O. Nos.: P541080 and P541081

On September 27, 2017, the Board approved the initial award in the amount of \$4,500,000.00. The award contained four 1-year renewal options. On October 3, 2018, the Board approved 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 - cont'd

first renewal in the amount of \$4,000,000.00. This second renewal in the amount of \$3,500,000.00 is for the period October 1, 2019 through September 30, 2020, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On August 14, 2017, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON AUGUST 14, 2017.**

13. EDWIN ELLIOT AND		Ratification
<u>COMPANY, INCORPORATED</u>	<u>\$ 80,000.00</u>	<u>and Renewal</u>
Contract No. B50004627 - Original Equipment Manufacturer Actuators and Parts - Department of Public Wastewater Facilities Maintenance - P.O. No.: P536584		

On August 17, 2016, the Board approved the initial award in the amount of \$150,000.00. The award contained three 1-year renewal options. On October 17, 2018, the Board approved the first renewal in the amount of \$80,000.00. This second renewal in the amount of \$80,000.00 is necessary to continue receiving special parts from the original manufacturer. The period of the ratification is August 17, 2019 through September 24, 2019. The period of the renewal is September 25, 2019 through August 16, 2020, with one 1-year renewal option remaining. 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 - cont'd

**MBE/WBE PARTICIPATION:**

On May 24, 2016, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON MAY 24, 2016.**

14. IMAGETREND, INC.	\$ 17,050.00	Sole Source/ Ratification and Renewal
Contract No. 08000 - Electronic Patient Reporting System Hosting and Support - Baltimore Fire Department - P.O. No.: P542175		

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On January 8, 2016, the Board approved the initial award in the amount of \$16,600.00. The agreement provides for the required functional integration with the FirstWatch and Computer Aided Dispatch systems with Image Trend's electronic patient care reporting system which provides real-time validation of patient billing information so that errors will be quickly identified and corrected on the spot before EMS reimbursement is compromised. The period of the ratification is January 7, 2019 through September 17, 2019. The period of the renewal is September 18, 2019 through January 7, 2020, with one-year renewal options at the sole discretion of the City. 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>
---------------	------------------------	--------------------

Bureau of Procurement - cont'd

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. Initial award was below the MBE/WBE subcontracting threshold of \$50,000.00.

15. ADAPT PHARMA, INC.	\$1,200,000.00 <u>100,000.00</u> <b>\$1,300,000.00</b>	Renewal and Increase
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Contract No. 06000 - Nasal Narcan - Baltimore City Health Department, Baltimore City Fire Department and Sheriff Department - P.O. No.: P537699

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On November 30, 2016, the Board approved the initial award in the amount of \$195,950.00. Four increases have been approved. The award contained two 1-year renewal options. Subsequent actions have been approved. This increase in the amount of \$100,000.00 and renewal in the amount of \$1,200,000.00 make the total contract amount \$3,604,688.00. This request will provide agencies with a continuous supply of this life saving

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

medication that stops or reverses the effects of an opioid overdose at a price equal or lower than that of the secondary market. The contract expires on November 30, 2019. The period of the renewal is December 1, 2019 through November 30, 2020 with one 1-year renewal option. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

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

16. APPLIED TECHNOLOGY

- SERVICES, INC.
- DATA CONNECT ENTERPRISE, INC.
- DIGICON CORPORATION
- NU-VISION TECHNOLOGIES, LLC
- USC/CANTERBURY CORP.
- CDW GOVERNMENT, LLC
- DATA NETWORKS OF AMERICA, INC.
- EN-NET SERVICES, L.L.C.
- PCMG, INC.
- DALY COMPUTERS, INC.
- DISYS SOLUTIONS, INC.
- KNIGHT POINT SYSTEMS, LLC.
- STAR COMPUTER SUPPLY, LLC

\$20,000,000.00	Increase
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Contract No. B50004090 - Network Hardware - Mayor's Office of Information and Technology, Departments of Public Works, Transportation and others - P.O. Nos.: P536793, P536792, P536791, P536790, P536789, P536788, P536787, P536786, P536785, P536784, P536783, P536782 and P536772

## 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

On August 17, 2016, the Board approved the initial award in the amount of \$20,000,000.00. This increase in the amount of \$20,000,000.00 is necessary to continue maintaining and upgrading the City's network infrastructure (e.g. servers, storage area networks, etc.).

**MBE/WBE PARTICIPATION:**

On November 18, 2015, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

## 17. KERSHNER ENVIRONMENTAL

TECHNOLOGIES, LLC	\$ 0.00	Sole Source
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Contract NO. 08000 - Furnish and Deliver Chlorination and De-Chlorination Parts - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P536975

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On September 14, 2016, the Board approved the initial award in the amount of \$400,000.00. The award contained three 1-year renewal options. On October 3, 2018, the Board approved the first renewal in the amount of \$200,000.00. This is a contract for proprietary OEM Severn Trent/DeNova Water Technology parts for the water treatment facilities. This second renewal in the amount of \$0.00 is for the period September 14, 2019

## 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

through September 13, 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 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 as this is proprietary parts and services only available from the vendor and not available from subcontractors.

18. THE GOOD SHEPHERD		Ratification
SEPTIC SERVICE, INC.	\$ 0.00	and Extension
Contract No. B50003835 - Septic Tank Pumping and Disposal Services - Department of Public Works, Solid Waste - P.O. No.: P529406		

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On December 10, 2014, the Board approved the initial award in the amount of \$60,000.00. The award contained three renewal

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Procurement - cont'd

options. Three renewal options have been exercised. A ratification and extension is necessary to continue the septic tank pumping and disposal services for the Bureau of Solid Waste pending a new solicitation. The contract expired on December 31, 2018. The period of the ratification is January 1, 2019 through September 24, 2019. The period of the extension is September 25, 2019 through March 31, 2020. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On October 1, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON OCTOBER 1, 2014.**

19. SECURITY EQUIPMENT

CO.	\$ 30,000.00	Extension
Contract No. B50003093 - STIHL Landscaping Equipment and Replacement Parts - Recreation and Parks, Departments of Transportation and Public Works - P.O. No.: P524915		

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On September 18, 2013, the Board approved the initial award in the amount of \$100,000.00. The award contained four renewal options. Four renewal options have been exercised. This extension in the amount of \$30,000.00 is necessary to continue



## 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

services until a new contract is awarded. The contract expired on September 17, 2019. The period of the extension is September 18, 2019 through March 17, 2020.

**MBE/WBE PARTICIPATION:**

On July 23, 2013, 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.**

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

\$ 0.00

Extension

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

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

On November 19, 2014, the Board approved the initial award in the amount of \$2,652,300.00. The award contained a renewal option. Subsequent actions have been approved. An extension

## 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

is necessary to support the B'More Bright Project and continue the procurement of electrical supplies, material and tools for the City. The period of the extension is November 19, 2019 through May 18, 2020. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

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

**MWBOO GRANTED A WAIVER ON OCTOBER 15, 2014.**

21. AMERICAN RAMP		Selected
COMPANY	38,048.02	Source
Contract No. 06000 - Mobile Pump Track - Department of Recreation and Parks - Req. No.: R835854		

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

**STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT**

The procurement of the Speed Ring Plus and Trailer transportable equipment is to provide entertainment and recreational activities in undeserved areas of the City. This item may be easily set up by the City staff for events, and then disassembled and transported to the next event. This item

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Procurement - cont'd

will be used as part of the Mayor's Violence Reduction Initiative Program. This display model will be used as part of the 2019 National Recreation and Parks Association Conference in Baltimore City. The City will receive a significant discount for purchasing the display model at the end of the conference.

**MBE/WBE PARTICIPATION:**

Not applicable. The initial award is below the MBE/WBE subcontracting threshold of \$50,000.00.

UPON MOTION duly made and seconded, the Board approved the foregoing Informal Awards, Renewals, Increases to Contracts and Extensions.

**MINUTES**

Bureau of Procurement - Donation of Excess Property

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a donation of excess property to Howard County's Department of Fire and Rescue Services.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Mayor's Office of Emergency Management desires to transfer a 2006 Softside 48' Trailer and a 2006 Freightliner Columbia 120 to the Howard County Department of Fire and Rescue Services. These items were purchased from the Urban Areas Security Initiative (UASI) grant for the Urban Search and Rescue, which was dismantled a few years ago.

Per of the Code Federal Regulations, any surplus items that are purchased with UASI funds must be offered to other UASI jurisdictions.

UPON MOTION duly made and seconded, the Board approved the donation of excess property to Howard County's Department of Fire and Rescue Services.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

On the recommendations of the City agencies  
hereinafter named, the Board,

UPON MOTION duly made and seconded,  
awarded the formally advertised contracts  
listed on the following pages:

4532 - 4563

to the low bidders meeting the specifications,  
or rejected bids on those as indicated  
for the reasons stated.

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

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Public Works/Office  
of Engineering and Construction

1. SC 940, Sanitary Sewer Northeast Remsco \$44,299,811.00  
Collection System Construction Inc.  
Improvements in the  
High Level Sewershed

**DBE PARTICIPATION:**

Northeast Remsco Construction, Inc. has complied with the DBE goals. As part of their bid Northeast Remsco Construction, Inc. has committed to utilize the following:

<b>DBE/MBE:</b>	Daco Construction Corp.	\$7,111,000.00	16.05%
	The Vann Organization, Inc.	25,000.00	.06%
	JJ Adams Fuel Oil Co., LLC	582,895.00	1.32%
	East Bay Construction & Services 1, LLC	52,000.00	.12%
	Bryant Associates, Inc.	<u>125,000.00</u>	<u>.28%</u>
	<b>TOTAL MBE:</b>	<b>\$7,895,895.00</b>	<b>17.82%</b>
<b>DBE/WBE:</b>	Empire Landscape, LLC	\$420,000.00	.95%
	TFE Resources	51,000.00	.12%
	Atlantic Traffic Safety, Inc.	450,000.00	1.02%
	Fallsway Construction Co., LLC	920,295.00	2.08%
	PDK Commercial Photographers, LTD/DBA Bernstein Associates	10,000.00	.02%
	JEM Enterprises, Inc. t/a Globe Sanitation	10,000.00	.02%
	R&R Contracting Utilities, Inc.	975,000.00	8.97%
	ED Wean Drilling & Blasting, LLC	1,150,000.00	2.60%

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

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

Foundation Test Group, Inc.	50,000.00	.11%
Century Fence Construction, Inc.	<u>7,000.00</u>	<u>.02%</u>
<b>TOTAL WBE:</b>	<b>\$7,043,295.00</b>	<b>15.90%</b>

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 5,760,000.00 (State Revenue)	9956-904620-9549 (Sewer System Rehab - High Level)	
18,967,000.00 (State Water Quality Revenue)	" "	
25,276,639.38 (Wastewater Revenue Bond)	" "	
<b>\$50,003,639.38</b>	-----	9956-906647-9551-6

The transfer will provide funds to cover the costs of SC 940, Sanitary Sewer Collection System Improvements in the High Level Sewershed.

A PROTEST WAS RECEIVED FROM WILLIAMS MULLEN ON BEHALF OF SPINIELLO COMPANIES, INC.

SEVERAL SUPPLEMENTAL PROTESTS WERE RECEIVED FROM WILLIAMS MULLEN ON BEHALF OF SPINIELLO COMPANIES, INC.

# WILLIAMS MULLEN

Direct Dial: 703.760.5232  
bcashmere@williamsmullen.com

October 18, 2018

## VIA HAND DELIVERY

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

## BID PROTEST

Protestor: Spiniello Companies, Inc.  
3500 East Biddle Street  
Baltimore, MD 21213

Solicitation: City of Baltimore Department of Public Works'  
Sanitary Contract No. 940 for Hydraulic Improvements to the  
High Level Sewershed Collection System

Proposed Awardee: Northeast Remsco Construction, Inc.

Dear Honorable President and Members of the Board of Estimates:

Spiniello Companies, Inc. ("Spiniello"), by and through its undersigned counsel, protests any awarding of City of Baltimore Department of Public Works Sanitary Contract No. 940 ("SC940") to Northeast Remsco Construction, Inc. ("Northeast Remsco") or any bidder other than Spiniello. Northeast Remsco's bid contains multiple errors and irregularities that establish that Northeast Remsco does not propose to, and will not, meet the City's mandatory Women Business Enterprise ("WBE") and Minority Business Enterprise ("MBE") participation requirements in the Invitation for Bid ("IFB"). Northeast Remsco's bid demonstrates a complete disregard for the IFB's MBE and WBE requirements, which cannot be rewarded. Indeed, to maintain the integrity of the City's procurement system and the confidence of those bidders that made the effort and did comply with these important requirements, Northeast Remsco's bid must be found non-responsive and rejected. In that regard, Spiniello is the lowest price, responsive, and responsible bidder and should be awarded SC940.

Although at first glance, it appears that there is a substantial difference between the bids of Northeast Remsco and Spiniello, this is not the case. Northeast Remsco made a \$3,599,711.00 error in the calculation of its unit prices, which changes its actual bid price to \$44,299,811.00 (not \$40,700,100.00). That is merely \$333,189 less than Spiniello's bid, which is less than a 1% difference.



### **Aggrieved Party**

Spiniello submitted a timely, responsive bid and is a responsible bidder for SC940 and thus has standing to protest as an aggrieved party any award of SC940 to Northeast Remsco or any bidder other than Spiniello.

### **Timely Protest**

This protest is timely filed with the Board of Estimates prior to contract award.

### **Background**

The City of Baltimore (the “City”) published the Invitation for Bidders (“IFB”) related to SC940 in July 2018. **See Ex. 1.**<sup>1</sup> The SC940 Project consists of hydraulic improvements to the high level sewer shed collection system (“Project”). The scope of work for the Project includes: sewer cleaning and close-circuit TV inspection; upsizing full-length segments of sanitary sewers using open cut methods; sewer house reconnection work; installation of a new 42” interceptor sewer utilizing microtunneling; manhole replacement work; and new manhole installation work (collectively, the “Work”). The IFB envisions awarding a Firm-Fixed Price contract to the lowest-priced responsible bidder that submits a responsive bid.

#### **1. The IFB’s MBE/WBE Requirements**

Both the State of Maryland and the City have enacted policies relating to Disadvantaged Business Enterprises (“DBE”), including Women Business Enterprises and Minority Business Enterprises. These policies ensure that “maximum contracting opportunities [are] extended to certified minority enterprises,” and the State enforces this policy through the use of the MBE and WBE minimums. *See* COMAR Sec. 21.11.03.01. In that regard, with respect to procurement, the State has also clarified that the failure to affirmatively meet the WBE and MBE minimum requirements renders a bid non-responsive. *See* COMAR Sec. 21.11.03.09(C)(5) (“The failure of a bidder to accurately complete and submit the MBE utilization affidavit and the MBE participation schedule shall result in a determination that the bid is not responsive.”).

As evidenced by the City’s policies, the City’s utilization of MBE/WBE minimums in public works contracts is a critical element of both the City’s and the State’s mutual objective to maximize contracting opportunities for certified minority enterprises. As a result, the IFB contains requirements for MBE and WBE participation in the work to be performed. Specifically, the IFB requires that a responsive bid demonstrate MBE and WBE participation of 18% and 16%, respectively. **See Ex. 1, p. 16.** Moreover, the IFB contained specific instructions and forms that a bidder must complete to demonstrate its compliance with the MBE/WBE participation requirements.

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<sup>1</sup> Exhibit 1 contains selected portions or excerpt of the IFB.

## 2. The Award and the Awardee's Bid

The original deadline to submit a bid in response to the IFB was August 29, 2018, but the deadline was extended until September 26, 2018 via several amendments. Four contractors submitted bids, which the City reviewed and reported as follows:

- (i) the apparent monetary low bidder was Northeast Remsco, with a purported bid price of \$40,700,100.00 (but actually \$44,299,811.00 due to a unit price miscalculation);
- (ii) the apparent second lowest bidder was Spiniello Companies, with a bid price of \$44,633,000.00;
- (iii) the next lowest bidder was Bradshaw, with a bid price of \$52,938,988.00; and
- (iv) Oscar Renda, with a bid price of \$55,535,450.00.

A review of Northeast Remsco's bid reveals a number of deficiencies regarding its pricing and proposed MBE/WBE participation. Notably, Northeast Remsco's bid contains line-item quantities for the total scope of work, which Northeast Remsco purports amounts to a total of \$40,700,100.00. However, that total bid price is an error, as the sum totals of each of the line-item scopes of work in Northeast Remsco's bid actually add up to \$44,299,811.00 – which is **\$3,599,711.00 higher than its originally-stated bid price. See Ex. 2.**

The City of Baltimore Department of Public Works Specifications, Materials, Highways, Bridges, Utilities, and Incidental Structures 2006 ("City Specifications") at 00 21 13.08(B) mandates that "[a]ll extensions in the bidding forms (column entitled "Amounts") shall be computed and filled in by the Bidder, and the sum shall be computed and written in the space provided thereto following the last item of the bid." However, City Specification 00 21 13.08(D) states "[w]hen there is an error in mathematics where unit prices do not equal the total price, in all cases, the unit prices shall prevail." Therefore, the mandatory correction to Northeast Remsco's total bid amount (the sum total of its unit prices) is \$44,299,811.00. As set forth below, this critical pricing error has a direct effect on the requisite WBE and MBE percentages for Northeast Remsco.

### Grounds of Protest

A key element of a sealed bidding procurement is that non-responsive bids may not be considered for award. Nash & Cibinic, *FORMATION OF GOVT. CONTRACTS*, Third Ed., at 537 ("The purpose of [the responsiveness] requirement is to promote fairness and objectivity, and to encourage wide competition by requiring all bidders to bid on exactly the same work and to the same terms and conditions"); *see also Nat'l Elevator Co.*, No. 1291, Oct. 1, 1986, 1 MSBCA ¶ 135. Significantly, to ensure fairness to other bidders and the government procurement system responsiveness must be determined from the face of the bidding documents and not from information or documents subsequently provided by the Bidder. *Inner Harbor Paper Supply Co.*, No. 1034, Sept. 9, 1982, 1 MSBCA ¶ 24. Moreover, "[t]o be responsive a bid cannot be

ambiguous.” *Nat’l Elevator Co.*, No. 1291, Oct. 1, 1986, 1 MSBCA ¶ 135 (“If the bid is subject to two or more reasonable interpretations, under one of which it is nonresponsive, it is ambiguous and, therefore, should be rejected as nonresponsive.”); *see also* Nash & Cibinic, *FORMATION OF GOVT. CONTRACTS*, Third Ed., at 538 (“The mandatory rejection rule also prevents bidders with ambiguous bids from having ‘two bites of the apple’ by contending, after seeing competing bids, that their bids conformed to the solicitation (or did not conform), depending on the interpretation that is most beneficial to them.”).

In this case, an objective reading of Northeast Remsco’s bid demonstrates that it has not met the IFB requirements in two significant and material ways:

1. Northeast Remsco **failed to submit a complete, correct bid package**. Page 1 of the instructions for SC940 contains the following language: “FAILURE TO FOLLOW THESE SIMPLE INSTRUCTIONS WILL CAUSE YOUR BID TO BE DECLARED UNRESPONSIVE AND THE BID WILL BE REJECTED BY THE BOARD OF ESTIMATES.” **Ex. 1, p. 2**. Northeast Remsco was clearly on notice of the requirement to submit a complete, correct bid package; yet failed to do so. Even though all of Northeast Remsco’s bid failures pertain, in some manner, to the Contract WBE/MBE requirements set forth in this IFB, **the bid is – on its face – materially non-responsive and should be disregarded by this Board**.
2. Northeast Remsco failed to comply with the material WBE/MBE requirements for SC940. It is well-established that “[w]here an IFB requires a bidder to commit to an MBE program at the time of bid, the failure to do so constitutes a material defect which, thereafter, cannot be waived.” *Appeal of Roofers, Inc.*, MSBCA 1129 (1983) (citing *Track Materials*, MSBCA 1097 (Nov. 30, 1982)).

Set forth below are seven separate and distinct grounds of protest, each of which violate the above two material tenets, and each of which alone and independently require that the Board reject Northeast Remsco’s bid.

1. **Northeast Remsco’s Bid Includes a Subcontractor, Ed Wean Drilling & Blasting; Ed Wean is Not Certified by Either the City of Baltimore or Maryland Department of Transportation, as Required for WBE Participation.**

Northeast Remsco’s bid purports to comply with the IFB’s MBE and WBE percentage requirements through the combined use of fifteen subcontractors, five of which are listed as “MBE” and ten of which are listed as “WBE”. **See Ex. 2**. However, the second-largest WBE subcontractor, Ed Wean Drilling & Blasting (“Ed Wean”), listed for \$1,150,000.00 of work, is not certified as a WBE. **Id. at p. 47**. Because Ed Wean is not certified by the requisite agencies, its subcontract amount of \$1,150,000.00 cannot count toward the WBE participation requirement and,

therefore, Northeast Remsco's bid falls woefully short of the WBE requirement and is non-responsive.<sup>2</sup>

The IFB clearly addresses the certification requirements for WBE and MBE utilization on this Project: "When selecting subcontractors to count towards the project's goals, **it is acceptable for the Prime contractor to use either State (MDOT) or City certified sub-contractors, or a combination of both**, to count towards fulfillment of the goal participation for this contract." **Ex. 1** (emphasis added). Ed Wean is not certified by the State of Maryland (MDOT) **or** the City. Instead, Northeast Remsco impermissibly attempts to rely upon Ed Wean's certification in the State of New Jersey to satisfy this Project's goals.

In fact, three specific details of Northeast Remsco's bid package demonstrate that Ed Wean is not certified in the State (MDOT) or City certification programs:

1. Northeast Remsco includes Environmental Protection Agency DBE Subcontractor Performance Forms ("EPA Forms") for all its WBE/MBE listed subcontractors.<sup>3</sup> **See Ex. 2.** In most instances, the EPA Form correlated to a subcontractor is accompanied by a printout of that subcontractor's MDOT Certification, which demonstrates compliance with the IFB's DBE certification requirements. In the case of Ed Wean, however, Northeast Remsco only attached a certification form from the State of New Jersey's Small Business Set-Aside Act and Minority and Women Certification Program – not a State MDOT or City certification form. Further, a search of both the City (MWBOO) and State (MDOT) databases reveals no Certification of Ed Wean by either MDOT or the City.
2. The EPA Form for each subcontractor contains a section wherein the bidder can identify the locality with whom the subcontractor is certified. **See Ex. 2, p. 85.** As demonstrated below, for Ed Wean, Northeast Remsco checked the box for "other" and hand-wrote "NJ State":

Other: WBE / cert. # 72357-15  
NJ State

3. When listing its subcontractors in the DBE Subcontractor Utilization Form ("DBE Form"), Northeast Remsco again hand wrote "NJ State", whereas it lists "MDOT" for every other subcontractor (*Id.* at p. 47):

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<sup>2</sup> "Responsiveness is a legal determination involving whether the person who has submitted the bid, under procurement by competitive sealed bidding, has conformed in all material respects to the requirements contained in the IFB." *Track Materials, supra*, at n. 4. By contrast, responsibility concerns a bidder's capability to perform a contract. *Nat'l Elevator Co.*, No. 1291, 1 MSBCA ¶ 135.

<sup>3</sup> Except, as explained below, for the subcontractor Foundation Test Group, Inc.

ED WEAN DRILLING & BLASTING, LLC	112 RAVINE DRIVE STEWARTSVILLE, NJ 08886 908-454-1656	\$1,150,000.00	WBE/DBE NJ STATE
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Northeast Remsco's disregard for the clear DBE certification requirements demonstrates that it is not committed to complying, and has not complied, with the local MBE and WBE initiatives for this Project. As noted above: **"Where an IFB requires a bidder to commit to an MBE program at the time of bid, the failure to do so constitutes a material defect which, thereafter, cannot be waived."** *Appeal of Roofers, Inc.*, MSBCA 1129 (1983) (citing *Track Materials*, MSBCA 1097 (Nov. 30, 1982)). The subcontract value for Ed Wean cannot count toward Northeast Remsco's MBE/WBE requirements for this Project and, therefore, Northeast Remsco's WBE total is only \$5,843,295.00 – which is significantly lower than the requisite 16% of not only its corrected bid price of \$44,299,811.00 (which is \$7,087,969.70), but also of its lower incorrect bid price of \$40,700,100.00 (which would have been \$6,512,016.00).

Further, if this Board allowed the out-of-state Certification of Ed Wean to be compliant, in direct contravention of the IFB, it would diminish the force and impact of the State and City Certification process. As such, Northeast Remsco's bid is not responsive and must be rejected.

## 2. Northeast Remsco's Bid Does Not Meet the MBE/WBE Percentage Requirements.

Even if this Board finds Ed Wean compliant with the MDOT or City DBE certification requirements, such that the subcontract amount counts toward DBE compliance, Northeast Remsco's bid still fails to meet the MBE/WBE requirements. While Northeast Remsco's bid appeared to comply with the MBE/WBE requirements at its original bid price, once the bid price is corrected and increased, as required, Northeast Remsco is no longer compliant with the MBE/WBE requirements. Specifically, the significant pricing error set forth above, not only increases the bid price, but also increases the monetary amounts which constitute the requisite MBE and WBE percentages. When those amounts are increased, Northeast Remsco no longer meets the required 16% for WBE and 18% for MBE minimums.

This is especially egregious in light of the fact that Northeast Remsco will not only benefit from its error by receiving an increased bid amount (of approximately \$3.6 million) but will also benefit by not having to comply with the WBE and MBE minimums, which often result in an added expense to a Prime Contractor.

As set forth in the numbers above, Northeast Remsco's corrected bid price of \$44,299,811.00 required an MBE percentage of 18% (or \$7,973,965.98), and a WBE percentage of 16% (or \$7,087,969.76). Northeast Remsco failed to meet both requirements, and even if Ed Wean's \$1,150,000.00 subcontract price is included, Northeast Remsco still failed to meet the MBE and WBE minimums by a combined total of over \$122,000.00.

Because Northeast Remsco committed a significant pricing error in its bid, and it is mandatory that the error be corrected, it is no longer compliant with the City's WBE and MBE requirements.<sup>4</sup> As the MSBCA stated in *Johnson Controls, Inc.*, MSBCA Case No. 1273 (1986), "to permit correction of [the] bid under these circumstances clearly would be prejudicial to other bidders and contrary to the purpose of Maryland procurement law to provide for increased public confidence in the procedure followed in public procurement and to insure [sic] the maintenance of a system of quality and integrity." As in *Johnson Controls*, **Northeast Remsco's lack of compliance with the MBE/WBE program requirements prejudices Spiniello because Spiniello took the time, effort, and applied the resources to ensure compliance with the City's MBE and WBE programs, and has affirmatively demonstrated such compliance in its bid.**

For this Board to award to a bidder that has clearly not met the MBE/WBE participation requirements would send a message to Spiniello and other compliant bidders that the City places little value on the MBE/WBE program or the need to adhere to clear IFB requirements. We cannot believe that is the City's intent or desire. As such, in light of the new information herein, this Board properly serves as an additional gatekeeper to ensure full compliance with MBE and WBE objectives and to protect the sanctity of the City's procurement process. Northeast Remsco's bid is not responsive and should be rejected.

**3. Northeast Remsco Did Not Include the EPA DBE Performance Form for its Subcontractor, Foundation Test Group.**

As stated above, the IFB mandates that the EPA Forms (specifically, EPA FORM 6100-3) be submitted for each subcontractor. Northeast Remsco submitted EPA Forms for each DBE subcontractor except Foundation Test Group ("Foundation"). This clear omission of a material form renders the bid non-responsive, on its face, per the terms and instructions of the IFB. This material failure also renders the bid non-responsive as it fails to demonstrate compliance with the IFB's MBE/WBE requirements.

**4. Northeast Remsco Did Not Complete the DBE Good Faith Efforts Checklist, Which Demonstrates Further Noncompliance with the MBE/WBE Requirements.**

The IFB requires submission of a completed MBE DBE Good Faith Efforts Checklist ("Checklist"). Northeast Remsco failed to provide a completed Checklist, and, as such, failed

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<sup>4</sup> "Where an IFB requires a bidder to commit to an MBE program at the time of bid, the failure to do so constitutes a material defect which, thereafter, cannot be waived." *Appeal of Roofers, Inc.*, MSBCA 1129 (1983) (citing *Track Materials*, MSBCA 1097 (Nov. 30, 1982)).

provide the requisite notice to the Board as to whether its subcontractors are using any additional subcontractors. Rather Northeast Remsco hand-wrote “unknown” in the right margin:

**C: Solicitation Summary of DBE firms (Prime Contractor must fill EPA Form 6100-0)**

C1	Did you use the Bidders List to solicit subcontractors?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C2	Did DBE firms bid as subcontractors (provide list, work type, & price)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C3	Did you select any DBE firms as subcontractor?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C4	Is the subcontractor using any additional subcontractors?	Yes <input type="checkbox"/>	No <input type="checkbox"/> <del>YES</del> UNKNOWN

The clear failure to answer Question C.4 renders the Checklist incomplete and the bid non-responsive. **Ex. 2, p. 34.**

Moreover, the lack of response to this question is material to the determination of whether Northeast Remsco has, or will, comply with the IFB (and Contract MBE/WBE requirements). Importantly, in the Answer to Question/Comment No. 23, the City clarified that “The second-tier sub is not counted at all. MBEs/WBEs are not allowed to subcontract more than 10% of their work.”<sup>5</sup> See **Ex. 3**. At the time it submitted its bid, Northeast Remsco lacked knowledge as to whether its subcontractors will use any additional subcontractors and, therefore, this Board does not know whether Northeast Remsco’s subcontractors will use any additional subcontractors and what effect, if any, such a utilization will have on the MBE/WBE standards for this Project.

In this regard, Northeast Remsco’s bid is incomplete and non-responsive. Northeast Remsco had a duty to accurately and completely fill out its bid, and it failed to do so. This Board should reject Northeast Remsco’s bid.

**5. Northeast Remsco Edited its DBE Subcontractor Utilization Form Without Subcontractor Verification.**

In its bid, Northeast Remsco revised its WBE and MBE estimated dollar amounts in multiple locations, without the corresponding subcontractor initialing the change. Specifically, as seen below by handwritten lineouts, Northeast Remsco increased the subcontractor estimated dollar amount from \$95,000 to \$150,000: as to subcontractor Bryant Associates.<sup>6</sup>

BRYANT ASSOCIATES, INC.	90 CANAL STREET, SUITE 301 BOSTON, MA 02114 301-276-4005 <small>Continue on back if needed</small>	MDOT
		<del>\$95,000.00</del> MBE / DBE \$125,000.00 MDOT. <i>Rea</i>

<sup>5</sup> These requirements are very important as they ensure that MBE/WBE Subcontractors do not simply act as pass-through entities, but actually gain the experience and skills envisioned by the program. Northeast Remsco’s assertion that their subcontractor’s intent to comply with these requirements is “unknown” is equivalent to saying that Northeast Remsco’s intent to comply with the spirit and purpose of the MBE/WBE program is “unknown” and the entities that will ultimately receive the money paid under the resultant contract is “unknown.” In short, Northeast Remsco cannot be considered to have submitted a responsive bid without knowing this information.

<sup>6</sup> **Ex. 2, p. 46.**

While the modification is initialed by Northeast Remsco there is no initial by the subcontractor evidencing agreement to this unilateral change. Further, a review of the DBE Subcontractor Participation Form (Form 6100-3) for Bryant Associates exacerbates the concern – this form also shows an apparent unilateral modification by Northeast Remsco of the price:<sup>7</sup>

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	Surveying	<del>\$95,000.00</del> \$125,000.00
DBE Certified By: <input checked="" type="radio"/> DOT <input type="radio"/> SBA <input type="radio"/> Other: <u>MDOT \$2-008</u>		Meets/ exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

*lea*

A similar defect is found with respect to subcontractor Foundation Test Group; Northeast Remsco unilaterally decreased the estimated dollar amount from \$100,000 to \$50,000:<sup>8</sup>

FOUNDATION TEST GROUP	11408 CROW RIDGE DRIVE, SUITE K DOWNS HILL, MD 21117 410-517-0715	\$50,000.00 <del>\$100,000.00</del>	WBE/DBE MDOT
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*lea*

This omission is especially egregious with respect to Foundation Test Group, because – as set forth above – Northeast Remsco did not submit the corresponding EPA Form, which would have listed the “Amount Received by Prime Contractor.” Therefore, because Northeast Remsco struck through the original amount for Foundation (\$100,000) and replaced it with a revised amount (\$50,000), this Board has no way to verify the correct amount by referencing the EPA Form. Neither the change as to Bryant Associates nor Foundation Test Group was initialed by the respective subcontractor.

#### 6. The Northeast Remsco Bid Includes Unverified Material Edits and Changes.

This Board regularly rejects bids as non-responsive when the bidder neglects to initial changes in the bid package. The basis of these rejections is the uncertainty and ambiguity such changes inject into the procurement process. In that regard, it is unclear when and by whom the changes were made. Here, Northeast Remsco’s bid includes an unverified material change to the

<sup>7</sup> Ex. 2, p. 82.

<sup>8</sup> Ex. 2, p. 47.



pricing of Line 822. Specifically, a review of Northeast Remsco bid shows changes to the pricing information contained in Item No. 822:<sup>9</sup>

822	8,021	LINEAR FEET OF --- FURNISH AND INSTALL STEEL CASING PIPE USING MICROTUNNELING AT <del>TWO THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS</del> <i>PER SEVEN DOLLARS PER LINEAR FOOT</i>	<del>2,125</del> <i>2,147</i>	<del>00</del> <i>00</i>	<del>17,044,625</del> <i>17,221,087</i>	<del>00</del> <i>00</i>
-----	-------	---	----------------------------------	----------------------------	--	----------------------------

There are three modifications to the line-item price for Item No. 822, totaling \$176,462.00, but Northeast Remsco did not initial any of the changes as to the Description of Items and Prices Bid,<sup>10</sup> the Unit Price, or the Amount. Notably, elsewhere in its bid (on the very next page, in fact), Northeast Remsco recognized the importance of, and complied with, the requirement to initial each change within an Item Number:

826	70	VERTICAL FEET OF --- CONTINGENT RESCUE SHAFT AT <del>SIX HUNDRED NINETY SEVEN DOLLARS PER VERTICAL FOOT</del> <i>TWO THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS</i>	<del>6,997</del> <i>2,125</i>	<del>23</del> <i>00</i>	<del>189,806</del> <i>17,044,625</i>	<del>10</del> <i>00</i>
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In contrast, the absence of initials to the apparent pricing revision as to Item No. 822 raises uncertainty and, is another material mistake rendering this bid non-responsive.

**7. Northeast Remsco Did Not Incorporate Addendum 4 Into its Bid, as Required.**

Addendum No. 4 to the IFB required bidders to replace pages BP-12, BP-18, and BP-19 in their bids. As with other addenda, the new pages were stamped “Addendum 4.” Northeast Remsco did not utilize the replacement pages from Addendum 4. However, elsewhere in Northeast Remsco’s bid, Northeast Remsco complied with the requirements of various other addenda to replace pages of the bid. See, e.g. Ex. 2, p. 1 (“Addendum 6”); p. 6 (“Addendum 2”); p. 17 (“Addendum 5”). Northeast Remsco’s failure to replace the bid pages as required from Addendum 4 raises a genuine question as to whether Northeast Remsco reviewed and incorporated Addendum 4 into its bid and, therefore, raises an ambiguity in the bid and makes the bid non-responsive. As set forth above, an ambiguous and non-responsive bid cannot be accepted.

**Conclusion**

It is well-established that material bid mistakes cannot be overlooked or waived. See, e.g. *Johnson Controls, Inc.*, MSBCA Case No. 1273 (1986). In *Johnson Controls, Inc.*, the Maryland State Board of Contract Appeals explained that “[a] mistake in bid is immaterial if its significance

<sup>9</sup> Ex. 2, p. 18.

<sup>10</sup> There appears to be an “R” near one or the three changes – Description of Items and Prices Bid. However, this possible notation is insufficient. First, simply writing the letter R is not a proper initialing of a change and, even if it is considered a proper initialing of a change, Northeast Remsco failed to initial the other two changes made to Item No. 822.

as to price is trivial or negligible... and its correction would not prejudice the other bidders.” Here, as detailed above, Northeast Remsco’s bid contained multiple material errors and omissions, which, taken individually and certainly taken together, cannot be viewed as “trivial” or “negligible”. Rather, these errors and omissions represent substantial mistakes that disqualify the bid as non-responsive.

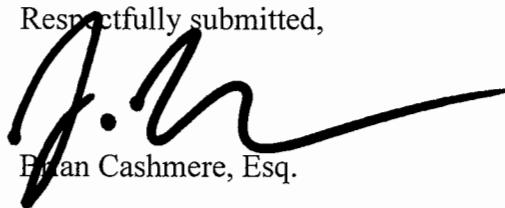
Further, an award to Northeast Remsco in spite of its incomplete and incorrect bid would prejudice Spiniello because Spiniello took the time, effort, and resources to ensure compliance with the MBE and WBE requirements and has affirmatively demonstrated such compliance in its bid. Moreover, Spiniello is the next-lowest priced bidder after the Northeast Remsco, and the lowest-priced responsible bidder that submitted a responsive bid. In short, considering Northeast Remsco’s non-responsive bid, award should be made to Spiniello.

Further, to award SC940 to Northeast Remsco in the face of such an egregiously noncompliant bid would be an affront to the City’s procurement system and its focus on compliance with WBE and MBE programs, and diminish the City and State Certification process.

**Ruling and Relief Requested**

Spiniello requests that the apparent lowest price bid of Northeast Remsco be found non-responsive and not eligible for award of Sanitary Contract No. 940. Spiniello further requests that the Board of Estimates award Sanitary Contract 940 to Spiniello as the lowest price, responsive, and responsible bidder.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Cashmere', with a long horizontal flourish extending to the right.

Brian Cashmere, Esq.

cc: Robert K. Cox, Esq., Williams Mullen  
Spiniello Companies

23

**CITY OF BALTIMORE**

**Catherine E. Pugh  
Mayor**

**DEPARTMENT OF PUBLIC WORKS**

**Rudolph S. Chow, P.E.  
Director**

**OFFICE OF ENGINEERING & CONSTRUCTION**

**Lauren Swiecicki, PE**



**Sanitary Contract No. 940  
FOR  
HYDRAULIC IMPROVEMENTS TO THE HIGH  
LEVEL SEWERSHED COLLECTION SYSTEM**

**NOTICE TO BIDDERS**

**SUPPLEMENTAL BIDDING INSTRUCTION**

The following instruction supplements the bidding instructions found elsewhere in the Bid Book and those referenced therein.

**EACH BIDDER IS HEREBY NOTIFIED THAT HE/SHE/IT MUST COMPLETELY FILL IN THE ORIGINAL BID AND THE REQUIRED BID/PROPOSAL AFFIDAVIT AND DOCUMENTS LOCATED IN THE BID BOOK. THE ORIGINAL BID, (WHICH MUST REMAIN ATTACHED TO THE BID BOOK) PLUS THE FULLY COMPLETED DUPLICATE BID MUST BE SUBMITTED IN THE BID ENVELOPE, IF ONE IS PROVIDED FOR THAT PURPOSE.**

**ENSURE THAT THE DUPLICATE COPY DOES NOT INCLUDE DIFFERENT UNIT PRICES AND TOTAL BID AMOUNT THAN THE ORIGINAL. THE ORIGINAL AND DUPLICATE BIDS SHOULD HAVE THE SAME AMOUNT FOR EACH BID ITEM AND TOTAL AMOUNT.**

**FAILURE TO FOLLOW THESE SIMPLE DIRECTIONS WILL CAUSE YOUR BID TO BE DECLARED UNRESPONSIVE AND THE BID WILL BE REJECTED BY THE BOARD OF ESTIMATES.**

**MARYLAND DEPARTMENT OF THE ENVIRONMENT DISADVANTAGED BUSINESS ENTERPRISE PROGRAM (DBE)**

- ❖ THIS PROJECT IS A RECIPIENT OF STATE FUNDING AND INCLUDES THE DBE FORMS THAT MUST BE FILLED OUT. REVIEW THE DOCUMENTS THAT ARE NEEDED TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE DBE PROGRAM.
- ❖ THE DBE PACKAGE MUST BE COMPLETED AND SUBMITTED WITH YOUR BID PROPOSAL.

**BALTIMORE APPRENTICESHIP TRAINEE PROGRAM (BATP)**

- ❖ PER THE ENGINEER, THE BALTIMORE APPRENTICESHIP TRAINEE PROGRAM REQUIREMENTS ARE EXCLUDED FROM THIS CONTRACT.

**BALTIMORE CITY'S YOUTHWORKS PROGRAM**

- ❖ ALSO INCLUDED IN THIS CONTRACT IS A BALTIMORE CITY'S YOUTHWORKS PROGRAM FORM.
- ❖ THE ACCOMPANYING MANILA BID ENVELOPE CONTAINS BALTIMORE CITY'S YOUTHWORKS PROGRAM FORM ORIGINAL DOCUMENTS WHICH MUST BE COMPLETED FOR ALL CONTRACTS.
- ❖ THE SINGLE PAGE BALTIMORE CITY'S YOUTHWORKS FORM MUST BE COMPLETED AND SUBMITTED **WITH YOUR BID PROPOSAL**
- ❖ FAILURE TO SUBMIT THE INFORMATION AT THE TIME REQUESTED MAY BE CAUSE TO HAVE YOUR BID REJECTED.

**LOCAL HIRING LAW**

- ❖ ALSO INCLUDED IN THIS CONTRACT IS NOTIFICATION OF THE LOCAL HIRING LAW EFFECTIVE DECEMBER 23, 2013. PLEASE REFER TO THE "INSTRUCTION TO BIDDERS" SECTION AND THE "LOCAL HIRING LAW" SECTION WITHIN THIS SPECIFICATION FOR REQUIREMENTS OF THIS LAW.



## EXECUTIVE ORDER

**WHEREAS**, the Mayor and City Council of Baltimore ("City") is committed to promoting the well-being and positive development of the City's youth and providing educational and enrichment opportunities which will lead to academic improvement, safer environments and a reduction in high risk behavior; and

**WHEREAS**, Baltimore City has an estimated 76,000 citizens between the ages of 14-21, and

**WHEREAS**, the federal government ceased funding summer job programs for youth in 2000 after 25 years, causing local and state governments to join with businesses, philanthropic, faith-based, community, and educational organizations to obtain grants, tax-deductible donations and job opportunities to help these deserving youth; and

**WHEREAS**, the City and the Mayor's Office of Employment Development ("MOED") have established the Baltimore City's Youth Works program to prepare dependable Baltimore City high school and college students for productive employment that meets the workforce needs of local businesses; and

**WHEREAS**, the City wishes to encourage all local businesses and contractors, service providers, consultants and vendors, etc. doing business with the City to employ skilled and qualified Baltimore City youth between the ages of 14-21, who meet the job-ready status, as defined by Baltimore City's Youth Works program, during the summer of 2008; and

**WHEREAS**, the need to help Baltimore City's youth has never been greater

**NOW, THEREFORE**, I Sheila Dixon, Mayor of the City of Baltimore, by virtue of the authority vested in me by the Baltimore City Charter, do hereby promulgate the following **EXECUTIVE ORDER**:

1. Henceforth, each and every Solicitation from every City Department, Agency and Office, where the Bid is expected to be \$25,000 or more, shall contain the attached form. Each and every Bidder shall provide the City with the (a) name, (b) complete address, (c) telephone number and (d) a contact person to assist MOED with the YouthWorks program.
2. MOED shall contact each and every business identified in §1 above and request that the business, contractor, service provider, consultant and vendor, etc. join with the City in reaching its goal of employing Baltimore City's Youth Works referrals, or otherwise assist the Baltimore City's Youth Works program.
3. MOED shall establish and maintain an ongoing relationship with City businesses, contractors, service providers, consultants and vendors, etc. in an effort to address their current and future employment and/or training needs.
4. This Executive Order shall take effect immediately.

IN WITNESS HEREOF, I HAVE  
PLACED MY HAND AND THE  
GREAT SEAL OF THE CITY OF  
BALTIMORE THIS 14<sup>TH</sup> DAY OF  
JANUARY 2008

(SIGNED) SHEILA DIXON, MAYOR

Approved As To Form And  
Legal Sufficiency by the Law  
Department of Baltimore City

(Signed) Leslie S. Winner  
Chief Solicitor

**RESOLUTION OF THE BOARD OF ESTIMATES  
OF THE CITY OF BALTIMORE**

WHEREAS, the Mayor and City Council of Baltimore, acting by and through the Board of Estimates pursuant to Article VI, Section 4 of the Charter of Baltimore City, 1964 Revision, as amended, is responsible for awarding contracts and supervising all purchasing by the City; and

WHEREAS, the Board of Estimates wishes to ensure that all City contractors, subcontractors and their agents and employees conduct themselves in accordance with established federal, state, and local laws.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESTIMATES OF BALTIMORE CITY**, that the following policy, which has always been applicable to City contracts, be formally adopted by this Board to apply to all City contractors, subcontractors and their agents and employees:

1. Contractors, subcontractors, and their agents and employees may not engage in unfair labor practices as defined under The National Labor Relations Act and applicable federal regulations and state laws.
2. Contractors, subcontractors, and their agents may not threaten, harass, intimidate or in any way impede persons employed by them who on their own time exercise their rights to associate, speak, organize, or petition governmental officials with their grievances.
3. If the Board of Estimates determines that a contractor, subcontractor, or their agents have violated the policy set forth in this Resolution said contractor, or subcontractor will be disqualified from bidding on City contracts, and if they are currently completing contracts, they will be found in default of their contracts.
4. A copy of this Resolution must be included in all City contracts.
5. This Resolution applies to all City contracts entered into after the date of its adoption and to each and every City contract, or subcontract in effect on the date of its adoption, and each department and agency of the City is charged with the responsibility of so notifying all present contractors, and subcontractors.
6. This Resolution takes effect immediately.

APPROVED BY THE BOARD OF ESTIMATES

(Signed)  
Shirley A. Williams June 29, 1994  
Clerk Date

Approved As To Form And  
Legal Sufficiency This  
28th Day of June, 1994

(Signed) Leslie S. Winner  
Leslie S. Winner  
Principal Counsel

**RESOLUTION  
OF  
THE BOARD OF ESTIMATES OF BALTIMORE CITY  
THE REGULATION OF BOARD OF ESTIMATES MEETINGS AND PROTESTS**

WHEREAS, the Mayor and City Council of Baltimore, acting by and through the Board of Estimates ("Board"), pursuant to Article VI, § 1 et seq. of the Charter of Baltimore City, 1996 Edition, as amended (HEREIN after referred to as "Charter"), is responsible for formulating and executing the fiscal policy of the City, approvals of settlements, acquisitions and dispositions of real property, awarding contracts and supervising purchasing by the City; and other duties as prescribed in the Charter; and

WHEREAS, the Board, pursuant to Article VI, § 1 of the Charter is composed of the Mayor, President of the City Council, Comptroller, City Solicitor, and Director of Public Works, and the President of the City Council shall be President of the Board, and one of the members shall act as Secretary; and

WHEREAS, the members of the Board meet in public forum each Wednesday at 9:00 a.m. (unless in periodic recess) in the Hyman Pressman Hearing Room to conduct the business of government; and

WHEREAS, the Board, pursuant to Article VI, § 2 et seq. of the Charter, may promulgate rules and regulations and summon before it heads of departments, bureaus or divisions, municipal officers, and members of commissions and boards; and

WHEREAS, in the interest of promoting better government, order and efficiency the Board wishes to establish certain rules, applicable to all private individuals, business entities, fraternal organizations, special interest groups, associations and other entities, etc. (HEREIN after collectively referred to as "entity") who wish to speak at the meetings of the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESTIMATES OF BALTIMORE CITY, that the following rules for the conduct of Board meetings be formally adopted by the Board to apply to all issues to be acted upon, considered, noted, or received at any given meeting:**

1. Anyone wishing to speak before the Board, whether individually or as the spokesperson of an entity must notify the Clerk of the Board in writing no later than by noon on the Tuesday preceding any Board meeting, or by an alternative date and time specified in the agenda for the next scheduled meeting. The written protest must state (1) whom you represent and the entity that authorized the representation (2) what the issues are and the facts supporting your position and (3) how the protestant will be harmed by the proposed Board action.

2. Requests to speak on matters submitted to the Board for its information, notation or status report from a previous Board action may be heard at the discretion of the President of the Board. This rule does not preclude the submitting agency from orally presenting the report or matter at the meeting of the Board.

3. Matters may be protested by any entity directly and specifically affected by a pending matter or decision of the Board. The person or entity must submit a written protest of that matter or pending decision. In order for a protest to be considered, the protestant must be present at the Board of Estimates meeting.

4. An entity affected by the disposition of the matter in a way different than an average taxpayer or citizen and who so specifies to the satisfaction of the Board may have their protest heard and considered by the Board. However, the President of the Board reserves the right to call a person or organization to give testimony that he/she determines furthers the effective and fair decision making process of the Board. Protests filed by persons not affected by the disposition of the matter in a way different than an average taxpayer or citizen will be handled and responded to as may be determined by the Clerk of the Board.



5. Protests may be submitted, orally presented and argued by representatives or entities directly impacted by a matter or pending decision before the Board. A Procurement Lobbyist, as defined by Part II, Sec. 8-8 (c) of The City Ethics Code must register with the Board of Ethics as a Procurement Lobbyist in accordance with Section 8-12 of The City Ethics Code. If any member of the Board has sufficient information to determine that Section 8-12 has not been complied with, he or she may make a complaint to the Board of Ethics.

6. The President of the Board shall have the right to limit all speakers to items and issues on the Board agenda, as well as provide a maximum time limit available to a speaker who wishes to address the Board.

7. In the interest of promoting order and efficiency of hearings, persons who are disruptive to the hearing may be required to leave the hearing room.

8. A copy of this Resolution shall be posted in the Department of Legislative Reference, the President of the Board's web site, and the Secretary to the Board's web site and shall be included in all Solicitations.

9. This Resolution shall apply to all Board meetings which are convened two (2) weeks or more after its formal adoption.

Adopted by the Board of Estimates:

Bernice N. Taylor JUN 22 2014  
Clerk Date

Approved As To Form and Legal  
Sufficiency This 14<sup>th</sup> Day of  
January, 2014

[Signature]  
Chief Solicitor

**RESOLUTION OF THE BOARD OF ESTIMATES**  
**APPRENTICESHIP TRAINING PROGRAMS**

WHEREAS, the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, pursuant to Article VI, Section 4 of the Charter of Baltimore City, 1964 Revision, as amended, is responsible for awarding contracts and supervising all purchasing by the City; and,

WHEREAS, the Board of Estimates wishes to ensure that all prime contractors performing under any City construction contract conduct apprenticeship training programs as a condition of their contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESTIMATES OF BALTIMORE CITY**, that the following policy applies to all prime contractors performing under any construction contract of the City that has a total cost of \$1,000,000.00 or more:

1. Prime Contractors shall conduct apprenticeship training programs as a condition of their contracts.
2. Prime Contractors shall submit to the contract administrator for the City agency supervising the contract, within ten days of their receipt of notice of award of each contract, evidence of its participation in a certified apprenticeship program that has been previously approved by the contract administrator, or an apprenticeship training action plan for approval by the contract administrator. Prime Contractors will further submit, from time to time as requested by the contract administrator, evidence of and statistics concerning the apprenticeship training actually performed by the Prime Contractors in connection with each City contract.
3. If the Board of Estimates determines that a Prime Contractor has violated the policy set forth in this Resolution, then the Prime Contractor may be disqualified from bidding on future City contracts, or may be found in default of its existing contract.
4. A copy of this Resolution must be included in all City contracts.
5. This Resolution applies to all City Contracts entered into after the date of its approval by the Board of Estimates.
6. This Resolution takes effect immediately.

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

**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 **Sanitary Contract No. 940 – Hydraulic Improvements To The High Level Sewershed Collection System** will be received at the Office of the Comptroller, Room 204 City Hall, Baltimore, Maryland until 11:00 A.M. on **August 29, 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, at the Department of Public Works Room 6 located on the first floor of the Abel Wolman Municipal Building, 200 N. Holliday Street, Baltimore, Maryland 21202 as of **July 20, 2018** and copies may be purchased for a non-refundable cost of **\$100.00**. **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, 4<sup>th</sup> floor, Baltimore, Maryland 21202. **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 **G90102 – Micro Tunneling for Pipeline Installation** and **B02552 – Sewer Construction**. Cost Qualification Range for this work shall be **\$50,000,000 to \$60,000,000**. A “Pre- Bidding Information” session will be conducted at **300 Abel Wolman Municipal Building, Large Conference Room, on July 25, 2018 at 10:00AM**. The CCTV videos of the existing sewers included in this project will be made available for viewing/copying to interested parties at the office of Johnson, Mirmiran & Thompson, 40 Wight Avenue, Hunt Valley, MD 21030. Refer to IB-8 for additional details.

Principal Items of work for this project are:

- Sewer cleaning and closed-circuit television (CCTV) inspection;
- Upsizing full length segments of sanitary sewers using open cut methods;
- Sewer house connection (SHC) reconnection work;
- Installation of a new 42” interceptor sewer utilizing microtunneling;
- Manhole replacement work;
- New manhole installation work;

**This project is a recipient of the State Revolving Loan**


The MBE/DBE goal is 18 %

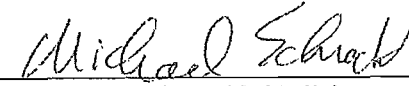
The WBE/DBE goal is 16 %

APPROVED:

\_\_\_\_\_  
Clerk, Board of Estimates

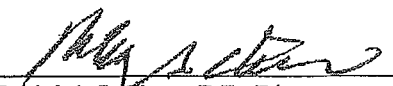
APPROVED:

  
\_\_\_\_\_  
Lauren Swiecicki, PE  
Chief  
Office of Engineering and Construction

  
\_\_\_\_\_  
W. Michael Mullen, Chief Solicitor  
Michael Schrock

**Signature Not Required**

\_\_\_\_\_  
~~State funded Project~~  
Chief, Minority and Women’s Business  
Opportunity Office

  
\_\_\_\_\_  
Rudolph S. Chow, P.E., Director  
Department of Public Works

NOL-1

**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 five per cent (5%) 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.**

**II. SPECIAL PROVISIONS**

**SPI CONTRACT DOCUMENTS**

The Contract Documents for this project shall consist of but not be limited to the following:

**ITEM1 – Contract Book** which contains:

- I. Notice of Letting
  - II. Special Provisions
    - A. Instruction to Bidders
    - B. Special Conditions
    - C. Construction Details and Materials
  - III. Bid or Proposal and Detached Duplicate
  - IV. Agreement
  - V. Bonds
- May contain: Appendices and Addenda

**ITEM2 – Contract Plans**

The following numbered and titled Plans form a part of these Contract Documents. The Engineer will furnish, from time to time as the work progresses, such supplemental Drawings as may be necessary for further illustrating the details of the permanent work, and the Contractor will be required to abide by any modifications, supplemental Plans and Specifications that may be furnished by the Engineer.

The Plans referred to in the Contract Documents are entitled:

CITY OF BALTIMORE  
DEPARTMENT OF PUBLIC WORKS  
OFFICE OF ENGINEERING AND CONSTRUCTION  
SANITARY CONTRACT NO. 940

HYDRAULIC IMPROVEMENTS TO THE HIGH LEVEL SEWERSHED COLLECTION SYSTEM

These Plans contain sheets 1 thru 68, inclusive, totaling 68 sheets.

**ITEM3 – Standard Specifications**

The City of Baltimore, Department of Public Works, Specifications for Material, Highways, Bridges, Utilities and Incidental Structures, Issue of 2006, and any and all Amendments thereto, are hereby made part of these Contract Documents and hereinafter referred to as "Standard Specifications".

Any references in the Contract Documents made to an Article, Section, Paragraph or Table shall refer to the Standard Specifications, unless otherwise noted.

**ITEM4 – Book of Standards**

The City of Baltimore, Department of Public Works, Book of Standards, and any and all Amendments thereto, are hereby made a part of these Contract Documents and hereinafter referred to as "Book of Standards".

Any reference in the Contract Documents made to a Standard Number, shall refer to the Book of Standards, unless otherwise noted.

**SP2 DIVISIONANDBUREAUNAMECHANGES**

Office of Engineering and Construction

The former Bureau of Water and Wastewater, Water and Wastewater Engineering Division, and the Construction Management Division have been consolidated into the Office of Engineering and Construction. Any references in these specifications, the Standard Specifications, Book of Standards, and other contract documents naming these former Bureaus and Divisions shall now refer to the Office of Engineering and Construction.

Office of Compliance and Laboratories

All references to the Surface Water Management Division or the Environmental Compliance and Laboratory Services Division shall now refer to the Office of Compliance and Laboratories.

**A. INSTRUCTIONS TO BIDDERS**

**IB-1 PURCHASE OF THE STANDARD SPECIFICATIONS AND BOOK OF STANDARDS**

The Standard Specifications, at a charge of \$35.00 per copy, and the Book of Standards, at a charge of \$50.00 per copy on CD, may be obtained at:

The Abel Wolman Municipal Building  
Room 6, 1<sup>st</sup> Floor  
200 N. Holliday Street  
Baltimore, Maryland 21202

between the hours of 9:00 A.M. to 4:00 P.M., except Saturday, Sunday and holidays. Check shall be made payable to the Director of Finance.

**IB-2 SCOPE OF WORK**

The work to be done under this Contract shall consist of the following:

- Approximately 20,100 linear ft. (LF) of sewer cleaning and closed circuit television (CCTV) inspection.
- Approximately 12,100 linear ft. (LF) of replacement of sanitary sewers by open cut method.
- Approximately 8,000 linear ft. (LF) of new sanitary sewer installation utilizing microtunneling.
- Approximately 200 each of reconnection of sanitary house connections.
- Approximately 690 vertical linear feet of replacement of existing sanitary manholes with new sanitary sewer manholes.
- Approximately 750 vertical linear feet of new manhole installation.
- Associated wastewater by-pass pumping or control of flows of sewers and/or manholes to be replaced or constructed and continuous monitoring of the by-pass operation
- Restoration of pavement, alleys, and sidewalks, and site restoration including planting trees.

**IB-3 LOCATION OF WORK**

Work under this Contract will be restricted to the location(s) listed herein. There shall be no deviation from this location either by additions, subtractions or alterations by the Contractor or his representative without written permission of the Engineer.

**IB-4 CONTRACT BOOK**

The successful Bidder, upon execution of the Agreement and Bonds, will receive up to five (5) copies of the Contract Book - no charge.

**IB-5 BALTIMORE APPRENTICESHIP TRAINEE FORMS (BATP)**

Per the Engineer, the Baltimore Apprenticeship Trainee Program Requirements are excluded from this contract.

**IB-6 NOT USED**



**IB-7 BALTIMORE CITY'S YOUTHWORKS PROGRAM**

Also included in this contract is a Baltimore City's Youth Works Form. The accompanying manila bid envelop contains a Baltimore City's Youth Works Form duplicate document which must be completed for all contracts. The single page Baltimore City's Youth Works Form must be completed and submitted **with your bid proposal**. Failure to submit the information at the time requested may be cause to have your bid rejected.

**IB-8 VIEWING/DOWNLOAD OF CCTV INSPECTION DATA AND CCTV LOGS**

The City of Baltimore will make CCTV videos of the existing sewers included in this contract available for viewing/copying to interested parties, who will be responsible for providing their own means of viewing the CCTV videos and inspection logs (Microsoft Windows based Personal Computer PC) and shall have equipment capable of viewing "windows media" (.mpg) files and PDFs. If the Contractor wishes to copy the information they shall provide a data storage device with sufficient data storage capacity to accommodate a minimum of 250 GB, which the video files can be copied onto. Viewing/copying of the videos will take place by appointment only on the following dates and times:

- July 19, 2018 & July 20, 2018 - 9:00 A.M. to 3:00 P.M. at the offices of:  
Johnson, Mirmiran & Thompson, 40 Wight Avenue, Hunt Valley, MD 21030

Please schedule a time to view/copy the videos by contacting:

Steven Pickel, PE  
(410) 316-2496

For copying the CCTV videos, storage devices shall be dropped off at above address and arranged to be picked up at the same address after calling above phone number to make an appointment. No walk-ins will be allowed.

THE CITY OF BALTIMORE EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESSED OR IMPLIED, REGARDING THE CCTV VIDEOS AND INSPECTION LOGS PROVIDED FOR VIEWING AND/OR COPYING, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR OF TITLE. The CCTV videos and inspection logs are provided *as is* and *with all faults* and the City of Baltimore will not be liable for its use or misuse by any party.

**IB-9 LOCAL HIRING LAW PROVISION**

Article 5, Subtitle 27 of the Baltimore City Code, as amended (the "Local Hiring Law") and its rules and regulations apply to contracts and agreements executed by the City on or after the Local Hiring Law's effective date of December 23, 2013. The requirements for the Local Hiring Law are summarized below:

- A. The Local Hiring Law applies to every contract for more than \$300,000 made by the City, or on its behalf, with any person. It also applies to every agreement authorizing assistance valued at more than \$5,000,000 to a City-subsidized project. Unless the Mayor's Office of Employment Development ("MOED") grants an exception under the Local Hiring Law, at least 51% of the new jobs required to complete the contract or project must be filled by Baltimore City residents.

- B. Within two (2) weeks of the Board of Estimate's award of the contract or approval of the agreement, the contractor shall have a meeting, either in person or via telephone, with MOED to complete an employment analysis and review the workforce plan required for such contract or agreement. The contractor will not receive any payments under the contract or agreement, unless and until the employment analysis is performed. Contact information for MOED can be found on its website: [www.oedworks.com](http://www.oedworks.com).
- C. Should the contractor's workforce plan indicate a need to fill new jobs, the contractor shall post the new job openings with MOED's One Stop Career Center Network for a period of seven (7) days prior to its publicly advertising these openings. Further, the contractor shall interview qualified Baltimore City residents referred from MOED; and unless granted an exception, fill at least fifty-one percent (51%) of the new jobs required to complete the contract or project with Baltimore City residents.
- D. For all contracts subject to the Local Hiring Law, the contractor shall submit an Employment Report to MOED by the fifth (5<sup>th</sup>) day of each month throughout the duration of the contract or agreement, regardless of whether MOED has granted a waiver of any of the Local Hiring Law's requirements.

**IB-10 STATE OF MARYLAND FUNDING**

Because this project is a recipient of state funding or grants, the "PROPOSAL FORM PACKET" of the State of Maryland is included in the contract documents. This packet must be completed and submitted in accordance with the instructions listed in the packet. Because this project is a recipient of state funding, the assigned percentages for this project are DBE/MBE: 18% and DBE/WBE: 16%. When selecting subcontractors to count towards the project's goals, it is acceptable for the Prime contractor to use either State (MDOT) or City certified sub-contractors, or a combination of both, to count towards fulfillment of the goal participation on this contract. It remains a requirement that all subcontractors must be prequalified with the Baltimore City's Office of Boards and Commissions to perform work on City projects. Because goals of this project is not assigned by the City's Minority Women's Business Opportunity office (MWBOO), MWBOO will not review and provide approval of goal participation.

**IB-11 "OR EQUAL" ITEMS**

The State Revolving Funds require "brand names" followed by "or equal". All locations in this requirement that say "or approved equal" are intended to mean "or equal". The Engineer will review and verify all "or equal" or "or approved equal" materials or equipment for approval.

**IB-12 TIME OF COMPLETION**

This contract will be for 669 consecutive calendar days.

NOTE: NO INFORMATION OTHER THAN THAT INCLUDED IN OR ATTACHED TO THIS ORIGINAL BID DOCUMENT (WHERE SUCH ATTACHMENT IS PERMITTED) WILL BE USED IN DETERMINING AWARD.

ORIGINAL (NOT TO BE DETACHED)

NOTICE TO BIDDERS

CITY OF BALTIMORE  
DEPARTMENT OF PUBLIC WORKS  
OFFICE OF ENGINEERING AND CONSTRUCTION

THE COMPLETE (ORIGINAL)  
CONTRACT BOOK AND  
DUPLICATE OF BID OR  
PROPOSAL MUST BE  
INCLUDED IN THE  
BID ENVELOPE

SANITARY CONTRACT NO. 940

III. BID OR PROPOSAL

Bids Due September 26, 2018

Certified Check or Bank Cashier's Check or Bank Treasurer's Check or Bid Bond Equal to Five Percent (5%) of the Total Bid Submitted.

Days of Completion 669 Consecutive Calendar Days

Liquidated Damages \$ 10,700.00 Consecutive Calendar day

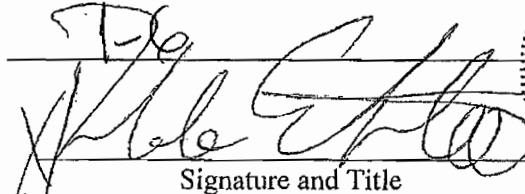
Made this 26 day of September 20 18

By NORTHEAST REUSCO CONSTRUCTION, INC.  
(Name)

1433 ROUTE 34 SOUTH, B1, FARMINGDALE NJ 07727  
(Address)

The Bidder shall sign below to signify the following:

I/We have received Addendum Nos. \_\_\_\_\_  
for this Contract.

  
Signature and Title



To The Board of Estimates of Baltimore City:

I/We the undersigned Contractor, have familiarized myself/ourselves with the Requirements and Stipulations of the Contract Documents, and the site of the proposed work, and fully understand and appreciate the extent and character of the work to be done under the Contract.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
101	LUMP SUM	<del>Two Million Five Hundred Forty Five Thousand Dollars</del> MOBILIZATION <del>Two Million Six Hundred Nine Thousand</del> AT <del>ONE HUNDRED FIFTY THREE DOLLARS</del> Rea LUMP SUM	LUMP SUM NOT TO EXCEED 6%		2,440,000 00 <del>2,609,153 00</del>	00 Rea
102	ALLOWANCE	ENGINEER'S OFFICE ALLOWANCE  AT SEVENTY FIVE THOUSAND DOLLARS  ALLOWANCE	---	--	75,000	.00
103	LUMP SUM	MAINTENANCE OF TRAFFIC  AT thirty thousand dollars  LUMP SUM	LUMP SUM		30,000	00
104	450	SQUARE FEET OF --- CONTINGENT TEMPORARY TRAFFIC SIGNS  AT fourteen dollars  PER SQUARE FOOT	14	00	6,300	00
105	50	EACH OF --- CONTINGENT TYPE III BARRICADES  AT one hundred Forty eight dollars  PER EACH	148	00	7,400	00
106	25	EACH OF --- CONTINGENT PLASTIC TRAFFIC CONTROL DRUMS  AT one hundred dollars  PER EACH	100	00	2,500	00

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
107	60	DAYS OF --- CONTINGENT ARROW PANEL AT <u>eleven dollars</u> PER DAY	<u>11</u>	<u>00</u>	<u>660</u>	<u>00</u>
108	105	DAYS OF --- CONTINGENT PORTABLE VARIABLE MESSAGE SIGN AT <u>forty nine dollars</u> PER DAY	<u>49</u>	<u>00</u>	<u>5,145</u>	<u>00</u>
109	15,000	LINEAR FEET OF --- CONTINGENT REMOVABLE PREFORMED PAVEMENT MARKING LINE AT <u>one dollar</u> PER LINEAR FOOT	<u>1</u>	<u>00</u>	<u>15,000</u>	<u>00</u>
110	675	LINEAR FEET OF --- CONTINGENT TEMPORARY CONCRETE BARRIER AT <u>sixty dollars</u> PER LINEAR FOOT	<u>60</u>	<u>00</u>	<u>40,500</u>	<u>00</u>
111	3,000	LINEAR FEET OF --- CONTINGENT REMOVE AND RESET TEMPORARY CONCRETE BARRIER AT <u>twenty three dollars</u> PER LINEAR FOOT	<u>23</u>	<u>00</u>	<u>69,000</u>	<u>00</u>
112	150	CUBIC YARDS OF --- CONTINGENT TEMPORARY PEDESTRIAN FOOTPATH AT <u>seventy six dollars</u> PER CUBIC YARD	<u>76</u>	<u>00</u>	<u>11,400</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

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ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
113	1,500	LINEAR FEET OF --- CONTINGENT TEMPORARY ORANGE CONSTRUCTION FENCE AT <u>Five dollars</u> PER LINEAR FOOT	5	00	7,500	00
114	21	EACH OF --- CONTINGENT TEMPORARY CRASH CUSHION SAND FILLED PLASTIC BARRELS AT <u>Six hundred thirty six dollars</u> PER EACH	636	00	13,356	00
115	63	EACH OF --- CONTINGENT REMOVE AND RESET TEMPORARY CRASH CUSHION SAND FILLER PLASTIC BARRELS AT <u>Six hundred five dollars</u> PER EACH	605	00	38,115	00
116	75	DAYS OF --- CONTINGENT TRUCK MOUNTED ATTENUATOR AT <u>one hundred eight dollars</u> PER DAY	108	00	8,100	00
117	300	DAYS OF --- CONTINGENT FLAGGER FOR TRAFFIC CONTROL AT <u>two hundred thirty eight dollars</u> PER DAY	238	00	71,400	00
118	60	EACH OF --- CONTINGENT CONES AT <u>five three dollars</u> PER EACH	53	00	3,180	00

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

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 AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE  
 SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

SANITARY CONTRACT NO. 940  
 SCHEDULE OF PRICES

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
119	LUMP SUM	CLEARING AND GRUBBING AT <u>ninety five thousand dollars</u> LUMP SUM	<u>95,000</u>	<u>00</u>	<u>95,000</u>	<u>00</u>
120	29	EACH OF --- SELECTIVE TREE FELLING OPERATION 1, 2-INCH TO 11.9-INCH DIAMETER AT <u>one thousand dollars</u> PER EACH	<u>1,000</u>	<u>00</u>	<u>29,000</u>	<u>00</u>
121	23	EACH OF --- SELECTIVE TREE FELLING OPERATION 1, 12-INCH TO 19.9-INCH DIAMETER AT <u>one thousand six hundred dollars</u> PER EACH	<u>1,600</u>	<u>00</u>	<u>36,800</u>	<u>00</u>
122	18	EACH OF --- SELECTIVE TREE FELLING OPERATION 1, 20-INCH TO 30-INCH DIAMETER AT <u>twenty five hundred dollars</u> PER EACH	<u>2,500</u>	<u>00</u>	<u>45,000</u>	<u>00</u>
123	9	EACH OF --- SELECTIVE TREE FELLING OPERATION 1, 30-INCH DIAMETER AND GREATER AT <u>forty two hundred dollars</u> PER EACH	<u>4,200</u>	<u>00</u>	<u>37,800</u>	<u>00</u>
124	1000	LINEAR FEET OF --- CONTINGENT ROOT PRUNING AT <u>four dollars</u> PER LINEAR FOOT	<u>4</u>	<u>00</u>	<u>4,000</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS  
 AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE  
 SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

SANITARY CONTRACT NO. 940  
 SCHEDULE OF PRICES

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
125	ALLOWANCE	ALLOWANCE FOR RAILROAD PERMIT TO ENTER AGREEMENTS AT <u>ONE HUNDRED THOUSAND DOLLARS</u> ALLOWANCE	---	--	100,000	00
126	ALLOWANCE	ALLOWANCE FOR BGE AND OTHER PRIVATE UTILITY AGREEMENTS AND CONSTRUCTION RELATED FEES AT <u>ONE HUNDRED THOUSAND DOLLARS</u> ALLOWANCE	----	--	100,000	00
127	ALLOWANCE	ALLOWANCE FOR TREE MITIGATION AT <u>TWO HUNDRED SIXTY-NINE THOUSAND SIX HUNDRED FORTY DOLLARS</u> ALLOWANCE	----	--	269,640	00
128	ALLOWANCE	ALLOWANCE FOR ADDITIONAL CONSTRUCTION RELATED COSTS AT <u>TWO MILLION SIX HUNDRED THOUSAND DOLLARS</u> ALLOWANCE	----	--	2,600,000	00
		END OF CATEGORY NO.1 NO ALTERNATES				

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940



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SANITARY CONTRACT NO. 940  
 SCHEDULE OF PRICES

Addendum #2

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
201	200	CUBIC YARDS OF --- TEST PIT - EXCAVATION AT <u>two hundred sixteen dollars</u> PER CUBIC YARD	<u>217</u>	<u>00</u>	<u>43,400</u>	<u>00</u>
202	100	EACH OF --- TEST PIT - VACUUM PROBE METHOD AT <u>Five hundred dollars</u> PER EACH	<u>500</u>	<u>00</u>	<u>50,000</u>	<u>00</u>
203	1,500	CUBIC YARDS OF --- CLASS 3 EXCAVATION FOR INCIDENTAL CONSTRUCTION AT <u>thirty five dollars</u> PER CUBIC YARD	<u>35</u>	<u>00</u>	<u>52,500</u>	<u>00</u>
204	1,500	CUBIC YARDS OF --- CONTINGENT SELECT BACKFILL USING CR-6 AGGREGATE AT <u>Forty dollars</u> PER CUBIC YARD	<u>40</u>	<u>00</u>	<u>60,000</u>	<u>00</u>
205	250	CUBIC YARDS OF --- CONTINGENT STABILIZED FLOWABLE FILL AT <u>One hundred sixty four dollars</u> PER CUBIC YARD	<u>164</u>	<u>00</u>	<u>41,000</u>	<u>00</u>
206	5,700	CUBIC YARDS OF --- CONTINGENT EXCAVATION FOR ROCK OR BOULDERS ONE-HALF CUBIC YARD OR MORE AT <u>Ten dollars</u> PER CUBIC YARD	<u>10</u>	<u>00</u>	<u>57,000</u>	<u>00</u>
		END OF CATEGORY NO.2 NO ALTERNATES				

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
301	LUMP SUM	EROSION AND SEDIMENT CONTROL AT <u>sixty thousand dollars</u> LUMP SUM	<u>60,000</u>	<u>00</u>	<u>60,000</u>	<u>00</u>
302	5	EACH OF --- CONTINGENT PORTABLE SEDIMENT TANK AT <u>two thousand seven hundred fifty dollars</u> PER EACH	<u>2,750</u>	<u>00</u>	<u>13,750</u>	<u>00</u>
303	5	EACH OF --- CONTINGENT STORM DRAIN INLET PROTECTION AT <u>two hundred seventy five dollars</u> PER EACH	<u>275</u>	<u>00</u>	<u>1,375</u>	<u>00</u>
304	500	LINEAR FEET OF --- CONTINGENT TREE PROTECTION FENCING AT <u>three dollars</u> PER LINEAR FOOT	<u>3</u>	<u>00</u>	<u>1,500</u>	<u>00</u>
305	400	LINEAR FEET OF --- CONTINGENT SILT FENCE AT <u>five dollars</u> PER LINEAR FOOT	<u>5</u>	<u>00</u>	<u>2,000</u>	<u>00</u>
306	400	LINEAR FEET OF --- CONTINGENT SUPER SILT FENCE AT <u>eleven dollars</u> PER LINEAR FOOT	<u>11</u>	<u>00</u>	<u>4,400</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE: THIS PROPOSAL SHALL BE FILED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
307	15	TONS OF --- CONTINGENT STABILIZED CONSTRUCTION ENTRANCE AT <u>Seventy dollars</u> PER TON	70	00	1,050	00
308	18	VERTICAL FEET OF --- AT-GRADE INLET REPLACEMENT AT <u>Five hundred seventy five dollars</u> PER VERTICAL FOOT	575	00	10,350	00
309	30	VERTICAL FEET OF --- CURB INLET REPLACEMENT AT <u>Seven hundred twenty five dollars</u> PER VERTICAL FOOT	725	00	21,750	00
310	6	VERTICAL FEET OF --- COMBINED INLET REPLACEMENT AT <u>nine hundred ninety five dollars</u> PER VERTICAL FOOT	995	00	5,970	00
311	50	SQUARE YARDS OF --- CONTINGENT TEMPORARY UTILITY ACCESS ROAD FOR NON-PAVED AREAS TYPE 1 AT <u>Forty nine dollars</u> PER SQUARE YARD	49	00	2,450	00
312	200	SQUARE YARDS OF --- TEMPORARY UTILITY ACCESS ROAD FOR NON- PAVED AREAS TYPE 2 AT <u>Sixty dollars</u> PER SQUARE YARD	60	00	12,000	00
		END OF CATEGORY NO.3 NO ALTERNATES				

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
501	24,739	SQUARE YARDS OF --- REMOVAL OF BITUMINOUS PAVING MATERIAL 2- INCH DEPTH AT <u>Five dollars</u> PER SQUARE YARD	5	00	123,895	00
502	12,708	SQUARE YARDS OF --- 6-INCH SUB-BASE USING CRUSHER RUN AT <u>Seven dollars</u> PER SQUARE YARD	7	00	88,958	00
503	2,680	TONS OF --- HOT MIX ASPHALT SUPERPAVE 12.5 MM PG 64S-22 LEVEL 2 FOR SURFACE COURSE AT <u>One hundred thirty five dollars</u> PER TON	135	00	361,800	00
504	2,797	TONS OF --- HOT MIX ASPHALT SUPERPAVE 19.0 MM PG 64S-22 LEVEL 2 FOR BASE COURSE AT <u>two hundred twenty dollars</u> PER TON	220	00	615,340	00
505	28	CUBIC YARDS OF --- PATCHING EXISTING PAVEMENT USING MIX NO. 6 OR 7 CONCRETE AT <u>Six hundred dollars</u> PER CUBIC YARD	600	00	16,800	00
506	4,379	CUBIC YARDS OF --- PATCHING EXISTING RIGID PAVEMENT USING REINFORCED CONCRETE AT <u>four hundred dollars</u> PER CUBIC YARD	400	00	1,751,600	00

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

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ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
507	20,000	LINEAR FEET OF --- THERMOPLASTIC PAVEMENT MARKINGS (VARIOUS TYPES) AT <u>one dollar</u> PER LINEAR FOOT	<u>1</u>	<u>00</u>	<u>20,000</u>	<u>00</u>
508	300	EACH OF --- THERMOPLASTIC PAVEMENT MARKINGS (LETTERS, SYMBOLS, ARROWS AND NUMBERS) AT <u>one dollar</u> PER EACH	<u>1</u>	<u>00</u>	<u>300</u>	<u>00</u>
509	561	CUBIC YARDS OF --- CONTINGENT PATCHING EXISTING PAVEMENT USING MIX NO. 6 OR 7 CONCRETE AT <u>six hundred dollars</u> PER CUBIC YARD	<u>600</u>	<u>00</u>	<u>336,600</u>	<u>00</u>
		END OF CATEGORY NO.5 NO ALTERNATES				

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS  
 AND THE EXTENSIONS SHALL BE MADE BY HIM, FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE  
 SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

SANITARY CONTRACT NO. 940  
 SCHEDULE OF PRICES

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
601	3,302	LINEAR FEET OF --- CURB, COMBINATION CURB AND GUTTER, AND MONUMENTIC MEDIAN AT <u>fifty five dollars</u> PER LINEAR FOOT	55	00	181,610	00
602	15,893	SQUARE FEET OF --- 5-INCH CONCRETE SIDEWALK AT <u>eleven dollars</u> PER SQUARE FOOT	11	00	174,823	00
603	150	SQUARE FEET OF --- CONTINGENT DETECTABLE WARNING PAVERS BRICK AT <u>twenty five dollars</u> PER SQUARE FOOT	25	00	3,750	00
604	144	LINEAR FEET OF --- CHAIN LINK FENCE REPLACEMENT AT <u>twenty five dollars</u> PER LINEAR FOOT	25	00	3,600	00
605	50	LINEAR FEET OF --- CHAIN LINK FENCE RESETTING AT <u>twenty five dollars</u> PER LINEAR FOOT	25	00	1,250	00
606	50	LINEAR FEET OF --- PRIVACY FENCE REPLACEMENT AT <u>twenty five dollars</u> PER LINEAR FOOT	25	00	1,250	00

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
607	50	LINEAR FEET OF --- PRIVACY FENCE RESETTING AT <u>twenty five dollars</u> PER LINEAR FOOT	<u>25</u>	<u>00</u>	<u>1,250</u>	<u>00</u>
		END OF CATEGORY NO. 6 NO ALTERNATES				

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
701	3,112	SQUARE YARDS OF --- TOPSOIL FURNISHED AND PLACED AT 4- INCH DEPTH AT <u>nine dollars</u> PER SQUARE YARD	<u>9</u>	<u>00</u>	<u>28,008</u>	<u>00</u>
702	3,112	SQUARE YARDS OF --- SEEDING AND MULCHING AT <u>one dollar</u> PER SQUARE YARD	<u>1</u>	<u>00</u>	<u>3,112</u>	<u>00</u>
		END OF CATEGORY NO.7 NO ALTERNATES				

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940



SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM, FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
801	24	LINEAR FEET OF --- 8-INCH PVC SANITARY SEWER REPLACEMENT AT <u>Five hundred dollars</u> PER LINEAR FOOT	<u>500</u>	<u>00</u>	<u>12,000</u>	<u>00</u>
802	1,688	LINEAR FEET OF --- 12-INCH PVC SANITARY SEWER REPLACEMENT AT <u>Six hundred dollars</u> PER LINEAR FOOT	<u>600</u>	<u>00</u>	<u>1,012,800</u>	<u>00</u>
803	5,224	LINEAR FEET OF --- 15-INCH PVC SANITARY SEWER REPLACEMENT <del>AT FIVE HUNDRED SEVENTY DOLLARS</del> AT <u>THOUSAND ONE HUNDRED SIXTY DOLLARS</u> <u>SIX HUNDRED SIXTY FIVE DOLLARS</u> PER LINEAR FOOT	<u>665</u>	<u>00</u>	<u>3,473,960</u>	<u>00</u>
804	1,388	LINEAR FEET OF --- 21-INCH PVC SANITARY SEWER REPLACEMENT AT <u>Six hundred ninety dollars</u> PER LINEAR FOOT	<u>690</u>	<u>00</u>	<u>957,720</u>	<u>00</u>
805	1,338	LINEAR FEET OF --- 24-INCH PVC SANITARY SEWER REPLACEMENT AT <u>Seven hundred twenty five dollars</u> PER LINEAR FOOT	<u>725</u>	<u>00</u>	<u>970,050</u>	<u>00</u>
806	1,715	LINEAR FEET OF --- 30-INCH GRP SANITARY SEWER REPLACEMENT AT <u>eleven hundred dollars</u> PER LINEAR FOOT	<u>1,100</u>	<u>00</u>	<u>1,886,500</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
807	106	LINEAR FEET OF --- EXTENSION OF SEWER HOUSE CONNECTIONS TO NEW SEWER MAIN (COVER DEPTH TO 12 FEET) AT <u>three hundred fifteen dollars</u> PER LINEAR FOOT	<u>315</u>	<u>00</u>	<u>33,390</u>	<u>00</u>
808	337	LINEAR FEET OF --- EXTENSION OF SEWER HOUSE CONNECTIONS TO NEW SEWER MAIN (COVER GREATER THAN 12 FEET) AT <u>three hundred fifty dollars</u> PER LINEAR FOOT	<u>350</u>	<u>00</u>	<u>117,950</u>	<u>00</u>
809	605	VERTICAL FEET OF --- 48" DIA. PRECAST SAN. MANHOLE FOR PIPE DIA. UP TO 24" AT <u>eleven hundred dollars</u> PER VERTICAL FOOT	<u>1,100</u>	<u>00</u>	<u>665,500</u>	<u>00</u>
810	209	VERTICAL FEET OF --- 60" DIA. PRECAST SAN. MANHOLE FOR PIPE DIA. UP TO 36" AT <u>thirteen hundred dollars</u> PER VERTICAL FOOT	<u>1,300</u>	<u>00</u>	<u>271,700</u>	<u>00</u>
811	671	VERTICAL FEET OF --- 72" DIA. PRECAST SAN. MANHOLE FOR PIPE DIA. UP TO 48" AT <u>thirty two hundred dollars</u> PER VERTICAL FOOT	<u>3,200</u>	<u>00</u>	<u>2,147,200</u>	<u>00</u>
812	44	VERTICAL FEET OF --- 96" DIVERSION MANHOLE STRUCTURE AT <u>sixteen hundred dollars</u> PER VERTICAL FOOT	<u>1,600</u>	<u>00</u>	<u>70,400</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Northeast Remsco Construction, Inc.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
813	15	EACH OF --- ABANDON EXISTING MANHOLE AT <u>three thousand five hundred ninety six dollars</u> PER EACH	<u>3,596</u>	<u>00</u>	<u>53,940</u>	<u>00</u>
814	31	EACH OF --- ABANDON EXISTING 8"-12" SEWER MAIN AT MANHOLE AT <u>three thousand nine hundred twelve dollars</u> PER EACH	<u>3,912</u>	<u>00</u>	<u>121,272</u>	<u>00</u>
815	40	DAYS OF --- CONTINGENT BY-PASS PUMPING AND FLOW DIVERSION (1.5 UP TO 5 MGD) AT <u>one thousand seven hundred fifteen dollars</u> PER DAY	<u>1,715</u>	<u>00</u>	<u>68,600</u>	<u>00</u>
816	10	DAYS OF --- CONTINGENT BY-PASS PUMPING AND FLOW DIVERSION (5.01 UP TO 9.99 MGD) AT <u>two thousand five hundred fifty dollars</u> PER DAY	<u>2,550</u>	<u>00</u>	<u>25,500</u>	<u>00</u>
817	10	DAYS OF --- CONTINGENT BY-PASS PUMPING AND FLOW DIVERSION (10 MGD OR GREATER) AT <u>three thousand three hundred fifty dollars</u> PER DAY	<u>3,350</u>	<u>00</u>	<u>33,500</u>	<u>00</u>
818	50	CUBIC YARDS OF --- CONTINGENT CONCRETE ENCASEMENT AT <u>three hundred dollars</u> PER CUBIC YARD	<u>300</u>	<u>00</u>	<u>15,000</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS  
 AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE  
 SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

SANITARY CONTRACT NO. 940  
 SCHEDULE OF PRICES

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
819	127	LINEAR FEET OF --- CONTINGENT FURNISHING AND RENEWAL OF 3/4" - 1" WATER SUPPLY SERVICE AT <u>two hundred eighty eight dollars</u> PER LINEAR FOOT	<u>288</u>	<u>00</u>	<u>36,576</u>	<u>00</u>
820	127	LINEAR FEET OF --- CONTINGENT FURNISHING AND RENEWAL OF 1 1/2" - 2" WATER SUPPLY SERVICE AT <u>one hundred thirty five dollars</u> PER LINEAR FOOT	<u>135</u>	<u>00</u>	<u>17,145</u>	<u>00</u>
821	7	EACH OF --- CONTINGENT FURNISHING AND INSTALLING OF SMALL (5/8" - 2") AND/OR TWIN METER SETTING AT <u>nineteen hundred fifty dollars</u> PER EACH	<u>1,950</u>	<u>00</u>	<u>13,650</u>	<u>00</u>
822	8,021	LINEAR FEET OF --- FURNISH AND INSTALL STEEL CASING PIPE USING MICROTUNNELING AT <del>TWO THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS</del> <u>forty seven dollars</u> PER LINEAR FOOT	<del>2,125</del> <u>2,147</u>	<u>00</u>	<del>17,221,087</del> <u>17,044,625</u>	<u>00</u>
823	8,021	LINEAR FEET OF --- INSTALLATION OF CARRIER PIPE IN STEEL CASING AT <u>four hundred ninety one dollars</u> PER LINEAR FOOT	<u>491</u>	<u>00</u>	<u>3,938,311</u>	<u>00</u>
824	164	LINEAR FEET OF --- OPEN CUT INSTALLATION OF 24" PVC PIPE AT <u>five hundred twenty five dollars</u> PER LINEAR FOOT	<u>525</u>	<u>00</u>	<u>86,100</u>	<u>00</u>

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

Exhibit 2, Page 18

NOTE - THIS PROPOSAL SHALL BE FILLED IN BY THE BIDDER WITH THE PRICES WRITTEN IN WORDS AND NUMERALS AND THE EXTENSIONS SHALL BE MADE BY HIM. FOR COMPLETE INFORMATION CONCERNING THESE ITEMS SEE SPECIFICATIONS SPECIAL PROVISIONS AND CONTRACT FORM.

SANITARY CONTRACT NO. 940  
SCHEDULE OF PRICES

ITEM NOS.	APPROXIMATE QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNTS	
			DOLLARS	.CTS	DOLLARS	.CTS
825	567	LINEAR FOOT OF --- OPEN CUT INSTALLATION OF 42" GRP PIPE AT <u>one thousand twenty five dollars</u> PER LINEAR FOOT	1,025	00	581,175	00
826	70	VERTICAL FEET OF --- <u>The thousand one hundred</u> CONTINGENT RESCUE SHAFT <u>twenty five dollars</u> AT <u>six thousand nine hundred ninety seven</u> <del>feet</del> <u>feet</u> <u>dollars + 23/100 cents</u> PER VERTICAL FOOT	2,125	00	1,704,625	00
827	400	LINEAR FEET OF --- CONTINGENT TUNNELING IN ROCK GREATER THAN 30,000 PSI AT <u>ten dollars</u> PER LINEAR FOOT	10	00	4,000	00
END OF CATEGORY NO.8 NO ALTERNATES						
TOTAL BID		USING THE FOLLOWING ITEMS: 101-127, 201-206, 301-312, 501-509, 601-607, 701-702, 801-827 <u>forty million seven hundred thousand</u> <u>one hundred dollars</u>	40,700	00	40,700	00

OFFICE OF ENGINEERING AND CONSTRUCTION SANITARY CONTRACT NO. 940

The foregoing prices are to include and cover the furnishing of all materials and labor requisite and proper, and the providing of all necessary machinery, tools, apparatus and means for performing the work and the doing of all the above-mentioned work as set forth and described in the Contract Documents.

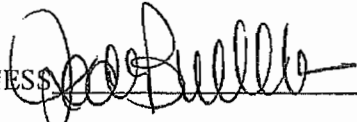
Note: Each and every person Bidding and Named above must sign here.

In case of Firms, give the first and last name of each member, in full, with Title.

In case a Bid shall be submitted by or in behalf of any Corporation, it must be signed in the name of such Corporation by some authorized Officer or Agent, thereof, who shall also subscribe his Name and Title. If practicable, the Seal of the Corporation shall be affixed.

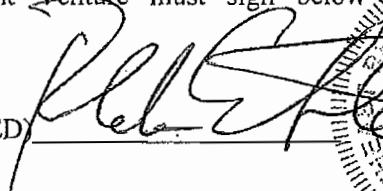
In case a Bid shall be submitted by a joint venture ("JV"), the document that established the JV must be submitted with the bid for verification purposes, and Officers or Agents of all of the firms that are part of the Joint Venture must sign below acknowledgement of their participation in this bid.

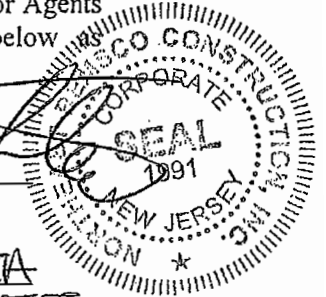
WITNESS

  
JODY BUCKMAN  
CONTRACTS ADMIN.

(SIGNED)

(TITLE)

  
ROLANDO E ACOSTA  
PRESIDENT



WITNESS \_\_\_\_\_

(SIGNED) \_\_\_\_\_

(TITLE) \_\_\_\_\_

WITNESS \_\_\_\_\_

(SIGNED) \_\_\_\_\_

(TITLE) \_\_\_\_\_

**A. BID/PROPOSAL AFFIDAVIT**

**INSTRUCTIONS:** The following Bid/Proposal Affidavit is a material and integral part of this Bid. Each Bidder shall read it carefully and enter all information required therein prior to executing it before a Notary Public. Failure to properly complete and execute this Bid/Proposal Affidavit will cause your bid to be found non-responsive and it will be rejected by the Board of Estimates.

**1. AUTHORIZED REPRESENTATIVE**

I HEREBY AFFIRM THAT:

I am the (title) PRESIDENT and the duly authorized representative of (business name) NORTHEAST RESUSCO CONST. and that I possess the legal authority to make this Affidavit on behalf of myself and the business for which I am acting.

**2. AFFIRMATION REGARDING BRIBERY CONVICTIONS**

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business (as is defined in Section 16-101(b) of the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies has been convicted of, or has had probation before judgment imposed pursuant to Criminal Procedure Article, §6-220, Annotated Code of Maryland; or has pleaded nolo contendere to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other state or federal law, except as follows (indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):

- NONE -

**3. AFFIRMATION REGARDING OTHER CONVICTIONS**

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies has:

(1) Been convicted under state or federal statute of:

(a) A criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or

(b) Fraud, embezzlement, theft, forgery, false pretenses, falsification or destruction of records or receiving stolen property;

(2) Been convicted of any criminal violation of a state or federal antitrust statute;

(3) Been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. §1961 et seq., or the Mail Fraud Act, 18 U.S.C. §1341 et seq., for acts in connection with the submission of bids or proposals for a public or private contract;

(4) Been convicted of a violation of the State Minority Business Enterprise law, §14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland;

(5) Been convicted of a violation of the City of Baltimore's Minority and Women's and Business Enterprises Law, Baltimore City Code, Article 5, Subtitle 28;

(6) Been convicted of a conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsections (1)-(5) above;

(7) Been found civilly liable under a state or federal antitrust statute for acts or omissions in connection with the submission of bids or proposals for a public or private contract; or

(8) Admitted in writing or under oath, during the course of an official investigation or other proceedings, acts or omissions that would constitute grounds for conviction or liability under any law or statute described in §§B and C(1)-(7) above, except as follows (indicate reasons why the affirmations cannot be given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved and their current positions and responsibilities with the business, and the status of any debarment):

- NONE -

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#### 4. AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has ever been suspended, or debarred (including being issued a limited denial of participation) by any public entity, except as follows (list each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name(s) of the person(s) involved and their current positions and responsibilities with the business, the grounds of the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds of the disbarment or suspension).



- NONE -

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**5. AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES**

I FURTHER AFFIRM THAT:

(1) The business was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment pursuant to Sections 16-101, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland and/or Article 5, Subtitle 40, of the Baltimore City Code; and

(2) The business is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business except as follows (you must indicate the reasons why the affirmation cannot be given without qualification):

- NONE -

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**6. AFFIRMATION REGARDING COLLUSION**

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business has:

(1) Agreed, conspired connived, or colluded to produce a deceptive show of competition in the compilation of the accompanying bid or offer that is being submitted;

(2) In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or price proposal of the bidder or offeror or of any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the accompanying bid or offer is submitted.

**7. POLITICAL CONTRIBUTION DISCLOSURE AFFIRMATION**

I FURTHER AFFIRM THAT:

I am aware of, and the above business will comply with, Election Law Article, Title 14, Disclosure By Persons Doing Public Business, Annotated Code of Maryland, which requires that every person that enters into contracts, leases, or other agreements with the State of Maryland, including its agencies or a municipal corporation or a political subdivision of the State, during a calendar year in which the person receives in the aggregate \$200,000 or more shall file with the State Board of Elections a statement disclosing contributions in excess of \$500 made during the reporting period to a candidate for elective office in any primary or general election.

**8. CERTIFICATION OF CORPORATION REGISTRATION AND TAX PAYMENT**

I FURTHER AFFIRM THAT:

(1) The business named above is a (domestic \_\_\_\_\_) (foreign X) corporation registered in accordance with the Corporations and Associations Article, Annotated Code of Maryland, and that it is in good standing and has filed all of its annual reports, together with filing fees, with the Maryland State Department of Assessments and Taxation.

(If not applicable, so state). NEW JERSEY

(2) Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the City of Baltimore and the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, the Department of Labor, Licensing, and Regulation and the City of Baltimore, as applicable.

(3) If awarded the contract resulting from this Bid/Proposal, the business shall remain in full compliance with all requirements of this §8 during the term, and any extensions thereof, of the said contract.

**9. CONTINGENT FEES**

I FURTHER AFFIRM THAT:

The business has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency working for the business, to solicit or secure the Contract, and that the business has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency, any fee or any other consideration contingent on the making of the Contract.

**10. CERTIFICATION OF WORK CAPACITY AND PREQUALIFICATION CLASSIFICATIONS**

I FURTHER AFFIRM THAT:

We hold Certificate No. 3800 which expires on 12/07/2019.

We have the Work Capacity to perform this contract as provided in the Standard Specifications and in accordance with the rules, regulations and requirements of the Baltimore City Contractors' Qualification Committee.

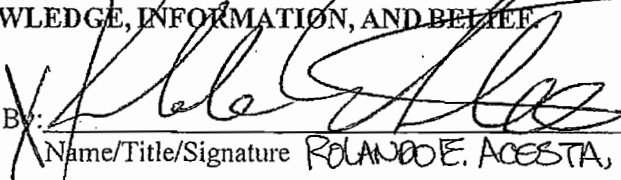
Furthermore, our current Certificate of Prequalification includes work Classifications covering Contract Items to a total of at least Fifty Percent (50%) of the Aggregate Amount Bid.

**11. ACKNOWLEDGEMENT**

I ACKNOWLEDGE THAT this Affidavit shall be included in my Bid/Proposal and that my failure to furnish it will be considered cause for my Bid/Proposal to be rejected. I further acknowledge that this Affidavit is subject to applicable laws of the United States, the State of Maryland and the City of Baltimore, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this Bid/Proposal shall be construed to supersede, amend, modify or waive, on behalf of the City of Baltimore, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland and terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

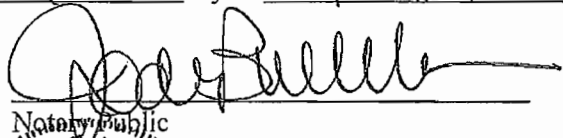
I FURTHER ACKNOWLEDGE THAT if the business is awarded the contract resulting from this Bid/Proposal, this Affidavit shall become a material part of the contract and the business agrees that it shall remain in full compliance with all Affirmations contained herein during the term of the contract and any and all extensions thereto.

**I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF**

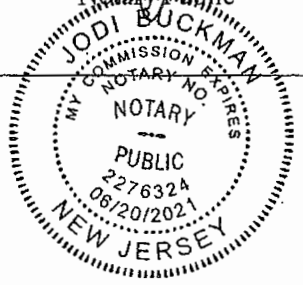
By:   
Name/Title/Signature ROLANDO E. ACESTA, PRESIDENT



Subscribed and sworn to me this 26 day of September 2018

  
Notary Public

My commission expires on \_\_\_\_\_



**B. BALTIMORE CITY'S YOUTHWORKS**

TO: Mayor's Office of Employment Development ("MOED")

FROM: NORTHEAST REMSCO CONSTRUCTION, INC.  
(Legal name of Bidder)

Pursuant to Executive Order, the aforesaid Bidder hereby presents MOED with the following information to assist its outreach efforts for the Baltimore City Youth Works Program:

Contact Person: PETE SUPKAMP, P.E.

Address: 1433 ROUTE 34 SOUTH, B1  
FARMINGDALE NJ 07727

Telephone Number: 732-557-6100

Facsimile Number: 732-736-8904

E-mail address: engineering@northeastremSCO.com



City of Baltimore
Local Hiring Certification and Compliance Statement

CERTIFICATION STATEMENT (Complete and submit this certification statement with your bid package. Your bid will be considered non-responsive if you fail to include this signed document.)

For the purpose of requiring employers (contractors and their subcontractors) benefitted by City contracts and subsidies to take measures to hire Baltimore City residents, all businesses awarded a contract with the City for more than \$300,000 or will benefit from more than \$5,000,000 in assistance for a subsidized project, shall agree to comply with the terms of the Local Hiring Law 12-0159 as described in the bid specification.

By signing below as a representative of NORTHEAST RENSCO CONST. (Company Name), I certify that if awarded this contract, a company representative will meet with the Mayor's Office of Employment Development (MOED) within two weeks of the contract award to complete an employment analysis review the workforce plan required for this contract. If there is a need for new hires, I agree to post the new job openings with MOED's One Stop Career Center Network for a period of seven (7) days prior to publicly advertising these openings. I agree to interview qualified Baltimore City residents referred from MOED and to fill at least 51% of the new jobs required with Baltimore City residents. I also agree to submit an Employment Report by the 5th day of each month throughout the duration of contract.

Signature: [Handwritten Signature] Title: ROLAND E. ACOSTA, PRES. Phone: 732-557-6100

Company Address: 1433 RT34S, BL, FARMINGDENE TOWNSHIP NJ Email: engineering@northeastrenSCO.com



CONTRACT AWARD INFORMATION (To be completed by the responsible Baltimore City agency representative and submitted to MOED within two (2) business days of the contract award.)

Baltimore City Agency: \_\_\_\_\_

Contract No./Description: \_\_\_\_\_

Award Amount: \_\_\_\_\_ Award Date: \_\_\_\_\_

Contractor's Rep for Local Hiring compliance: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

City Agency Staff Name/Title \_\_\_\_\_ Date \_\_\_\_\_

COMPLIANCE VERIFICATION (To be completed by MOED and returned to the City agency.)

As required by the Law, "before the disbursement of any funds", the beneficiary must meet with and complete an employment analysis with MOED. This is to certify that the information below is accurate as verified by MOED:

- Complied with the requirements of the Local Hiring Law 12-0159 and met with MOED on \_\_\_\_\_ to assess their employment needs, complete the workforce plan and identify new jobs. We have been informed that an estimate of \_\_\_\_\_ jobs will be created as a result of the contract award.
NOT complied with the Local Hiring Law. In accordance with the Law, the City Agency is required to withhold payments associated with this award until the meeting has occurred.

MOED Staff Name/Title \_\_\_\_\_ Date \_\_\_\_\_

If there are any questions, please call Cynthia Jefferson at 410-396-9974

**D. BIDBOND**

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned \_\_\_\_\_

Northeast Remsco Construction, Inc.

as Principal, and \_\_\_\_\_ Liberty Mutual Insurance Company

as Surety, are hereby held and firmly bound unto the Mayor and City Council of Baltimore as Owner, in the amount of at least Five Percent (5%) of the Total Bid submitted for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, personal representatives, successors and assigns.

Signed this 29<sup>th</sup> day of August, 20 18.

The condition of the above obligation is such that WHEREAS the Principal has submitted to the Board of Estimates of the Mayor and City Council of Baltimore a certain Bid, attached hereto, and hereby made a part hereof to enter into a Contract, in writing,

for **SANITARY CONTRACT NO. 940 - Hydraulic Improvements To The High Level Sewershed Collection System**

NOW, THEREFORE,

- (a) If said Bid shall be rejected or in the alternate.
- (b) If said Bid shall be accepted and the Principal shall execute and deliver a Contract in the form of Contract attached here to (properly completed in accordance with said Bid), and shall furnish a bond for his faithful performance of said Contract, and for the payment of all persons performing labor or furnishing materials in connection therewith and shall in all other respects perform the Agreement created by the acceptance of said bid.

Then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event, exceed the penal amount of this obligation, as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by an extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their Hand and Seals, and such of them as are Corporation have caused their Corporate Seals to be hereto affixed and these presents to be signed by their proper Officers, the day and year first set forth above.

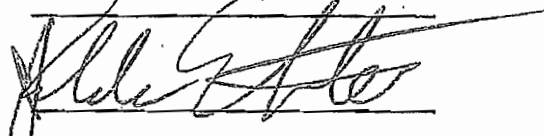
ATTEST:

  
JODI BOCKMAN, CONTRACTS ADMIN

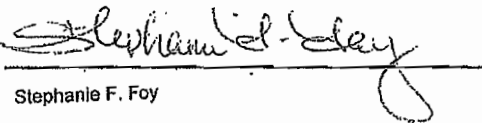


PRINCIPAL

Northeast Remsco Construction, Inc.

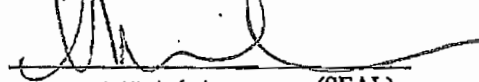
  
ROLANDO E ACOSTA  
PRESIDENT (SEAL)

ATTEST:

  
Stephanie F. Foy

SURETY

Liberty Mutual Insurance Company

  
Lisa Nosal, Atty-in-fact (SEAL)

**Liberty Mutual Insurance Company**  
**CONSENT OF SURETY**

To: Mayor and City Council of Baltimore

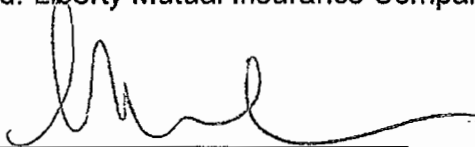
Re: Contractor Name: Northeast Remsco Construction, Inc.  
Project Description: Sanitary Contract No. 940 – Hydraulic Improvements to the  
High Level Sewershed Collection System

The Liberty Mutual Insurance Company, a corporation duly organized under the laws of the State of Massachusetts and authorized to do business in the State of Maryland hereby agrees that in the event Contractor is the successful bidder for:

Sanitary Contract No. 940 – Hydraulic Improvements to the High Level Sewershed Collection System

And is awarded the contract, it, as surety, will provide the contractor with bonds in such sums as are required in the advertisement or in the specifications.

Signed: Liberty Mutual Insurance Company



\_\_\_\_\_  
Surety Lisa Nosal, Atty-in-fact

8-29-2018

\_\_\_\_\_  
Date

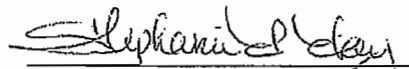


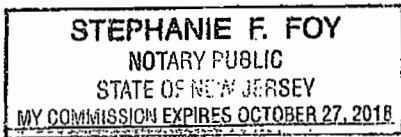
ACKNOWLEDGEMENT OF SURETY

State of New Jersey ]  
  ]-ss  
County of Passaic ]

On 08/29/2018, before me personally came Lisa Nosal to me known, who, being by me duly sworn, did depose and say that she is an attorney-in-fact of Liberty Mutual Insurance Company the corporation described in and which executed the within instrument; that she knows the corporate seal of said corporation, and that the seal affixed to the within instrument is such corporate seal, and that she signed the said instrument and affixed the said seal as Attorney-in-Fact by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

My Commission expires:

  
\_\_\_\_\_  
Notary Public



**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 8058081

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company West American Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Lisa Nosal; Pamela J. Boyle; Robert E. Culnen; Joseph W. Mallory; Louis A. Vlahakes

all of the city of Totowa, state of NJ, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 6th day of April, 2018



The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 6th day of April, 2018, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV - OFFICERS - Section 12. Power of Attorney.** Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such Instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation -** The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization -** By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 29th day of August, 2018



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or fiducial value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY  
 FINANCIAL STATEMENT — DECEMBER 31, 2017

Assets		Liabilities	
Cash and Bank Deposits.....	\$370,003,299	Unearned Premiums.....	\$7,503,154,587
*Bonds — U.S Government.....	1,331,664,975	Reserve for Claims and Claims Expense .....	19,658,731,454
*Other Bonds.....	11,127,053,004	Funds Held Under Reinsurance Treaties.....	224,693,828
*Stocks .....	16,367,850,688	Reserve for Dividends to Policyholders.....	967,520
Real Estate.....	272,895,626	Additional Statutory Reserve.....	52,491,027
Agents' Balances or Uncollected Premiums.....	5,258,657,823	Reserve for Commissions, Taxes and	
Accrued Interest and Rents.....	100,341,596	Other Liabilities .....	<u>4,049,392,852</u>
Other Admitted Assets.....	<u>11,192,287,530</u>	<b>Total .....</b>	<b><u>\$31,489,431,268</u></b>
		Special Surplus Funds.....	\$176,230,822
		Capital Stock.....	10,000,000
		Paid in Surplus.....	9,484,316,385
		Unassigned Surplus.....	4,860,776,066
		<b>Surplus to Policyholders .....</b>	<b><u>14,531,323,273</u></b>
<b>Total Admitted Assets .....</b>	<b><u>\$46,020,754,541</u></b>	<b>Total Liabilities and Surplus.....</b>	<b><u>\$46,020,754,541</u></b>



\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.  
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2017, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 16<sup>th</sup> day of March, 2018.

*T. Mikolajewski*

Assistant Secretary

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

1800 Washington Boulevard Suite 515 Baltimore MD 21230-1718  
410 537 3119 1-800-633-6101

[http://www.mde.state.md.us/programs/Water/QualityFinancing/MinorityandWomensBusinessEnterprises/Pages/Programs/WaterPrograms/Water\\_Quality\\_Finance/MWBE/index.aspx](http://www.mde.state.md.us/programs/Water/QualityFinancing/MinorityandWomensBusinessEnterprises/Pages/Programs/WaterPrograms/Water_Quality_Finance/MWBE/index.aspx)

**Disadvantaged Business Enterprise (DBE) Good Faith Efforts Checklist**  
To be completed by Prime (Construction & A/E) Contractor

Project Name: HYDRAULIC IMPROVEMENTS TO THE HIGHWAY SANITATION COLLECTION SYSTEM - 61040

Procurement Category: Check box for all M/WBE procurement categories being reported under the above referenced project. Construction  Equipment  Services  Supplies

*For each procurement action, please answer the following questions*

**A: Develop Bidders List of DBE firms**

- A1 Did you develop a Bidders List of DBE firms? Yes  No
- A2 Did you advertise in minority, local, regional papers or Dodge Report? Yes  No
- A3 Did you send invitation for bids to DBE trade associations? Yes  No
- A4 Did you contact US-SBA/MBDA/MDOT? Yes  No
- A5 Did you receive Bidders List from Loan Recipient? Yes  No
- A6 Did you provide MDE with Bidders List? Yes  No

**B: Smaller work components and delivery schedules**

- B1 Did DBE firms have opportunities to bid as subcontractors? Yes  No
- B2 Did you break down the project, where economically feasible, into smaller components for DBE firms to bid as subcontractors? Yes  No
- B3 Do project components have reasonable delivery schedules? Yes  No
- B4 Did you allow a reasonable time for DBEs to bid? Yes  No
- B5 Did you encourage DBEs to bid as a consortium due to project size? Yes  No

**C: Solicitation Summary of DBE firms (Prime Contractor must fill EPA Form 6100-4)**

- C1 Did you use the Bidders List to solicit subcontractors? Yes  No
- C2 Did DBE firms bid as subcontractors (provide list, work type, & price)? Yes  No
- C3 Did you select any DBE firms as subcontractor? Yes  No
- C4 Is the subcontractor using any additional subcontractors? Yes  No  UNKNOWN

Prime contractor must provide to loan recipient: (1) list of ALL subcontractors (DBE and non-DBE) with type of work and estimated dollar amounts; (2) completed EPA Form 6100-4; and, (3) completed EPA Form 6100-3 for each DBE subcontractor. Also, EPA Form 6100-2 to each DBE subcontractor.

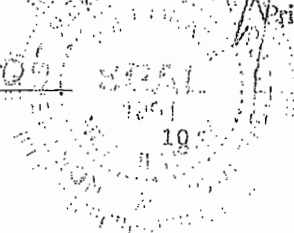
**Supporting Documentation**

*In support of the actions taken in items A, B, and C, (above), all prime contractors must attach this checklist along with supporting documentation for "Yes" answers and an explanation for "No" answers. Examples of supporting documentation include: (i) Bidders List of DBE firms; (ii) list of sub-contract work elements possible under the prime contract; (iii) proof of contact with DBE firms as potential sub contractors (copies of invitations for bids/RFP, contact letters, faxes and telephone call sheets, etc.); (iv) copies of all procurement advertisements; and, (v) list of all sub contractors that submitted bids/RFP.*

WANDA NESTL, PROJECT MANAGER  
Prime Contractor's Name and Title

[Signature]  
Prime Contractor Official's Signature/ Date

Contact Phone # 722-657-6100



**Sub Request**

**Project Name:** Hydraulic Improvements to the High Level Sewershed Collection System

**Accepting Bids Through:** 9/14/2018

**Cost Estimate:** 50 - 60 m

**Location:** Baltimore

**County:**

**Owners:** Northeast Remsco Construction, Inc.  
1433 Highway 34 South, FARMINGDALE, NJ, 732-557-6100 x108

**Contact Name:** Jennifer Newton

**Trades:** All Trades - Subcontractors & Suppliers

**Looking for:** WBE , MBE , DBE

**Notes:** Northeast Remsco Construction may contract with City of Baltimore for the Hydraulic Improvements to the High Level Sewershed Collection System, No. SC-940 project. This bids on September 12th (per addendum) and adheres to the project manual specifications and requirements to meet the utilization requirements. If you are interested, please contact me for access to our FTP Site. Kindly return your quote ASAP back to my attention VIA FAX, 732-736-8904 or EMAIL at [engineering@northeastremesco.com](mailto:engineering@northeastremesco.com) no later than Monday, August 27th by 5:00 PM. All subcontractors, suppliers, DBE, MBE & WBE businesses are encouraged to bid. We are an equal opportunity employer.

**Description:** The work to be done under this Contract shall consist of the following: • Approximately 20,100 linear ft. (LF) of sewer cleaning and closed circuit television (CCTV) inspection. • Approximately 12,100 linear ft. (LF) of replacement of sanitary sewers by open cut method. • Approximately 8,000 linear ft. (LF) of new sanitary sewer installation utilizing microtunneling. • Approximately 200 each of reconnection of sanitary house connections. • Approximately 690 vertical linear feet of replacement of existing sanitary manholes with new sanitary sewer manholes. • Approximately 750 vertical linear feet of new manhole installation. • Associated wastewater by-pass pumping or control of flows of sewers and/or manholes to be replaced or constructed and continuous monitoring of the by-pass operation • Restoration of pavement, alleys, and sidewalks, and site restoration including planting trees,

**Sub Request**

**Project Name:** Hydraulic Improvements to the High Level Sewershed Collection System

**Accepting Bids Through:** 8/31/2018

**Cost Estimate:** 50 - 60 m

**Location:** Baltimore, MD

**County:**

**Owners:** Northeast Remsco Construction, Inc.  
1433 Highway 34 South, FARMINGDALE, NJ, 732-557-6100 x108

**Contact Name:** Jennifer Newton

**Trades:** All Trades - Subcontractors & Suppliers

**Looking for:** WBE , MBE , DBE

**Notes:** Northeast Remsco Construction may contract with City of Baltimore for the Hydraulic Improvements to the High Level Sewershed Collection System, No. SC-940 project. This bids on August 29th and adheres to the project manual specifications and requirements to meet the utilization requirements. If you are interested, please contact me for access to our FTP Site. Kindly return your quote ASAP back to my attention VIA FAX, 732-736-8904 or EMAIL at [engineering@northeastremesco.com](mailto:engineering@northeastremesco.com) no later than Monday, August 27th by 5:00 PM. All subcontractors, suppliers, DBE, MBE & WBE businesses are encouraged to bid. We are an equal opportunity employer.

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Bid Due Date: 08/28/18

Soft: Not Provided



Project Details



Project Classifications



Bidders Principals List



Plan Room



Keywords



Project Messages



Project Notifications

New Message

View My Profile

# Sanitary Sewer Collection System Improvements in High Level Sewershed (SC940)

Baltimore, MD 21202,  
Northeast Remco Construction, Inc., Jennifer Newton  
☎ (782)557-6100 📠 (782)736-3904  
jennifer.newton@northeastremco.com  
Role: General Contractor - Bidding

## Project Details

Role:	General Contractor - Bidding
Project Number:	11858740
Address:	Various Locations Baltimore, MD 21202
Bid Due:	08/28/2018 9:00 AM Eastern
Contract No.:	SC940
Goals:	DBE - 13%, WBE - 16%
Status:	Bidding/Negotiating
Structure:	Non-Building Construction
Project Type:	Improvements

## Project Scope

The principal items of work to be done under this contract shall generally consist of the following:  
-Approximately 20-100 linear ft. (LF) of sewer cleaning and closed circuit television (CCTV) inspection  
-Approximately 12,100 linear ft. (LF) of replacement of sanitary sewers by open cut method  
-Approximately 6,000 linear ft. (LF) of new sanitary sewer installation utilizing micro tunneling

do you need Excavators-Hydraulic?



Edi Rents & Supply, Inc  
717-241-1211



Baystate Equipment Rentals  
Sales  
781-234-1111



Tabbi Equipment Corporation  
781-245-7307

DBE/MBE/WBE UTILIZATION CONTRACTORS & SUPPLIERS

Hydraulic Improvements to the High Level Sewershed Collection System, SC-940  
City of Baltimore, MD

SOLICITED DBE / MWBE s

Contractor POC Name	Physical Address	Telephone Fax	Utilization Category Certified By	Services Provided	Contacted to Quote Date & Comments	Follow-up to RFQ Date	Status of Quotes	DBE / MWBE Returned
<p>--Based on US Department of Transportation : (DOT)</p> <p>--Based on Small Business Administration : (SBA)</p>								
Jerome Taylor Trucking, Inc. Jerome Taylor	1455 Pennsylvania Ave, NW Washington, DC 20004	202-260-2000 202-347-1164	MBE MDOT (06-319)	Trucking - Hauling	08/07/18	8/17/2018 9/10/2018	No Response	--
East Star Transportation, LLC Brian Jackson	13206 Muscovy Court Upper Marlboro, MD 20774	240-671-5205 240-619-3051	MBE / DBE / SBE MDOT (15-573)	Trucking - Hauling	08/07/18	--	Quote	--
J & M Trucking, Inc. Francisco Castro	11200 Champlain Circle Bowie, MD 20720	301-440-4177 301-262-3264	MBE MDOT (07-310)	Trucking - Hauling	08/07/18	--	Quote	--
Jeffrey's Trucking, Inc. Tony Jeffreys	3725 Oak Falls Way Baltimore, MD 21236	443-552-9253 410-258-8081	MBE / DBE / SBE MDOT (08-091)	Trucking - Hauling	08/07/18	--	Quote	--
Stetson, LLC Ronnie Thomas	2316 32nd Street SE Washington, DC 20020	202-369-3269 202-561-0345	MBE MDOT (08-630) MBE DDOT (LSDZR52865112011)	Trucking - Hauling	08/07/18	8/17/2018 9/25/2018	No Quote	--
Cehlerting Hauling Rigging & Hvy Eq Ray Cehlerting	15300 Prince Frederick Road Hughesville, MD 20613	443-532-4633 301-274-9113	MBE / DBE / SBE MDOT (06-639)	Heavy Equipment Transport	08/07/18	8/17/2018 09/25/18	No Response	--
Firestone Int'l Corporation Jon Flesch	6601 Amundale Road, Suite 3 Beltsville, MD 20705	301-937-8510 301-937-8241	SBA	Heavy Equipment Transport	08/07/18	8/17/2018 9/25/2018 not sure	No Response	--
Green Petroleum, LLC Kevin Green	7500 Old Alexandria Ferry Road Clinton, MD 20735	301-877-9060 301-877-9067	MBE / DBE / SBE MDOT (10-369)	On-Site Fuel Supply	08/07/18	8/17/2018	Quote	--
JJ Adams Fuel Oil Company Jethro Adams	2113 W. Lafayette Avenue Baltimore, MD 21217	410-822-2800 N/A	MBE MDOT (08-265)	On-Site Fuel Supply	08/28/18	--	Quote	--
Agex Petroleum Corporation Anthony Onianwah	227 N. Holiday Street, S 8 Baltimore, MD 21202	301-773-9009 x11 301-773-9030	MBE / DBE / SBE MDOT (04-012)	On-Site Fuel Supply	08/07/18	--	Quote	--
Capitol Development Design, Inc. Victor Chan	4600 Powder Mill Road, Suite 200 Beltsville, MD 20705	301-937-3501 301-937-3507	MBE / DBE / SBE MDOT (97-438)	Survey & Testing	08/07/18	--	Quote	--
AS Consultants Anirish Patel	9450 Annapolis Road Lanham, MD 20706	301-306-3091 301-306-3092	MBE / DBE / SBE MDOT (94-165)	Survey & Testing	08/07/18	8/17/2018 9/25/2018	No Response	--
Navarro & Wright Consulting Engrs, Inc. Paul Navarro	936 Ridgebrook Road, Suite B1 Sparks, MD 21152	443-695-0629 443-695-0662	MBE / DBE / SBE MDOT (93-113)	Survey & Testing	08/07/18	8/17/2018	Quote	--
ESSE Engineering, Inc. Raynah Saoud	9720 Capital Court, Suite 106 Manassas, VA 20110	703-257-0677 730-361-3796	MBE / DBE / SBE MDOT (14-362) (female)	Survey & Testing	08/07/18	8/17/2018 9/25/2018 vmail	No Response	--
FRG & Associates Fazil Abdelfatah	515 M Street SE, Suite 106 Washington, DC 20003	202-663-0911 202-663-0944	MBE / DBE / SBE MDOT (10-824)	Testing Services	08/07/18	8/17/2018 9/25/2018	No Response	--
PRISCO Company, Inc. Frem Agarwal	1341 West Central Avenue Davidsonville, MD 21035	001-869-6680 410-798-5603	MBE / DBE / SBE MDOT (83-090)	Material Supplier	08/07/18	8/17/2018 09/25/18	No Quote	--
Avon Supply & Distributing, Inc. Gail Cather - Barbara Roth	11167 A Pulaski Highway White Marsh, MD 21162	410-335-0547 410-335-0540	MBE / DBE / SBE MDOT (09-085) (female)	Material Supplier	08/07/18	8/17/2018 9/25/2018	No Quote	--
Keys Materials & Utilities, Inc.	2705 Mystic Woods Court	301-354-5283	MBE / DBE / SBE	Material Supplier	08/07/18	8/17/2018	No Response	--



DBE/MBE/WBE UTILIZATION CONTRACTORS & SUPPLIERS

Hydraulic Improvements to the High Level Sewerhead Collection System, SC-940  
City of Baltimore, MD

SOLICITED DBE / M/WBE %

Contractor POC Name	Physical Address	Telephone Fax	Utilization Category Certified By	Services Provided	Contacted to Quote Date & Comments	Follow-up to RFQ Date	Status of Quote	EPA 8(b)(7)-A Retained
<small>**Based on US Department of Transportation : (MDOT)                      ***Based on Small Business Administration : (SBA)</small>								
Jerrie Ann Keys	Mt. Airy, MD 21771	301-954-5280	MDOT (95-367) (female)			9/25/2010		
Foundation Test Group, Inc. Diana Goodwin	2601 Emory Road, Bldg. 1A Finksburg, MD 21040	410-517-0715 410-517-0716	MBE / DBE / SBE MDOT (03-352) (female)	Engineering & Monitoring (boring monitoring)	08/07/10	--	Quote	::
Insight Engineering, Inc. Anthony Vaz	1801 McCormick Drive, Suite 380 Largo, MD 20774	301-563-4640 703-992-8622	MBE / DBE / SBE MDOT (05-111)	Engineering Services	08/07/10	8/17/2010 9/25/2010	No Quote	--
Kim Engineering, Inc. Myunsun Sunny Kim	11900 Baltimore Avenue, Suite F Beltsville, MD 20705	240-642-4238 240-391-6790	MBE / DBE / SBE MDOT (94-054)	Engineering Services	08/07/10	--	Quote	::
The Vanni Organization, Inc. Gregory Vanni	11 Sayer Avenue Cherry Hill, NJ 08002	856-486-4440 856-486-1301	MBE / DBE / SBE MDOT (97-021)	Scheduling Services	08/07/10	--	Quote	::
Globe Rentals Kathy Palmer	2602 Florence Road Woodbine, MD 21797	410-255-4050 410-442-6295	MBE / DBE / SBE MDOT (03-273) (female)	Porta John Rentals	08/07/10	--	Quote	::
Glover's Septic Services, Inc. John Glover	PO Box 522 Huntington, MD 20639	443-486-4533 410-414-9787	MBE / DBE / SBE MDOT (07-365)	Porta John Rentals	08/07/10	8/17/2010 9-25-10 vmail	No Response	--
Century Fence Const. LLC Erinjet Dums	9501 Old Marlboro Pike Upper Marlboro, MD 20772	301-599-2073 301-599-2077	MBE / DBE / SBE MDOT (98-169) (female)	Fence	08/07/10	8/17/2010	Quote	::
Best Fence Gary Curtis	26 0th Avenue NW Glen Burnie, MD 21061	443-684-2734 410-760-0991	MBE / DBE / SBE MDOT (08-316) MDOT (03-316)	Fence	08/07/10	--	Quote	::
On Site Photography Stella Cruse	506 Epping Forest Road Annapolis, MD 21401	443-254-5184 N/A	MBE / DBE / SBE MDOT (08-014) (female)	Commercial Photography	08/07/10	8/17/2010 09/25/10	No Quote	--
PCR Commercial Photographers Alan Kazuh	33 Calvert Street Harrison, NY 10520	914-674-9100 914-835-6161	DBE MDOT (14-645)	Commercial Photography	08/07/10	--	Quote	::
Williams Solutions Group, LLC Neal Williams	20140 Scholar Drive, Suite 315 Hagerstown, MD 21742	866-855-2007 866-273-3491	MBE / DBE / SBE MDOT (08-169)	Commercial Photography	08/07/10	8/17/2010 9/25/2010 vmail	No Response	--
USCity Imaging Allison Alexander Legg	8519 Woodville Road Mount Airy, MD 21771	240-409-2530 800-791-8510	MBE / DBE / SBE MDOT (05-512) (female)	Commercial Photography	08/07/10	8/17/2010 9/25/2010	No Quote	--
Empire Landscape, LLC Lynette Scaffidi - Karen Chen	15717 New Hampshire Avenue Silver Spring, MD 20905	301-379-1183 388-011-4481	MBE / DBE / SBE MDOT (08-351) (female)	Landscape Services	08/07/10	--	Quote	::
ELF Landscaping, LLC Archodia Freni	12402 Crestwood Avenue South Brandywine, MD 20613	301-702-1922 301-702-1923	MBE MDOT (11-047) (female)	Landscape Services	08/07/10	8/17/2010 9/25/2010	No Quote	--
Green Forever Landscaping & Design Nikola Floyd	6007 S. Osbourne Road Upper Marlboro, MD 20772	301-700-7500 301-574-3756	MBE / DBE / SBE MDOT (15-481) (female)	Landscape Services	08/07/10	8/17/2010 09/25/10	No Quote	--
JJC Concrete Construction, Inc. Antonio Jose Oliveira	8020 Hilder Avenue Annapolis Junction, MD 20701	301-317-0551 301-317-0501	MBE / DBE / SBE MDOT (01-148)	Asphalt & Concrete	08/07/10	8/17/2010 9/25/2010 vmail	No Response	--
MPF Construction Co., Inc. Meghna Rodrigues	21250 Hunting Court Leonardtown, MD 20650	301-994-0071 301-994-1034	MBE / DBE / SBE MDOT (10-311)	Asphalt & Concrete	08/07/10	8/17/2010 9/25/2010	No Quote	--

DBE/MBE/WBE UTILIZATION CONTRACTORS & SUPPLIERS

Hydraulic Improvements to the High Level Sewershed Collection System, SC-040  
City of Baltimore, MD

SOLICITED DBE / MWBE %s

Contractor POC Name	Physical Address	Telephone Fax	Utilization Category Certified By	Services Provided	Contacted to Quote Date & Comments	Follow-up & RFQ Date	Status of Quote	MBE/DBE/ WBE %
**Based on US Department of Transportation : (MDOT)								
**Based on Small Business Administration : (SBA)								
Atlantic Paving & Sealing, Inc. Ralph Salvador	PO Box 6700 Bethesda, MD 20824	703-942-6400 703-969-0163	MBE / DBE / SBE MDOT (13-043)	Asphalt & Concrete	08/07/18	01/17/2018 09/25/18	No Quote	--
Falvey Construction Co., LLC Karen Tinsdale	2630 Hafer Street Baltimore, MD 21223	410-225-0994 410-225-3762	MBE / DBE / SBE MDOT (03-023) (female)	Asphalt & Concrete	08/07/18	~	Quote	--
Luis Products, Inc. Cidalia Luis-Albar	12200 Plum Orchard Drive, Suite 110 Silver Spring, MD 20904	410-545-0641 410-545-0643	MBE / WBE MDOT 11-402	Asphalt & Concrete	08/22/18	~	Quote	--
Power Enterprises Construction, LLC Michael Alves	15700 Spyglass Hill Loop Gainesville, VA 20155	571-261-9097 571-261-9098	MBE / DBE / SBE MDOT (15-596)	Asphalt & Concrete	08/07/18	01/17/2018 9/25/2018 vmail	No Response	--
Russell Paving Company, Inc. Monica Russell	PO Box 106 Church Creek, MD 21622	410-228-0040 410-221-0060	MBE / DBE / SBE MDOT (11-400) (female)	Asphalt & Concrete	08/07/18	01/17/2018 09/25/18	No Quote	--
Tyson's Construction, LLC Ajaz Ahmad	PO Box 2826 Fairfax, VA 22031	703-675-3891 703-255-6445	MBE / DBE / SBE MDOT (12-309)	Asphalt & Concrete	08/07/18	01/17/2018 9/25/2018 vmail	No Response	--
Aggregate Placement Corp. Suzanne Suthard	4420 Hawthorne Road Indian Head, MD 20640	301-743-6691 301-743-6695	MBE / DBE / SBE MDOT (05-429) (female)	Structural Concrete	08/07/18	01/17/2018 9/25/2018	No Quote	--
Braddeck Construction, LLC Kirsten Weimer	16214 National Highway, SW Frostburg, MD 21532	301-689-6979 301-689-0026	MBE / DBE / SBE MDOT (03-287) (female)	Structural Concrete	08/07/18	01/17/2018 Bad Number	No Response	--
General Concrete Company, Inc. Mauricio Melara	11550 East Maple Avenue Beltsville, MD 20706	301-595-3250 301-595-3251	MBE / DBE / SBE MDOT (06-208)	Structural Concrete	08/07/18	01/17/2018 Bad Number	No Response	--
Interlock Stonecrafters, Inc. John Blessing	2703 Backacre Circle Mt. Airy, MD 21771	301-829-7820 301-829-6661	MBE / DBE / SBE MDOT (11-581)	Structural Concrete	08/07/18	01/17/2018 43,003.00	No Quote	--
Pioneer Contracting Company, Inc. BB Patel	8298 Telegraph Road, Suite C2 Odenton, MD 21113	(410) 591-2924 (410) 561-1216	MBE / DBE / SBE MDOT (92-232)	Structural Concrete, Paving	08/07/18	-	Quote	--
Strum Contracting Co., Inc. James Strum	6309 Ft. Smallwood Road, Unit 5 Baltimore, MD 21226	410-355-0009 410-355-5554	MBE / DBE / SBE MDOT (03-541)	Structural Concrete	08/08/18	-	Quote	--
M. Barbosa Construction Co., Inc. Mantel Barbosa	16013 Fawnlily Court Rockville, MD 20853	301-774-9485 301-774-6486	MBE MDOT (97-125)	Rebar Placement	08/08/18	01/17/2018 9/25/2018	No Quote	--
Building Distribution & Trucking Miguel Lambert	10610 Rhode Island Avenue, Suite 301 Beltsville, MD 20705	240-639-7016 240-699-0502	MBE / DBE MDOT (09-468)	Sitework, Precast, Equipment Rental & Trucking	08/08/18	-	Quote	--
Dapo Construction Corporation Olivio Lopes	P.O. Box 425 Hanover, MD 21076	410-760-9363 410-760-9363	MBE / DBE / SBE MDOT (08-120)	Sitework, Precast, Equipment Rental & Trucking	08/22/18	-	Quote	--
R & R Contracting Utilities, Inc. Jennifer DiPietro	6013 Pure Sky Place Clarksville, MD 21029	301-792-6939 301-304-4365	MBE 02-412	Sitework & Utilities	08/07/18	-	Quote	--
Royals Construction, Inc. Chris	P.O. Box 440 Bowie, MD 20715	(301) 809-0908 (443) 458-7762	MBE / DBE / SBE SLBE	Sitework & Utilities	08/22/18	08/25/18 09/25/18	No Quote	--
Adi Personnel Service, Inc.	117 Valley Street, Suite C	301-724-1025	MBE / DBE / SBE	Temporary Help Services	08/07/18	01/17/2018	No Quote	--

**DBE/MBE/WBE UTILIZATION CONTRACTORS & SUPPLIERS**

Hydraulic Improvements to the High Level Sewershed Collection System, SC-940.  
City of Baltimore, MD

**SOLICITED DBE / MWBE 's**

Contractor POC Name	Physical Address	Telephone Fax	Utilization Category Certified By	Services Provided	Contacted to Quote Date & Comments	Follow-up to RFP Date	Status of Quote	EPA Bid/RFI Returned
<p><i>Based on US Department of Transportation : (MDOT)</i></p> <p><i>Based on Small Business Administration : (SBA)</i></p>								
Shen Sensabaugh	Cumberland, MD 21502	301-724-4660	MDOT (03-093) (female)			08/25/10		
Amigos Labor Services, Inc. Pedro Hernandez Cuesta	335 Endsleigh Avenue Middle River, MD 21220	410-303-0708 443-436-1340	MBE / DBE / SBE MDOT (11-368)	Temporary Help Services	03/07/10	01/17/2010 9/25/2010	No Quote	
RAM Construction, Inc. Rachel Sulzmayder	16804 Norbeck Farm Drive Olney, MD 20032	301-774-6431 301-774-1692	MBE 10-585	Temporary Help Services	03/07/10	01/17/2010	No Quote	
Stairise Safety Services, Inc. Margaret Vogel	6711 Bay Meadow Drive, Suite D Glen Burnie, MD 21060	410-590-3905 410-590-3906	MBE / DBE / SBE MDOT (95-395) (female)	Maintenance & Protection of Traffic	08/07/10	01/17/2010 9-25-10 vmail	Quote	
Corel Safety, LLC Lisa Lane	129 Roseler Road Glen Burnie, MD 21060	410-707-0222 410-707-1260	MBE / DBE / SBE MDOT (05-345) (female)	Maintenance & Protection of Traffic	00/07/10	--	Quote	X
Atlantic Traffic Safety, Inc. Angela Gould	9903 Quail Run Lane Ocean City, MD 21042	443-703-3000 443-664-6025	MBE / DBE / SBE MDOT (09-553) (female)	Maintenance & Protection of Traffic	08/07/10	--	Quote	::
Seviere Enterprises, Inc. (SEH/Drayco) Stan Udhir	7600 Penn Belt Drive Forestville, MD 20747	301-420-7197 301-420-0317	MBE 93-080	Sewer & Manhole Rehab Water Mains & Flow Meters	00/07/10	01/17/2010 9-25-10 vmail	No Response	--
CCTV Doctor LLC Purcell Wylie	P.O. Box 6901 Baltimore, MD 21216	410-900-3400 413-706-2206	MBE MDOT (11-459) (male)	CCTV Pipe Inspection and Rehabilitation of Water & Sewer Lines	08/07/10	--	Quote	
TFC Resources Christopher Hulse	11 Easter Ct. Suite G Owings Mills, MD 21117	410-355-2061 410-630-5335	MBE MDOT 08-382	CCTV Pipe Inspection and Rehabilitation of Water & Sewer Lines	08/08/10	--	Quote	X
Pipeline Investigations, Inc. Norkeet Barnes	4515 Spring Avenue Halethorpe, MD 21227	410-242-1030 410-242-1030	MBE MDOT (04-212) (male)	CCTV Pipe Inspection and Rehabilitation of Water & Sewer Lines	08/07/10	01/17/2010 9/25/2010	No Response	--
H.E. Harrington Plumbing & Heating Robert Harrington	300 West 23rd Street Baltimore, MD 21211	410-466-4800 410-466-0700	MBE MDOT 08-414	Open Cut	00/07/10	--	Quote	X
East Bay Construction & Services Stephen Coates	9103 Woodmore Centre Drive Lanham, MD 20706	443-244-0449 301-630-7272	MBE MDOT 17-331	Sawcutting	08/07/10	--	Quote	::

TOTAL SOLICITED 29

Total Quotes 29

No Responses 16



OMB Control No: 2090-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE<sup>1</sup> subcontractors<sup>2</sup> and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name <b>NORTHEAST REMSCO CONSTRUCTION, INC.</b>	Project Name <b>HYDRAULIC IMP. HIGH LEVEL SEWERSHED Coll. SYS.</b>
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)
Point of Contact <b>ROY ACOSTA</b>	
Address <b>1433 ROUTE 34 SOUTH, B1, FARMINGDALE NJ 07727</b>	
Telephone No. <b>732-557-6100</b>	Email Address <b>engineering@northeastremSCO.com</b>
Issuing/Funding Entity:	

I have identified potential DBE certified subcontractors	<input checked="" type="radio"/> YES	<input type="radio"/> NO
--	--------------------------------------	--------------------------

If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
DACO CONSTRUCTION CORP.	PO BOX 425 HANOVER, MD 21076 410-760-9363	\$7,111,000.00	MBE/DBE MDOT
<del>PIONEER CONTRACTING COMPANY</del>	<del>520 MCCORMICK DR. SUITE C, GLEN BURNIE, MD 21061 410-851-2924</del>	<del>\$274,000.00</del>	<del>MBE/DBE MDOT</del>
EMPIRE LANDSCAPE, LLC	15717 NEW HAMPSHIRE AVE. SILVER SPRING, MD 20905 301-379-1183	\$420,000.00	WBE/DBE MDOT

*Rea*

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<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)



OMB Control No: 2090-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

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Prime Contractor Name <b>NORTHEAST REMSCO CONSTRUCTION, INC.</b>		Project Name <b>HYDRAULIC IMP. HIGH LEVEL SEWERSHED Coll. Sys.</b>	
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>ROLY ACOSTA</b>	
Address <b>1433 ROUTE 34 SOUTH, BL, FARMINGDALE NJ 07727</b>			
Telephone No. <b>732-557-6100</b>		Email Address <b>engineering@northeastremSCO.com</b>	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors	<input checked="" type="radio"/> YES	<input type="radio"/> NO
--	--------------------------------------	--------------------------

If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
TFE RESOURCES	11 EASTER COURT, SUITE 6 OWINGS MILLS, MD 21117 410-356-2061	\$51,000.00	WBE/DBE M DOT
ATLANTIC TRAFFIC SAFETY, INC.	9903 QUAIL RUN LAKE OCEAN CITY, MD 21842 443-783-3088	\$450,000.00	WBE/DBE M DOT
FALLSWAY CONSTRUCTION Co., LLC	2630 HAFFER STREET BALTIMORE, MD 21223 410-225-9994	\$920,295.00	WBE/DBE M DOT

Continue on back if needed

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Prime Contractor Name <b>NORTHEAST REMSCO CONSTRUCTION, INC.</b>		Project Name <b>HYDRAULIC IMP. HIGH LEVEL SEWERSHED Coll. SYS.</b>	
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>ROLY ACOSTA</b>	
Address <b>1433 ROUTE 34 SOUTH, BL, FARMINGDALE NJ 07727</b>			
Telephone No. <b>732-557-6100</b>	Email Address <b>engineering@northeastremSCO.com</b>		
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors	<input checked="" type="radio"/> YES	<input type="radio"/> NO
--	--------------------------------------	--------------------------

If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
PDK COMMERCIAL PHOTOGRAPHERS	83 CALVERT STREET HARRISON, NY 10528 914-674-9100	\$10,000.00	WBE/DBE M.DOT
THE VAN N ORGANIZATION	11 SAYER AVENUE CHERRY HILL, NJ 08002 856-486-4440	\$25,000.00	MBE/DBE M.DOT
GLOBE SANITATION	2882 FLORENCE ROAD WOODBINE, MD, 21797	\$10,000.00	WBE/DBE M.DOT

Continue on back if needed

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Prime Contractor Name <b>NORTHEAST REMSCO CONSTRUCTION, INC.</b>		Project Name <b>HYDRAULIC IMP. HIGH LEVEL SEWERSHED Coll. SYS.</b>	
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>ROLY ACOSTA</b>	
Address <b>1433 ROUTE 34 SOUTH, BL, FARMINGDALE NJ 07727</b>			
Telephone No. <b>732-557-6100</b>		Email Address <b>engineering@northeastremSCO.com</b>	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors  YES  NO

If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
JJ ADAMS FUEL OIL COMPANY	2113 W. LAFAYETTE AVENUE BALTIMORE, MD 21207 410-922-2600	\$582,895.00	WBE/DBE MDOT
<del>KIM ENGINEERING, INC.</del>	<del>1980 BALTIMORE AVENUE SUITE, F, BELTSVILLE, MD 20705 240-542-4288</del>	<del>\$15,000.00</del>	<del>WBE/DBE MDOT</del>
R&R CONTRACTING UTILITIES, INC.	6013 FORESKY PLACE CLARKSVILLE, MD 21029 301-792-6939	\$3,975,000.00	WBE/DBE MDOT

Continue on back if needed

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Prime Contractor Name <b>NORTHEAST REMSCO CONSTRUCTION, INC.</b>		Project Name <b>HYDRAULIC IMP. HIGH LEVEL SEWERSHED Coll. SYS.</b>	
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>ROY ACOSTA</b>	
Address <b>1433 ROUTE 34 SOUTH, B1, FARMINGDALE NJ 07727</b>			
Telephone No. <b>732-557-6100</b>		Email Address <b>engineering@northeastremSCO.com</b>	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors  YES  NO  
 If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
<del>CAPITOL DEVELOPMENT DESIGN, INC.</del>	<del>4600 POWDER MILL RD, SUITE 200 BELTSVILLE, MD 20705 301-937-2501</del>	<del>\$30,000.00</del>	<del>MBE/DBE MDOT</del>
<del>EAST BAY CONSTRUCTION &amp; SERVICES</del>	<del>9103 WOODMORE CENTRE DRIVE LANHAM, MD 20706 443-244-0449</del>	<del>\$52,000.00</del>	<del>MBE/DBE MDOT</del>
<del>BRYANT ASSOCIATES, INC.</del>	<del>90 CANAL STREET, SUITE 301 BOSTON, MA 02114 301-276-4005</del>	<del>\$95,000.00</del> \$105,000.00	<del>MBE/DBE MDOT</del>

Continue on back if needed

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Address <b>1433 ROUTE 34 SOUTH, BL, FARMINGDALE NJ 07727</b>			
Telephone No. <b>732-557-6100</b>	Email Address <b>engineering@northeastremSCO.com</b>		
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors  YES  NO

If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
ED WEAN DRILLING & BLASTING, LLC	112 RAVINE DRIVE STEWARTSVILLE, NJ 08886 908-454-1656	\$1,150,000.00	WBE/DBE NJ STATE
FOUNDATION TEST GROUP	11408 CROWRIDGE DRIVE, SUITE K OWINGS HILL, MD 21117 410-517-0715	\$50,000.00 <del>\$100,000.00</del>	WBE/DBE MDOT <i>lea</i>
<del>CENTURY PULSE CONST. LLC</del>	<del>9501 OLD MARLBORO PIKE UPPER MARLBORO, MD 20772 301-579-2073</del>	<del>\$7,000.00</del>	<del>WBE/DBE MDOT</del> <i>lea</i>

*LEAVE IN lea*

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)

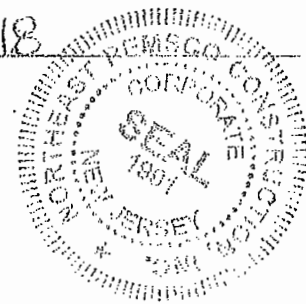


OMB Control No: 2090-0030  
Approved: 8/13/2013  
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Utilization Form

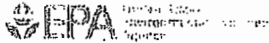
I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Print Contractor Signature	Print Name
	RELANJO ACOSTA
Title	Date
PRESIDENT	9.26.18



The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)



U.S. Environmental Protection Agency  
Form 313 (Rev. 11/88)

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

This form is intended to capture the DBE subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name: Dace Construction Corp Project Name: Hydraulic Imp. High Level Sanched Coll. Sys.  
 Bid/Proposal No.: SC 940 Assistance Agreement ID No. (if known): \_\_\_\_\_ Point of Contact: Pedro Ceate  
 Address: P.O. Box 425, HANOVER MD 21076 Email Address: Pedro@daceconstruction.com  
 Telephone No.: 410-760-9363 Issuing/Funding Entity: \_\_\_\_\_  
 Prime Contractor Name: Northeast Remco Construction, Inc.

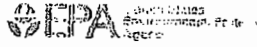
Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	open cut	\$711,000.00

DBE Certified By:  DWT  SBA Meets/exceeds EPA certification standards?  
 Other: WETA 03-100  YES  NO  Unknown

A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 11.204-33 (US). Certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 11.202.

Subcontractor is defined as a contractor that does not have any commercial relationship with a prime contractor or provide services pursuant to an EPA award or financial assistance.

EPA FORM 313 (Rev. 11/88) DBE Subcontractor Performance Form



Order No. 17-0900000  
Approved: 8/13/18  
Contract No. 17-0900000

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not constitute a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 23 Section 23.202 (c).

Prime Contractor Signature  
*Rolando Acosta*  
Title  
PRESIDENT

Print Name  
ROLANDO ACOSTA, PRESIDENT  
Date  
8-24-18

Subcontractor Signature  
*Pedro Couste*  
Title  
COO

Print Name  
Pedro Couste  
Date  
8/24/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

SEPA FORM 6100-3 (DBE Subcontractor Performance Form)



Office of Minority Business Enterprise  
Maryland's Official Certification Agency

**The MDDT Directory of Certified MBE, DBE, SBE and ACOBE Firms**

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

Firm Name:

DACO CONSTRUCTION CORPORATION

**237110 - MBE/DBE/SBE - WATER AND SEWER LINE AND RELATED STRUCTURES CONSTRUCTION**

SPECIFICALLY: UTILITY LINE, STORM WATER MANHOLD INLETS, METER VAULTS, AND STORM DRAINS

Minority Status - Cert # - Date:

HISPANIC AMERICAN  
08-120  
3/20/2008

**237310 - MBE/DBE/SBE - HIGHWAY, STREET, AND BRIDGE CONSTRUCTION**

SPECIFICALLY: SPECIFICALLY: CURBS, GUTTERS, SIDEWALKS, DRIVEWAYS, APRONS, CONCRETE STREET CONSTRUCTION

Address:

P O BOX 425  
HANOVER, MD 21076  
ANNE ARUNDEL COUNTY

**238910 - MBE/DBE/SBE - SITE PREPARATION CONTRACTORS**

SPECIFICALLY: EXCAVATION SITE PREPARATION

Contact:

OLIVIO LOPES

**238990 - MBE/DBE/SBE - ALL OTHER SPECIALTY TRADE CONTRACTORS**

SPECIFICALLY: SIDEWALK PAVERS, STAMPED CONCRETE, AND DETECTABLE WARNING SURFACES

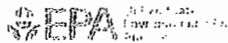
Phone - Fax - Email - Website:

(P) 410-760-9363  
(F) 410-760-9383  
[DACO@DACOCONSTRUCTION.COM](mailto:DACO@DACOCONSTRUCTION.COM)  
(no website listed)

References:

NO REFERENCE DATA ON RECORD

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[what is this?](#)



OMB Control No. 2070-0047  
 Approval # 97121-001  
 Special Agent 5792236

Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form

This form is to be used to capture the DBE subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name: Empire Landscape, LLC Project Name: Sanitary Contract 940  
 Bid/Proposal No.: SC940 Assistance Agreement ID No. (if known): \_\_\_\_\_ Point of Contact: Lynette Sciffidi  
 Address: 15717 New Hampshire Ave, Silver Spring, MD 20903  
 Telephone No.: 301-775-8651 Email Address: lsciffidi@empirelandscape.com  
 Prime Contractor Name: NORTHEAST REMED CONSTR. INC. Issuing/Funding Entity: \_\_\_\_\_

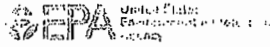
Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<u>Landscape Soil Erosion</u>	<u>\$420,000.00</u>

DBE Certified By:  NOT  EPA  Meets/exceeds EPA certification standards:  YES  NO  Unknown  
 Other: DOT DB-351

\* A DBE is a Disadvantaged Minority, or Women Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 23.204. It is not certified by EPA. EPA only accepts certifications from entities that are certified by EPA or other state sources described in 40 CFR 23.204.

Subcontractor certifies that the information provided is true and correct and that it is in agreement with the contractor to provide such information to EPA as a condition of award.

EPA Project # \_\_\_\_\_ DBE Subcontractor Performance Entry # \_\_\_\_\_



Date of this Form: 09/04/18  
Approved by: 13/2013  
Approved by: 07/12/15

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.307 (c).

Prime Contractor Signature  
*Rolando Acosta*  
Title  
President

Print Name  
ROLANDO ACOSTA  
Date  
9/4/18

Subcontractor Signature  
*Lynette Scattid*  
Title  
Managing Owner

Print Name  
Lynette Scattid  
Date  
9/4/18

The public reporting burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Executive Director, Strategies Division, U.S. Environmental Protection Agency (2802 R), 1201 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not mail the completed form to this address.

EPA Form 100-3 (DBE) (Approved for Enforcement Form)



MARYLAND DEPARTMENT OF TRANSPORTATION

Office of Minority Business Enterprise

Maryland's Official Certification Agency

in MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

Firm Detail

NAICS - Product and Service Description

Firm Name:

EMPIRE LANDSCAPE, LLC

Minority Status - Cert # - Date:

FEMALE  
08-351  
7/2/2008

Address:

15717 NEW HAMPSHIRE AVENUE  
SILVER SPRING, MD 20905  
MONTGOMERY COUNTY

Contact:

LYNETTE SCAFFIDI

Phone - Fax - Email - Website:

(P) 301-775-8651  
(F) 888-811-4481  
LSCAFFIDI@EMPIRELANDSCAPE.LLC.COM  
WWW.EMPIRELANDSCAPE.LLC.COM

References:

JEAWRIGHT HOMES, LLC  
7500 OLD GEORGETOWN ROAD, SUITE 725  
BETHESDA, MD 20814  
STEVEN SEAWRIGHT  
301-657-7101

HMF PAVING  
1565 TILCO DRIVE  
FREDERICK, MD 21704  
MIKE STRUBIE  
301-607-1100

DISSEN AND JUHN  
101 LOG CANOE CIRCLE, SUITE J  
STEVENSONVILLE, MD 21666  
RAY MCMASTER  
410-604-1802

115210 - MBE/DBE/SBE - FOREST NURSERIES AND GATHERING OF FOREST PRODUCTS

115310 - MBE/DBE/SBE - SUPPORT ACTIVITIES FOR FORESTRY  
(SPECIFICALLY: REFORESTATION AND FOREST MANAGEMENT; AFFORESTATION, AND INVASIVE PLANT MANAGEMENT)

237990 - MBE/DBE/SBE - OTHER HEAVY AND CIVIL ENGINEERING CONSTRUCTION  
(SPECIFICALLY: DIKE AND OTHER FLOOD CONTROL STRUCTURE CONSTRUCTION, DRAINAGE CONSTRUCTION, PARK AND RECREATIONAL OPEN SPACE IMPROVEMENT CONSTRUCTION, SEDIMENT CONTROL SYSTEM CONSTRUCTION, TRAIL CONSTRUCTION)

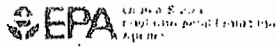
238910 - MBE/DBE/SBE - SITE PREPARATION CONTRACTORS  
(SPECIFICALLY: GRADING; DEWATERING, DIRT MOVING, EXCAVATION, LAND CLEARING, RIGHT OF WAY CUTTING)

425120 - MBE/DBE/SBE - WHOLESALE TRADE AGENTS AND BROKERS  
(SPECIFICALLY: EROSION CONTROL MATTINGS AND PRODUCTS, TREE MATS, COIR LOGS, PEAT POTS, ECO-MATTING OR COIR MATTING, BIO BARK TREE SHELTERS, AND BIODEGRADABLE ENVIRONMENTAL PLANTING PRODUCTS)

561730 - MBE/DBE/SBE - LANDSCAPING SERVICES  
(SPECIFICALLY: PLANT/TREE/BUSH MAINTENANCE, HYDROSEEDING, ARBORIST SERVICES; NATIVE AND ORNAMENTAL PERENNIAL, SHRUB AND TREE SERVICES, AND ENVIRONMENTAL PLANTING-LANDSCAPE AND HORTICULTURAL SERVICES, WETLAND PLANTING, STREAM-BANK STABILIZATION, DUNE RESTORATION, BIOFILTER AND BIORETENTION PLANTINGS, SILT FENCE INSTALLATION, SEEDING, EROSION CONTROL MATTING INSTALLATION, ARBORIST SERVICES)



July 2011



Contract No. 09B 0030  
Approved: 7/27/11  
Approval Expires: 7/27/11

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

This form is intended to capture the DBE subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <u>The Resources, Ltd</u>	Project Name <u>Hydraulic Imp. to High Level Sewerfall Coll. Syst.</u>
Bid/ Proposal No. <u>SC940</u>	Assistance Agreement ID No. (if known)
Address <u>11 Zephyr Court, P.O. Box 6, Sunny Hills, MD 2107</u>	Point of Contact <u>Shari Snyder / Gail Cohen</u>
Telephone No. <u>410 336 2661</u>	Email Address <u>gsnyder@resources.com</u>
Prime Contractor Name <u>NORTHEAST REUSCO CONST. INC.</u>	Issuing/Funding Entity

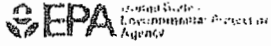
Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<u>CCTV</u>	<u>\$51,000.00</u>

DBE Certified By:  DOT  EPA Meets/exceeds EPA certification standards?  
 Other: UDOT 02-382  YES  NO  Unknown

A DBE is a disadvantaged minority or woman business enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 25.204-25.205 or certified by the EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 25.202

A subcontractor is defined as a business or an individual who enters into an agreement with a contractor to provide services or goods under a contract for the contractor's performance.

EPA Form #166-3 (DBE) Contract Subcontractor Performance Form



OMB Control No. 2090-0039  
Approved: 07/13/2017  
Approval Expires: 07/31/2019

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c)

Prime Contractor Signature  
*Rolando Acosta*  
Title  
PRESIDENT

Print Name  
ROLANDO ACOSTA  
Date  
9.10.18

Subcontractor Signature  
*Shirley Snyder*  
Title  
VP - operations

Print Name  
Shirley Snyder  
Date  
9.10.18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2622T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460 include the OMB control number in any correspondence. Do not send the completed form to this address.



**Office of Minority Business Enterprise**  
Maryland's Official Certification Agency

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**The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms**

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**Complete Firm Profile**

[Frequently Asked Questions](#)

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**Firm Detail**

**NAICS - Product and Service Description**

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**Firm Name:**

TFE RESOURCES, LTD.

**532490 - MBE/DBE/SBE - OTHER COMMERCIAL AND INDUSTRIAL MACHINERY AND EQUIPMENT RENTAL AND LEASING**  
SPECIFICALLY: LEASING OF EQUIPMENT USED FOR FLOW MONITORING SERVICES

**Minority Status - Cert # - Date:**

FEMALE  
08-362  
7/16/2008

**541620 - MBE/DBE/SBE - ENVIRONMENTAL CONSULTING SERVICES**  
SPECIFICALLY: EDUCATIONAL TRAINING AND CONSULTING SERVICES RELATING TO FLOW MEASUREMENT SERVICES AND CRITICAL ISSUES SURROUNDING THE MANAGEMENT OF SEWERS AND WATER

**Address:**

1250 BETHLEHEM PIKE  
HATFIELD, PA 19440

**541990 - MBE/DBE/SBE - ALL OTHER PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES**  
(SPECIFICALLY: PIPELINE INSPECTION (I.E., VISUAL) SERVICES)

**Contact:**

GAIL COHEN

**562998 - MBE/DBE/SBE - ALL OTHER MISCELLANEOUS WASTE MANAGEMENT SERVICES**  
(SPECIFICALLY: SEWER CLEANING AND RODDING SERVICES; SEWER CLEANOUT SERVICES)

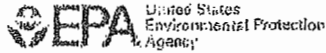
**Phone - Fax - Email - Website:**

(no phone listed)  
(F) 410-630-5335  
[GCOHEN@TFERESOURCES.COM](mailto:GCOHEN@TFERESOURCES.COM)  
[WWW.TFERESOURCES.COM](http://WWW.TFERESOURCES.COM)

**References:**

NO REFERENCE DATA ON RECORD

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EPA Control No: 2020-0030  
 Approved: 8/13/2012  
 Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form

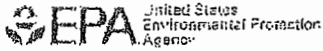
This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <i>Atlantic Traffic Safety, Inc</i>		Project Name <i>Hydraulic Imp to High Level Sewershed Collection</i>	
Bid/ Proposal No. <i>SC 940</i>	Assistance Agreement ID No. (if known)	Point of Contact <i>Angela Gould</i>	
Address <i>9903 Quail Run Lane Ocean City, MD 21842</i>			
Telephone No. <i>443-703-3088</i>		Email Address <i>atsma@outlook.com</i>	
Prime Contractor Name <i>Northeast Remsco Construction, Inc.</i>		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<i>Maintenance of Traffic</i>	<i>\$ 450,000.00</i>
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA		Meets/exceeds EPA certification standards?
<input checked="" type="checkbox"/> Other: <i>MDDOT 09-553</i>		<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Unknown <i>n/a</i>

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No. 2090-0030  
Approved 8/13/2013  
Approval Expires 8/31/2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

<i>Rolando Acosta</i> Prime Contractor Signature	Print Name
	Rolando E. Acosta
Title	Date
President	8-27-18

<i>Angela Gould</i> Subcontractor Signature	Print Name
	Angela Gould
Title	Date
President	8/27/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



**Office of Minority Business Enterprise**  
Maryland's Official Certification Agency

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**The MDOT Directory of Certified MBE, DBE, SBE and ACOBE Firms**

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**Complete Firm Profile**

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

Firm Name:

ATLANTIC TRAFFIC SAFETY, INC.

**339950 - MBE/DBE/SBE - SIGN MANUFACTURING**

(SPECIFICALLY: DESIGN AND MANUFACTURING OF TEMPORARY AND PERMANENT CONSTRUCTION AND ROAD SIGNS)

Minority Status - Cert # - Date:

FEMALE  
09-553  
9/21/2009

**532490 - MBE/DBE/SBE - OTHER COMMERCIAL AND INDUSTRIAL MACHINERY AND EQUIPMENT**

RENTAL AND LEASING  
(SPECIFICALLY: RENTAL OF SIGN BOARDS, PROTECTION VEHICLES, ARROW BOARDS, TRAFFIC CONES, BARRELS)

Address:

9903 QUAIL RUN LANE  
OCEAN CITY, MD 21842  
WORCESTER COUNTY

**561990 - MBE/DBE/SBE - ALL OTHER SUPPORT SERVICES**

(SPECIFICALLY: MAINTENANCE OF TRAFFIC, TRAFFIC SAFETY, FLAGGING CREW, PROTECTION VEHICLES, RENTAL OF TRAFFIC CONES, DRUMS, ARROW PANELS)

Contact:

ANGELA GOULD

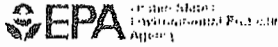
Phone - Fax - Email - Website:

(P) 443-783-3088  
(F) 443-684-6025  
[ATLANTICTRAFFICSAFETY@LIVE.COM](mailto:ATLANTICTRAFFICSAFETY@LIVE.COM)  
[WWW.ATLANTICTRAFFICSAFETY.COM](http://WWW.ATLANTICTRAFFICSAFETY.COM)

References:

NO REFERENCE DATA ON RECORD

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DBE Control No. 2096-06.0  
 Approved 12/1/2007  
 Approval Expires 8/31/2011

Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form

This form is intended to capture the DBE subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name Fallsway Construction Company LLC		Project Name SC 940-Hydraulic Improvements to the High Level Sewershed Collection System.
Bid/ Proposal No. S.C. 940	Assistance Agreement ID No. (if known)	Point of Contact Karen Tisdale
Address 2630 Hafer Street, Baltimore, MD 21233		
Telephone No. 410-225-9994	Email Address karen@fallswayconstruction.com	
Prime Contractor Name Northeast Remsco Construction Inc	Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	Asphalt Milling & Paving, Trucking/Hauling	\$920,295.00

DBE Certified By  DOT  SBA  Other: MDOT 03-023

Meets/exceeds EPA certification standards?  YES  NO  Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority or Woman Business Enterprise that has been certified by an entity from which EPA accepts certification as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No: 2096-0030  
Approved: 6/13/2011  
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 133 Section 133.302 (c).

<b>Prime Contractor Signature</b> <i>Rolando Acosta</i>	<b>Print Name</b> ROLANDO ACOSTA
<b>Title</b> PRESIDENT	<b>Date</b> 9-11-18
<b>Subcontractor Signature</b> <i>Karen Tisdale</i>	<b>Print Name</b> Karen Tisdale
<b>Title</b> President	<b>Date</b> 09/11/2018

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C., 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.





**Office of Minority Business Enterprise**  
 Maryland's Official Certification Agency

**The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms**

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

Firm Name:

FALLSWAY CONSTRUCTION CO., LLC

**236220 - MBE/DBE/SBE - COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRUCTION**  
 (SPECIFICALLY: CONSTRUCTION MANAGEMENT)

Minority Status - Cert # - Date:

AFRICAN AMERICAN / FEMALE  
 03-023  
 1/23/2003

**237110 - MBE/DBE/SBE - WATER AND SEWER LINE AND RELATED STRUCTURES CONSTRUCTION**  
 (SPECIFICALLY: SITE UTILITIES - SANITARY SEWER, DOMESTIC WATER, AND STORM DRAINAGE)

Address:

2630 HAFER STREET  
 BALTIMORE, MD 21223  
 BALTIMORE CITY COUNTY

**237310 - MBE/DBE/SBE - HIGHWAY, STREET, AND BRIDGE CONSTRUCTION**  
 (SPECIFICALLY: HIGHWAY AND ROAD MILLING GRINDING SERVICES)

Contact:

KAREN TISDALE

**238910 - MBE/DBE/SBE - SITE PREPARATION CONTRACTORS**  
 (SPECIFICALLY: EXCAVATION, EARTHMOVING, OR LAND CLEARING CONTRACTORS, DEMOLITION CONTRACTOR)

Phone - Fax - Email - Website:

(P) 410-225-8994  
 (F) 410-225-3782  
[INFO@FALLSWAYCONSTRUCTION.COM](mailto:INFO@FALLSWAYCONSTRUCTION.COM)  
[WWW.FALLSWAYCONSTRUCTION.COM](http://WWW.FALLSWAYCONSTRUCTION.COM)

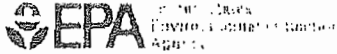
**238990 - MBE/DBE/SBE - ALL OTHER SPECIALTY TRADE CONTRACTORS**  
 (SPECIFICALLY: ASPHALT AND CONCRETE PAVING, CURBS, GUTTERS AND SIDEWALK)

**484110 - MBE/DBE/SBE - GENERAL FREIGHT TRUCKING, LOCAL**  
 (SPECIFICALLY: HAULING AND DISPOSAL BY DUMP TRUCK)

References:

NO REFERENCE DATA ON RECORD

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U.S. Environmental Protection Agency  
 Office of Water  
 400 Michigan Avenue, NE  
 Washington, DC 20460

Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form

This form is intended to capture the higher subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in its prime contractor's bid or proposal package.

Subcontractor Name <b>PDR COMMERCIAL PHOTOGRAPHERS LTD DBA BERNSTEIN ASSOCIATES</b>		Project Name <b>Hydraulic Imp to High Level Sewershed Collection</b>
Bid/ Proposal No. <b>SC 946</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>Alan Kazan</b>
Address <b>228 SOUTH BROADWAY TARRYTOWN NY 10591</b>		
Telephone No. <b>914.674.9100</b>	Email Address <b>info@bernsteinassociates.com</b>	
Prime Contractor Name <b>Northeast Renssco Construction, Inc.</b>		Issuing/Funding Entity:

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
<b>013233</b>	<b>photography</b>	<b>\$10,950.00</b>
DBE Certified By: <input checked="" type="checkbox"/> DDB <input type="checkbox"/> DBA <input type="checkbox"/> MBE/ exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown <input type="checkbox"/> Other: <b>LDZI 12-12-15</b>		

A recipient of EPA financial assistance that has been certified by its entity (as defined by EPA) as a disadvantaged business enterprise (DBE) must require its DBE subcontractors to complete this form and include all completed forms in its prime contractor's bid or proposal package.

This form is intended to capture the higher subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in its prime contractor's bid or proposal package.

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

<i>Rolando Acosta</i> Prime Contractor Signature	Print Name Rolando E. Acosta
Title President	Date 8.10.18

<i>Lauree Denard</i> Subcontractor Signature	Print Name LAUREE DENARD
Title PRESIDENT	Date 8.10.18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822<sup>nd</sup>), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



**Office of Minority Business Enterprise**  
Maryland's Official Certification Agency

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**The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms**

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[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

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**Firm Name:**

**541922 - DBE/SBE-ONLY - COMMERCIAL PHOTOGRAPHY**

**PDK COMMERCIAL PHOTOGRAPHERS LTD  
DBA BERNSTEIN ASSOCIATES**

**Minority Status - Cert # - Date:**

**FEMALE  
14-645  
12/11/2014**

**Address:**

**828 SOUTH BROADWAY  
TARRYTOWN, NY 10591**

**Contact:**

**ALAN KAZIN**

**Phone - Fax - Email - Website:**

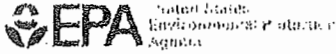
**(P) 914-674-9100  
(F) 914-835-6161  
[ALAN@BERNSTEINASSOCIATES.COM](mailto:ALAN@BERNSTEINASSOCIATES.COM)  
[WWW.BERNSTEINASSOCIATES.COM](http://WWW.BERNSTEINASSOCIATES.COM)**

**References:**

**NO REFERENCE DATA ON RECORD**

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State of South Carolina  
 Department of Transportation  
 Approval No. 2015-0001  
 Approval Expires 03/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>THE VANN ORGANIZATION, INC.</b>		Project Name <b>Hydraulic Imp to High Level Sewershed Collection</b>	
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>Greg Vann</b>	
Address: <b>11 SAYER AVENUE, CHERRY HILL, NJ 08002</b>			
Telephone No. <b>856/486-4440</b>		Email Address: <b>melloe@vannorg.com</b>	
Prime Contractor Name <b>Northeast Remsco Construction, Inc.</b>		Issuing/Funding Entity:	

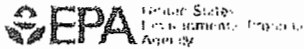
Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	CPM SCHEDULING	\$25,000.00

DBE Certified by  EPA  SBA  
 Other: **WDOT 97-021**

Meets/exceeds EPA certification standards?  
 YES  NO  Unknown

A DBE is a Disadvantaged Minority or Women Business Enterprise that has been certified by an entity from which EPA accepts certification as described in 40 CFR 33.204-31. EPA also accepts certification from entities that meet or exceed EPA certification standards as described in 40 CFR 33.204.

Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No. 2050-0050  
Approved By: 10/2011  
Approval Expires: 10/11/2013

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 13 Section 13.302 (c)

<i>Rolando Acosta</i> Prime Contractor Signature	Print Name Rolando E. Acosta
Title President	Date 9.10.18

<i>Gregory A. Vann</i> Subcontractor Signature	Print Name GREGORY A. VANN
Title PRESIDENT	Date 09/10/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on this Agency's need for this information, the accuracy of the provided burden estimate, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (28721), 12th Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



# Office of Minority Business Enterprise

Maryland's Official Certification Agency

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[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

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Firm Name:

VANN ORGANIZATION INC., THE

**237990 - MBE/DBE/SBE - OTHER HEAVY AND CIVIL ENGINEERING CONSTRUCTION**  
(SPECIFICALLY; CONSTRUCTION MANAGEMENT SERVICES, PROJECT MANGEMENT SERVICES, ESTIMATING, INSPECTION, CLAIMS ANALYSIS, CONSTRUCTION QUALITY CONTROL MANAGEMENT, CRITICAL PATH METHOD SCHEDULING)

Minority Status - Cert # - Date:

AFRICAN AMERICAN  
97-021  
1/22/1997

Address:

11 SAYER AVENUE  
CHERRY HILL, NJ 08002

Contact:

GREGORY A. VANN

Phone - Fax - Email - Website:

(P) 856-486-4440  
(F) 856-486-1301  
[MELLOE@VANNORG.COM](mailto:MELLOE@VANNORG.COM)  
(no website listed)

References:

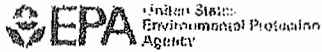
GARDINER & GARDINER  
2124 PRIEST BRIDGE ROAD  
CROFTON, MD 21114  
JIM GARDINER  
410-793-3922

DON TODD ASSOC., INC.  
CHERRY TREE CORP. CNTR. - 535 RTE 38 EAST,  
STE 510  
CHERRY HILL, NJ 08002  
TED CHANDLER  
856-663-2532

DRISCOLL CONSTRUCTION, INC.  
809 N. BETHLEHEM PIKE  
SPRING HOUSE, PA 19477  
HANK GARFIELD  
215-828-4600

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DBE Control No. 4896-0130  
 Approved: 6/13/17  
 Approval Expires: 8/31/2018

Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form

This form is intended to capture the DBE subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name: <u>JEM Enterprises, Inc.</u>		Project Name: <u>Hydraulic Imp to High Level Sewershed Collection</u>
Bid/ Proposal No.: <u>SC 940</u>	Assistance Agreement ID No. (if known):	Point of Contact: <u>Kathy Palmer</u>
Address: <u>2882 Florence Rd, Woodbine, Md 21797</u>		
Telephone No.: <u>410 255-4650</u>	Email Address: <u>epbat2882@verizon.net</u>	
Prime Contractor Name: <u>Northeast Remsco Construction, Inc.</u>		Issuing/Funding Entity:

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<u>Portable toilet Rentals/ Servicing, Septic tank pumping</u>	<u>\$85 per month</u> <u>subject to one hour</u> <u>of work per week</u> <u>cleaning</u> <u>\$10,000.00</u>
DBE Certified By: <input checked="" type="checkbox"/> DOT <input checked="" type="checkbox"/> SBA		Meets/ exceeds EPA certification standards? <sup>1</sup>
<input checked="" type="checkbox"/> Other: <u>Porto City</u> <u>MDOT 03-173</u>		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certification as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certification from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c)

<i>Rolando Acosta</i> Prime Contractor Signature	Print Name
	Rolando E. Acosta
Title	Date
President	9/10/18

<i>Kathy Palmer</i> Subcontractor Signature	Print Name
	Kathy Palmer
Title	Date
President	9/10/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



**Office of Minority Business Enterprise**  
Maryland's Official Certification Agency

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**The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms**

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**Complete Firm Profile**

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

---

**Firm Name:**

JEM ENTERPRISES, INC.  
T/A GLOBE SANITATION

**562991 - MBE/DBE/SBE - SEPTIC TANK AND RELATED SERVICES**

(SPECIFICALLY: REPAIR SHOPS AND RELATED SERVICES; PORTABLE TOILET RENTING AND/OR SERVICING)

**Minority Status - Cert # - Date:**

FEMALE  
03-273  
6/18/2003

**Address:**

2882 FLORENCE ROAD  
WOODBINE, MD 21787  
CARROLL COUNTY

**Contact:**

KATHY PALMER

**Phone - Fax - Email - Website:**

(P) 410-442-5516  
(F) 410-442-8295  
[CPKAT2882@VERIZON.NET](mailto:CPKAT2882@VERIZON.NET)  
(no website listed)

**References:**

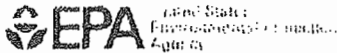
BELLO MACHRE  
P.O. BOX 979  
PASADENA, MD 21123  
WAYNE HEPTING  
410-255-3805

GIBSON ISLAND CORPORATION  
P.O. BOX 600  
GIBSON ISLAND, MD 21056  
DENVER SANNER  
410-255-7632

MARYLAND AVIATION ADMINISTRATION  
P.O. BOX 8766  
BWI AIRPORT, MD 21240  
JAMES POPPINGA  
410-859-7025

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Individuals must be approved by the Regional Office before approval for work approval purposes.

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form**

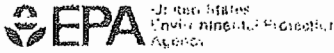
The form is intended to capture the DBE subcontractor's description of work to be performed and the price of the work contributed to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>JJ Adams Fuel Oil Co., LLC</b>		Project Name <b>Hydraulic Imp to High Level Sewershed Collection</b>	
BBF/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>Kenneth Adams</b>	
Address <b>2113 W. Lafayette Ave. Baltimore, MD 21217</b>			
Telephone No. <b>410-922-2600</b>		Email Address <b>jjadamsfuel@verizon.net</b>	
Prime Contractor Name <b>Northeast Remsco Construction, Inc.</b>		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	Diesel Fuel	\$582,895.00
DBE's certified by: <input checked="" type="checkbox"/> DBE <input type="checkbox"/> Non-DBE <input type="checkbox"/> Other <b>NAOT 04-2005</b>		Meets/exceeds EPA certification standards: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

A DBE is a disadvantaged, minority or women-owned business enterprise that has been certified by an entity from which EPA accepts certification. See 40 CFR 118.15-204. A 205 is a certified DBE. EPA accepts certification from entities that meet or exceed EPA certification standards. See 40 CFR 118.20.

\* Subcontractor is defined as a company, firm, joint venture or individual who enters into an agreement with a contractor to provide services provided to an EPA project of financial assistance.



OMB Control No. 2000-0138  
Approved by 13720-3  
Approval Expires 8-31-2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractor named. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the requirements set forth in 40 CFR Part 33 Section 33.302 (c)

<i>Rolando Acosta</i> Prime Contractor Signature	Print Name Rolando E. Acosta
Title President	Date 8-31-18

<i>Kenneth Adams</i> Subcontractor Signature	Print Name Kenneth Adams
Title Managing Member	Date August 31, 2018

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's view of the information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, DC 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



**Office of Minority Business Enterprise**  
Maryland's Official Certification Agency

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**The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms**

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[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

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Firm Name:

JJ ADAMS FUEL OIL COMPANY, LLC

**454310 - MBE/DBE/SBE - FUEL DEALERS**

(SPECIFICALLY: FUEL OIL (I.E., HEATING) DEALERS, DIRECT SELLING & FUEL OIL DELIVERY SERVICE INCLUDING SERVICING AND FUELING OF CONSTRUCTION EQUIPMENT))

Minority Status - Cert # - Date:

AFRICAN AMERICAN  
09-265  
5/19/2009

Address:

2113 WEST LAFAYETTE AVENUE  
BALTIMORE, MD 21217  
BALTIMORE COUNTY

Contact:

JETHRO ADAMS

Phone - Fax - Email - Website:

(P) 410-922-2600  
(F) 410-566-1397  
[JJADAMSFUEL@VERIZON.NET](mailto:JJADAMSFUEL@VERIZON.NET)  
[WWW.JJADAMSFUEL.COM](http://WWW.JJADAMSFUEL.COM)

References:

HOUSING AUTHORITY OF BALTIMORE CITY  
417 E. FAYETTE STREET  
BALTIMORE, MD 21202  
MR. JOHN AIREY  
410-396-3261

CARP SECA CORPORATION  
602 WYMAN PARK DRIVE  
BALTIMORE, MD 21211  
STEVE LEIOS  
410-366-3704

MASCO CONTRACTORS, INC.  
44250 NORTH POINT BLVD  
SPAROWS POINT, MD 21219  
LAURA MASCO  
410-288-5000

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July 2017



OMB Control No: 2000-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

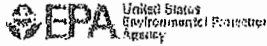
Subcontractor Name R&R Contracting Utilities, Inc.		Project Name Hydraulic Improvements To The High Level Sewershed Collection	
Bid/ Proposal No. SC 890	Assistance Agreement ID No. (if known)	Point of Contact Richard DiPietro	
Address 1601 Shakespeare Street Baltimore, MD 21231			
Telephone No. 410-327-2421		Email Address Richd@Randrcontracting.com	
Prime Contractor Name Northeast Remesco Construction, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	Sitework & Utilities	\$3,975,000.00
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA <input type="checkbox"/> Other: <u>MDOT 02-A12</u>		Meets/exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)



OMB Control No: 2096-0038  
Approved: 8/13/2017  
Approval Expires: 8/31/2018

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

<i>Relando Acosta</i> Prime Contractor Signature	Relando Acosta Print Name
President Title	9.10.18 Date
<i>Jennifer DiPietro</i> Subcontractor Signature	Jennifer DiPietro Print Name
President Title	9-10-18 Date

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA FORM 6100-2 DBE Subcontractor Performance Form



# Office of Minority Business Enterprise

Maryland's Official Certification Agency

## in MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

Firm Name:

R & R CONTRACTING UTILITIES, INC.

237110 - MBE/DBE/SBE - WATER AND SEWER LINE AND RELATED STRUCTURES CONSTRUCTION (SPECIFICALLY: WATER, SEWER, PIPELINE, AND COMMUNICATIONS, POWER LINE CONSTRUCTION)

Minority Status - Cert # - Date:

FEMALE  
02-412  
9/13/2002

Address:

16604 NORBECK FARM DRIVE  
OLNEY, MD 20832  
MONTGOMERY COUNTY

Contact:

JENNIFER DIPIETRO

Phone - Fax - Email - Website:

(P) 301-774-1691  
(F) 301-774-1692  
[JDIPIE1@RRCU.COM](mailto:JDIPIE1@RRCU.COM)  
(no website listed)

References:

NO REFERENCE DATA ON RECORD

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July 2017



OMB Control No: 2090-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name East Bay Construction & Services 1, LLC		Project Name Hydraulic Imp to High Level Sewershed Collection S	
Bid/ Proposal No. SC 940	Assistance Agreement ID No. (if known)	Point of Contact BRIAN HARRIS	
Address 9103 Woodmore Centre Dr #404 Lanham, Md. 20706			
Telephone No. 443-244-0449		Email Address scoates@calleastbay.com	
Prime Contractor Name Northeast Remsco Construction, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	Saw Cutting	\$52,000.00
DBE Certified By: <input checked="" type="radio"/> DOT <input type="radio"/> SBA <input checked="" type="checkbox"/> Other: MDOT MBE, Baltimore SLBE 17-331		Meets/ exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



U.S. Environmental Protection Agency  
Office of Small Business Administration  
401 R Street, SW  
Washington, DC 20460

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that, in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 49 CFR Part 15, Section 15.407(f).

Prime Contractor Signature <i>Rolando Acosta</i>	Print Name Rolando E. Acosta
Title President	Date 9.10.18

Subcontractor Signature <i>Stephen Coates</i>	Print Name Stephen Coates
Title Operations Manager	Date September 10, 2018

The public reporting burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2602) 12240, Pennsylvania Ave., NW, Washington, DC 20460. Include the OMB control number in any correspondence. Send the completed form to this address.



**Office of Minority Business Enterprise**  
 Maryland's Official Certification Agency

**The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms**

**Complete Firm Profile**

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

**Firm Name:**

EAST BAY CONSTRUCTION & SERVICES 1, LLC  
 EAST BAY CONSTRUCTION

**237310 - MBE/DBE/SBE - HIGHWAY, STREET, AND BRIDGE CONSTRUCTION**  
 (SPECIFICALLY: ASPHALT/ CONCRETE PAVING [I.E., HIGHWAY, ROAD, STREET, PUBLIC SIDEWALK], CURBS AND STREET GUTTERS, PAINTING LINES, PAINTING TRAFFIC LINES OR PARKING LOTS, POT HOLE FILLING, RESURFACING)

**Minority Status - Cert # - Date:**

AFRICAN AMERICAN  
 17-331  
 7/3/2017

**238110 - MBE/DBE/SBE - POURED CONCRETE FOUNDATION AND STRUCTURE CONTRACTORS**  
 (SPECIFICALLY: CONCRETE FINISHING, POURING, REPAIR)

**Address:**

9103 WOODMORE CENTRE DR  
 LANHAM, MD 20708  
 PRINCE GEORGE'S COUNTY

**238120 - MBE/DBE/SBE - STRUCTURAL STEEL AND PRECAST CONCRETE CONTRACTORS**  
 (SPECIFICALLY: CONCRETE REINFORCEMENT PLACEMENT, PLACING AND TYING REINFORCING ROD AT A CONSTRUCTION SITE, REINFORCING ROD, BAR, MESH AND CAGE INSTALLATION)

**Contact:**

STEPHEN COATES

**238990 - MBE/DBE/SBE - ALL OTHER SPECIALTY TRADE CONTRACTORS**  
 (SPECIFICALLY: ASPHALTING, RESIDENTIAL AND COMMERCIAL DRIVEWAY AND PARKING AREA, CONCRETE PAVING, CONCRETE SAWING AND DRILLING [EXCEPT DEMOLITION], CURB AND GUTTER CONSTRUCTION)

**Phone - Fax - Email - Website:**

(P) 443-244-0449  
 (F) 301-638-7272  
[SCOATES@CALLEASTBAY.COM](mailto:SCOATES@CALLEASTBAY.COM)  
[WWW.CALLEASTBAY.COM](http://WWW.CALLEASTBAY.COM)

**References:**

NO REFERENCE DATA ON RECORD



OMB Control No: 2090-0030  
 Approved: 8/ 13/ 2013  
 Approval Expires: 8/ 31/ 2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

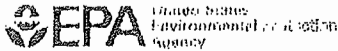
This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name Bryant Associates, Inc.		Project Name Hydraulic Imp to High Level Sewershed Coll Sys	
Bid/ Proposal No. SC-940	Assistance Agreement ID No. (if known) unknown	Point of Contact Jeffrey C. Bryant, PE / CEO	
Address 8201 Corporate Drive, Suite 280, Landover, MD 20785			
Telephone No. (301) 731-4808, x2372		Email Address jcbryant@bryant-engrs.com	
Prime Contractor Name Northeast Remsco Construction, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	Surveying	<del>\$95,000.00</del> \$125,000.00 <i>lea</i>
DBE Certified By: <input checked="" type="radio"/> DOT <input type="radio"/> SBA <input type="radio"/> Other: <u>MDOT 82-008</u>		Meets/ exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No: 2060-008  
Approved: 3/13/2018  
Approval Expires: 3/31/2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.202 (c).

Prime Contractor Signature <i>Rolando Acosta</i>	Print Name Rolando Acosta
Title President	Date 9.11.18

Subcontractor Signature <i>JCB</i>	Print Name Jeffrey C. Bryant, PE
Title CEO	Date 9/11/2018

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



MARYLAND DEPARTMENT  
OF TRANSPORTATION

Office of Minority Business Enterprise

Maryland's Official Certification Agency

MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

Firm Name:

BRYANT ASSOCIATES, INC.

236230 - MBE/DBE/SBE - COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRUCTION

Minority Status - Cert # - Date:

AFRICAN AMERICAN  
82-008  
1/4/1982

237110 - MBE/DBE/SBE - WATER AND SEWER LINE AND RELATED STRUCTURES CONSTRUCTION

237310 - MBE/DBE/SBE - HIGHWAY, STREET, AND BRIDGE CONSTRUCTION

Address:

90 CANAL STREET, SUITE 301  
BOSTON, MA 02114

237990 - MBE/DBE/SBE - OTHER HEAVY AND CIVIL ENGINEERING CONSTRUCTION  
(SPECIFICALLY: CONSTRUCTION MANAGEMENT SERVICES)

Contact:

JEFFERY BRYANT

541330 - MBE/DBE/SBE - ENGINEERING SERVICES  
(SPECIFICALLY: CONSULTING CIVIL ENGINEERS SPECIALIZING IN TRANSPORTATION, CIVIL, SITE, STRUCTURAL, TRAFFIC, AND MARINE ENGINEERING)

Phone - Fax - Email - Website:

(P) 617-248-0300  
(F) 617-248-0212  
[JBRYANT@BRYANT-ENGRS.COM](mailto:JBRYANT@BRYANT-ENGRS.COM)  
[WWW.BRYANT-ENGRS.COM](http://WWW.BRYANT-ENGRS.COM)

541370 - MBE/DBE/SBE - SURVEYING AND MAPPING (EXCEPT GEOPHYSICAL) SERVICES

541990 - MBE/DBE/SBE - ALL OTHER PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES

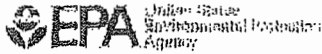
References:

DISTRICT OF COLUMBIA WATER AND SEWER  
AUTHORITY  
5000 OVERLOOK AVENUE, SW  
WASHINGTON, DC 20632  
DAVID MCLAUGHLIN, P.E.  
202-787-2401

BOSTON REDEVELOPMENT AUTHORITY  
10 DRYDOCK AVENUE  
BOSTON, MA 02210  
WILLIAM BARBATO, P.E.  
617-918-6212

MASSACHUSETTS PORT AUTHORITY  
ONE HARBORSIDE DRIVE  
EAST BOSTON, MA 02128  
CARL SCIPLE, P.E.  
617-973-5500

July 2017



OMB Control No. 1545-0047  
 Approved: 3/18/2013  
 Approval Expires: 3/31/2015

Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form

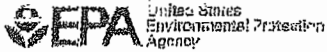
This form is intended to capture the DBE subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <u>Ed Wean Drilling &amp; Blasting, LLC</u>		Project Name <u>Hydraulic Imp to High Level Sewershed Collection</u>	
Bid/ Proposal No. <u>SC 940</u>	Assistance Agreement ID No. (if known)	Point of Contact <u>Heather Havlik</u>	
Address <u>112 Ravine Rd Stewartsville NJ 08886</u>			
Telephone No. <u>908-454-1650</u>		Email Address <u>heather.wean@edwean.com</u>	
Prime Contractor Name <u>Northeast Remco Construction, Inc.</u>		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<u>BLASTING</u>	<u>\$1,150,000.00</u>
<u>cert # A0071-12-</u>		
DBE Certified By: <input type="radio"/> DOT <input checked="" type="radio"/> SBA		Mects/ exceeds EPA certification standards?
<input checked="" type="radio"/> Other: <u>WBE / cert # 72337-15</u> <u>WJ SBA</u>		<input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certification as described in 40 CFR 23.204-3.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 23.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No.: 2050-0039  
Approved: 8/13/2013  
Approval Expires: 8/13/2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 93 Section 33.302 (c).

Prime Contractor Signature <i>Rolando Acosta</i>	Print Name Rolando E. Acosta
Title President	Date 8-28-18

Subcontractor Signature <i>Heather Haylik</i>	Print Name Heather Haylik
Title Managing Partner	Date 8-28-18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.





State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF THE TREASURY  
DIVISION OF REVENUE AND ENTERPRISE SERVICES  
10 WEST STATE STREET 8TH FLOOR  
P.O. BOX 002  
TRENTON, NEW JERSEY 08633-0026  
PHONE: 609-292-2110 FAX: 609-984-6070

ELIZABETH MAHER MCGINN  
*Acting State Treasurer*

SHEILA V. OLIVER  
*Comptroller*

JAMES J. FRUSCIONE  
*Director*

CERTIFIED

*under the*

Small Business Set-Aside Act and Minority and Women Certification Program

This certificate acknowledges ED WEAN DRILLING AND BLASTING LLC is a WBE owned and controlled company, which has met the criteria established by N.J.A.C. 17:46.

This certification will remain in effect for three years. Annually the business must submit, not more than 20 days prior to the anniversary of the certification approval, an annual verification statement in which it shall attest that there is no change in the ownership, control or any other factor of the business affecting eligibility for certification as a minority or women-owned business

If the business fails to submit the annual verification statement by the anniversary date, the certification will lapse and the business will be removed from the SAVI that lists certified minority and women-owned business. If the business seeks to be certified again, it will have to reapply and pay the \$100 application fee. In this case, a new application must be submitted prior the expiration date of this certification.



Peter Lowicki  
Deputy Director

Issued August 7, 2016  
Certificate Number: 72238-19

Expiration: August 6, 2019



MARYLAND DEPARTMENT OF TRANSPORTATION

# Office of Minority Business Enterprise

Maryland's Official Certification Agency

## MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

Firm Name:

FOUNDATION TEST GROUP, INC.

541300 - MBE/DBE/SBE - ENGINEERING SERVICES

SPECIFICALLY: SPECIFICALLY: GEOLOGICAL ENGINEERING SERVICES

Minority Status - Cert # - Date:

FEMALE  
03-352  
8/8/2003

541300 - MBE/DBE/SBE - TESTING LABORATORIES

SPECIFICALLY: INCLUDING FIELD TESTING, HYDROLOGICAL TESTING, NON-DESTRUCTIVE TESTING TECHNIQUES, AND CONSTRUCTION MATERIAL TESTING SERVICES LIMITED TO SAMPLE COLLECTION ONLY)

Address:

11408 CRONRIDGE DRIVE, SUITE K  
OWINGS MILLS, MD 21117  
BALTIMORE COUNTY

Contact:

DIANA L. GOODWIN

Phone - Fax - Email - Website:

(P) 410-517-0715  
(F) 410-517-0716  
INFO@FOUNDATIONTESTGROUP.COM  
(no website listed)

References:

BALTIMORE LUTHERAN SCHOOL  
1145 CONCORDIA DRIVE  
TOWSON, MD 21286  
RANDY GAST  
410-825-2323

FROEHLING & ROBERTSON  
7798 WATERLOO ROAD  
JESSUP, MD 20794  
ROBERT MASHEWSKE  
443-733-1011

MCKINNEY DRILLING  
P.O. BOX 294  
COLMAR, PA 18915-0294  
MARTIN MCDERMOTT  
215-643-0238

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July 2017



OMB Control No: 2090-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name Century Fence Construction		Project Name Hydraulic Imp to High Level Sewershed Collection S	
Bid/ Proposal No. SC 940	Assistance Agreement ID No. (if known)	Point of Contact BRIDGET BURNS	
Address 9501 Old Marlboro Pike Upper Marlboro Md 20772			
Telephone No. 301-599-2073		Email Address kohara@centuryfence.net	
Prime Contractor Name Northeast Remsco Construction, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	FENCING	\$7,000.00
DBE Certified By: <input checked="" type="radio"/> DOT <input type="radio"/> SBA <input type="radio"/> Other: <u>MDOT 98-169</u>		Meets/ exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

<i>Rolando Acosta</i> Prime Contractor Signature	Print Name
	Rolando E. Acosta
Title	Date
President	9-12-18

<i>Bridget Burns</i> Subcontractor Signature	Print Name
	Bridget Burns
Title	Date
Bridget R. Burns Managing Member	9/12/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



# Office of Minority Business Enterprise

Minority Business Enterprise Agency

## MDOT Directory of Certified MBE, DBE, SBE, and ACDBE Firms

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

**Firm Detail**

**NAICS - Product and Service Description**

**Firm Name:**

CENTURY FENCE CONSTRUCTION LLC

237210 - MBE/DBE/SBE - HIGHWAY, STREET, AND BRIDGE CONSTRUCTION (SPECIFICALLY: GUARDRAIL CONSTRUCTION)

**Minority Status - Cert # - Date:**

FEMALE  
98-169  
5/6/1998

238990 - MBE/DBE/SBE - ALL OTHER SPECIALTY TRADE CONTRACTORS (SPECIFICALLY: FENCE CONSTRUCTION, ALL KINDS; PLAYGROUND EQUIPMENT INSTALLATION))

**Address:**

9501 OLD MARLBORO PIKE  
UPPER MARLBORO, MD 20772  
PRINCE GEORGE'S COUNTY

423310 - MBE/DBE/SBE - OTHER CONSTRUCTION MATERIAL MERCHANT WHOLESALERS (SPECIFICALLY: FENCING MATERIALS, GUARD RAIL MATERIALS AND SITE AMENITIES)

**Contact:**

BRIDGET R. BURNS

**Phone - Fax - Email - Website:**

(P) 301-599-2073  
(F) 301-599-2077  
BBURNS@CENTURYFENCE.COM  
WWW.CENTURYFENCECONSTRUCTION.COM

425120 - MBE/DBE/SBE - WHOLESALE TRADE AGENTS AND BROKERS

**References:**

NO REFERENCE DATA ON RECORD

Click to MDOT's Annual Review Document Portal  
and is free.

\* To be completed if awarded project.



OMB Control No: 2090-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Participation Form**

An EPA Financial Assistance Agreement Recipient must require its prime contractors to provide this form to its DBE subcontractors. This form gives a DBE<sup>1</sup> subcontractor<sup>2</sup> the opportunity to describe work received and/or report any concerns regarding the EPA-funded project (e.g., in areas such as termination by prime contractor, late payments, etc.). The DBE subcontractor can, as an option, complete and submit this form to the EPA DBE Coordinator at any time during the project period of performance.

Subcontractor Name		Project Name	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address			
Telephone No.		Email Address	
Prime Contractor Name		Issuing/Funding Entity:	

Contract Item Number	Description of Work Received from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Amount Received by Prime Contractor

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Question/Comment No.17:** Item 601, can specific quantities be provided for each curb type as pricing is based on size and quantity of specific curb types?

**Answer 17:** No quantity takeoffs were performed for each type as trench width and pit size/location can vary based on Contractors means and methods. This will affect curb impact and quantity of each type of curb.

**Question/Comment No.18:** Item 821-who is responsible for supplying the water meter, city./ util auth/owner or contractor?

**Answer 18:** Contractor shall supply water meters. See revised specification.

**Question/Comment No.19:** Is it anticipated that police will be required for any portion of the MOT? If so can you please provide an hourly rate or allowance for uniformed traffic directors

**Answer 19:** Police are not anticipated for MOT.

**Question/Comment No.20:** Is there any anticipation of contaminated material? Can analytical be provided to verify contaminated material or lack thereof

**Answer 20:** No contaminated material is anticipated. No testing was performed for contaminated material.

**Question/Comment No.21:** It appears borings were not provided for the open cut portion of the work. Can borings be provided so we can investigate existing conditions and groundwater levels.

**Answer 21:** Bidding timeline will not allow for additional borings. Open cut portions primarily involve removing and replacing the existing pipe in the same trench.

**Question/Comment No.22:** Can a review of the specification be performed to ensure that each Bid Item has a respective measurement and payment description?

**Answer 22:** Items without measurement and Payment in the Contract Book are measured and paid per Standard Specifications. The Standard Specifications are defined in SP-1, Item 3.

**Question/Comment No.23:** Is it permissible to utilize 2<sup>nd</sup> tier MBE/WBE/DBE contractors?

**Answer 23:** The second tier sub is not counted at all. MBEs/WBEs are not allowed to subcontract more than 10% of their work. The MBE/WBE subcontract amount is already counted towards the prime's goal.

**Question/Comment No.24:** Please confirm that the temporary bituminous concrete is to be included in the installation of pipe item(s)

**Answer 24:** Temporary bituminous concrete is incidental to pipeline installation.

# WILLIAMS MULLEN

Direct Dial: 703.760.5232  
bcashmere@williamsmullen.com

November 2, 2018

## VIA HAND DELIVERY

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

## BID PROTEST SUPPLEMENT

Protestor: Spiniello Companies, Inc.  
3500 East Biddle Street  
Baltimore, MD 21213

Solicitation: City of Baltimore Department of Public Works  
Sanitary Contract No. 940 for Hydraulic Improvements to the  
High Level Sewershed Collection System

Proposed Awardee: Northeast Remsco Construction, Inc.

Dear Honorable President and Members of the Board of Estimates:

Spiniello Companies, Inc. (“Spiniello”), by and through its undersigned counsel, submits this supplement to its original Protest dated October 18, 2018 (“Original Protest”) regarding City of Baltimore Department of Public Works Sanitary Contract No. 940 (“SC940”). As set forth in its Original Protest, the Board should not award SC940 to Northeast Remsco Construction, Inc. (“Northeast Remsco”) or any bidder other than Spiniello, as Spiniello is the lowest price, responsive, and responsible bidder. Spiniello incorporates by reference, as if fully set forth herein, its Original Protest.

## Aggrieved Party

Spiniello submitted a timely, responsive bid and is a responsible bidder for SC940, and thus has standing to protest as an aggrieved party any award of SC940 to Northeast Remsco or any bidder other than Spiniello.

## Timely Protest and Supplement

Spiniello’s Original Protest and this supplemental protest are both timely filed with the Board of Estimates prior to contract award.



# WILLIAMS MULLEN

Board of Estimates  
November 2, 2018  
Page 2

## Supplemental Grounds of Protest

In addition to the various protest grounds raised in Spiniello's Original Protest, further factual information has recently been discovered which raises the additional protest ground below.

### **Northeast Remsco Does Not Have a Sufficient Work Capacity Rating for the Award.**

The City of Baltimore Rules for Qualification of Contractors, Performance Evaluations of Construction Contractors and Consultants and Procedures and Guidelines for Hearings Before the Office of Boards and Commissions Review Committee ("Rules") **prohibit** awarding City contracts when the contract amount would exceed a bidder's total assigned capacity rating. Those Rules provide in pertinent part:

*A prime contractor shall not be awarded a contract if the total contract value (including all work classifications), when added to the contractor's uncompleted backlog of work (both work-in progress and work yet to begin) at the time of award, including amounts sublet or to be sublet and considering that which is contracted or subcontracted for with the City and elsewhere, including the full amount of any joint venture, exceeds the contractor's assigned capacity rating, except as provided for by Rule 7.0.*

Rule 6.9 (emphasis added). The Rule 7.0 exception requires a project-specific Financial Performance Guarantee, but there is absolutely no indication that Northeast Remsco would qualify for this exception or could obtain the requisite Guarantee or has actually provided the City with such a Guarantee.

The City of Baltimore has set Northeast Remsco's monetary work capacity ("assigned work capacity") at \$144,400,000.00, which, as set forth below in detail, has been exceeded. [See **Ex. 1**, City of Baltimore Contractor Detail for Northeast Remsco.] However, publicly-available information shows that, on October 24, 2018, the City of New York Department of Design and Construction closed bidding for a construction project for replacement of a combined sewer/water main on 70<sup>th</sup> Street ("NYC Project"). [See **Ex. 2**, NYC Project Bid Details.] Northeast Remsco is the low bidder for the NYC Project, with a bid of \$101,122,896.00. *Id.*

Northeast Remsco's corrected<sup>1</sup> bid amount for SC940 is \$44,299,811.00. Therefore, even assuming that Northeast Remsco has no other in-progress or imminent awarded projects (which is extremely unlikely), the award of SC940 to Northeast Remsco would bring the total of just the NYC Project and SC940 to \$145,422,707.00 – or \$1,022,707.00 **over** its City of Baltimore assigned work capacity limit.

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<sup>1</sup> As explained in Spiniello's Original Protest, Northeast Remsco miscalculated its bid line-item quantities by \$3,599,711.00.

# WILLIAMS MULLEN

Board of Estimates  
November 2, 2018  
Page 3

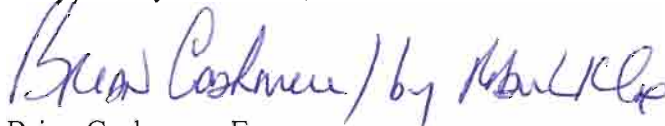
In fact, if SC940 is awarded to Northeast Remsco, it will be required to execute under oath a Prequalification Statement which lists and certifies all of the other projects for which it is a “low bidder, has been awarded (work not yet started), and/or has under construction.” [See Ex. 3, Sample Prequalification Statement.] Northeast Remsco would be required to disclose its bid amount for the NYC Project – and any other projects – when completing the Prequalification Statement. In doing so, it will not be able to certify that it is compliant with City regulations.

The award of SC940 to Northeast Remsco, when combined with the NYC Project, would exceed its assigned work capacity in violation of City regulations and, as such, the Board cannot award SC940 to Northeast Remsco.

## **Ruling and Relief Requested**

Spiniello requests that the apparent lowest price bid of Northeast Remsco be found non-responsive and not eligible for award of Sanitary Contract No. 940. Spiniello further requests that the Board of Estimates award Sanitary Contract 940 to Spiniello as the lowest price, responsive, and responsible bidder.

Respectfully submitted,

A handwritten signature in blue ink that reads "Brian Cashmere / by [unclear]". The signature is written in a cursive style.

Brian Cashmere, Esq.

cc: Robert K. Cox, Esq., Williams Mullen  
Spiniello Companies

# **EXHIBIT 1**

**Contractor Number:** 3800  
**Company Name:** Northeast Remsco Construction, Inc.  
**First Name:** Rolando  
**Last Name:** Acosta  
**Address:** 1433 Route 34 South, B1  
**City, State, Zipcode:** Farmingdale, NJ 07727  
**Money Limit:** \$144,400,000.00  
**Expiration Date:** 12/7/19  
**Phone:** 732-557-6100 x172  
**Email:** jbuckman@northeastremSCO.com

# EXHIBIT 2



(/myaccount) **Welcome Adriana**  
My Account (/myaccount) Log Out  
(/account/logout)

View Our Video Tutorials (play icon) (/account/logout)

(/home/helpdesk) Need Assistance? Give Us A Call: 1-800-247-1727

Choose Service Areas



Need to narrow your search? Click on an icon on the left!

Advanced ▾

Search



Desktop (/desktop)



Tracking (/tracking)



Project Reports (/report/projects)



Contractor Reports (/report/contractors)



Design Firm Reports (/report/designfirms)



Owner Reports (/report/owners)



Create Report (/report)



Sub Requests (/subrequest)



Classifieds (/classified)



Advertise (/home/advertise)



Contact Us (/home/contact)

## PROJECTS

Project Details

Bid Stage Bid Results

### Project Details

(/tracking/trackproject?projectId=569546) (/printdetails/569546)

Published 9/5/2018

Track Project

Request Sub

Subs & Suppliers

Contact CIS

**Bid Due Date:** 10/24/2018 11:00 AM **Cost Estimate** \$101,374,735

**Project Name:** Replace Combined Sewer & Water Main in 70th St

**Project #:** SE-859/8502018SE0023C

**Location:** between 54th St & Calamus Ave & other locations  
QUEENS, NY County: Queens

**Owners:** City Of New York Dept Of Design & Construction (/company/details/34192)  
30-30 Thompson Avenue, First Floor, LONG ISLAND CITY, NY 11101  
(718) 391-2601

#### Description:

<b>Quantities:</b>	2100	SY	ASPHALT MACADAM PAVEMENT, 8" THICK
	30023	SY	ASPHALTIC CONCRETE WEARING COURSE, 2" THICK
	5473	TN	BINDER MIXTURE
	1491	CY	CONCRETE BASE FOR PAVEMENT, VARIABLE THICKNESS FOR TRENCH RESTORATION, (HIGH-EARLY STRENGTH)
	40	CY	HIGH-EARLY STRENGTH REINFORCED CONCRETE PAVEMENT (BUS STOPS)

view all

#### Bid Results: Single Contract

**Northeast Remsco Construction, Inc. (/company/details/1974)**  
1433 Highway 34 South FARMINGDALE, NJ \$101,122,896  
(732) 557-6100 Fax: (732) 736-8904 Email (/company/contact/1974)

**JRCRUZ (/company/details/2650)** \$101,957,401  
675 Line Road MATAWAN, NJ  
(732) 290-0700 Fax: (732) 290-8960 Email (/company/contact/2650)

**MLJ Contracting (/company/details/414795)** \$122,500,000  
17-20 Whitestone Expressway WHITESTONE, NY  
(718) 571-9557 Fax: (718) 357-4818

**C.A.C. Industries, Inc. (/company/details/314)** \$127,142,325  
54-08 Vernon Blvd LONG ISLAND CITY, NY  
(718) 729-3600 Fax: (718) 752-0357 Email (/company/contact/314)

I'm Interested (/project/addinteresteduser/569546)

#### Interested

**Durante Rentals, LLC (/company/details/19585)**  
9 Locations Serving NY, NJ & CT, NY

**Garden State Precast, Inc. (/company/details/4427)**  
WALL, NJ

**GC Warehouse LLC (/company/details/413241)**  
MOUNT VERNON, NY

JESCO Inc.

# EXHIBIT 3

(STATEMENT UNDER OATH)

This is to certify, in compliance with the regulations of the City of Baltimore, that \_\_\_\_\_, Contractors were prequalified as of \_\_\_\_\_, Certificate No. \_\_\_\_\_, and as of this date, \_\_\_\_\_, are low bidders, have been awarded (work not yet started), and/or have under construction, the following projects:

(FOR THE CITY OF BALTIMORE)  
(Prime or Subcontractor)

Contract No.	Total cost of project		Amount of Work Done	Amount to be Completed	Probable Date of Completion

FOR FEDERAL, STATE, COUNTY AND OTHER CITY GOVERNMENTS)  
(Prime or Subcontractors)

Name of Agency	Contract No.	Total Cost of Project	Amount of Work Done	Amount to be Completed	Probable Date of Completion

(FOR PRIVATE CONCERNS)  
(Prime or Subcontractor)

Name of Private Concern	Contract No.	Total Cost of Project	Amount of Work Done	Amount to be Completed	Probable Date of Completion

\_\_\_\_\_  
Signature and Title of Person Signing

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

My Commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public



# WILLIAMS MULLEN

Direct Dial: 703.760.5232  
bcashmere@williamsmullen.com

February 12, 2019

## VIA HAND DELIVERY

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

## BID PROTEST SUPPLEMENT

Protestor: Spiniello Companies, Inc.  
3500 East Biddle Street  
Baltimore, MD 21213

Solicitation: City of Baltimore Department of Public Works'  
Sanitary Contract No. 940 for Hydraulic Improvements to the  
High Level Sewershed Collection System

Proposed Awardee: Northeast Remsco Construction, Inc.

Dear Honorable President and Members of the Board of Estimates:

Spiniello Companies, Inc. ("Spiniello"), by and through its undersigned counsel, submits this second supplement to its original Protest dated October 18, 2018 ("**Original Protest**") regarding City of Baltimore Department of Public Works Sanitary Contract No. 940 ("SC940"). A copy of the Original Protest is attached for the Board's review and convenience. As established in the Original Protest, the Northeast Remsco Construction, Inc.'s ("Northeast Remsco") bid contains multiple errors and irregularities which establish that Northeast Remsco does not propose to, and will not, meet the mandatory Women Business Enterprise ("WBE") and Minority Business Enterprise ("MBE") participation requirements in the Invitation for Bid ("IFB"). Further, as detailed in the Original Protest and outlined below, there are multiple material flaws in Northeast Remsco's Bid as it relates to the WBE/MBE requirements that clearly render Northeast Remsco's Bid non-responsive as a matter of law.

This Supplemental Protest is provided to ensure that at least one of the two entities reviewing compliance – if not both the City of Baltimore ("the City") and the State of Maryland ("the State") – is reviewing Spiniello's submittals to ensure that Northeast Remsco's bid actually meets the WBE/MBE requirements in the IFB for SC 940 prior to any recommendations of award are made. Spiniello is certain that both the City **and** the State will agree with Spiniello that an award to Northeast Remsco is unreasonable and unlawful in light of the many fatal flaws in its MBE/WBE/DBE submissions. In this regard, as set forth in the Contract, at **IB-10 STATE OF**

**MARYLAND FUNDING**, the SC940 Project is a recipient of state funding or grants and therefore is required to comply with the state assigned DBE/MBE percentages and the requirements of the State of Maryland DBE/MBE programs. The State of Maryland requires that each proposal include the properly-completed State and Federal DBE Forms; full compliance with the IFB and State MBE/WBE/DBE Requirements can only be ascertained by review by the City (including the MBWOO Director) and/or the State (**including the DBE Coordinator at the MWQFA**).

### **Supplemental Grounds of Protest**

As addressed more detail in the Original Protest, both the City and State have enacted laws, regulations, and policies relating to Disadvantaged Business Enterprises (“DBE”), including Women Business Enterprises and Minority Business Enterprises. These policies ensure that “maximum contracting opportunities [are] extended to certified minority enterprises,” and the State enforces this policy through the use of the MBE and WBE minimums. *See* COMAR Sec. 21.11.03.01. With respect to procurement, the State has also clarified that the failure to affirmatively meet the WBE and MBE minimum requirements, **including the accurate completion and submission of required MBE Forms**, renders a bid non-responsive. *See* COMAR Sec. 21.11.03.09(C)(5) (“**The failure of a bidder to accurately complete and submit the MBE utilization affidavit and the MBE participation schedule shall result in a determination that the bid is not responsive.**”) (Emphasis added.)

As explained in a recent decision of the Maryland State Board of Contract Appeals, a bidder’s failure to accurately complete and/or submit the required MBE/WBE/DBE Forms renders the bid non-responsive, as that failure goes to the heart of the determination that the bidder has complied or will comply with these requirements. *See Chesapeake Turf, LLC*, MSBCA Case No. 3051 (November 2017). Similarly, in December 2017 the Maryland State Board of Contract Appeals, citing to COMAR § 21.11.03.09(C) and *Infosys Public Services, Inc.*, MSBCA No. 3003 (2017), re-stated that the law is “**specific and clear**” – where a bidder fails to accurately complete and submit the required MBE/WBE/DBE utilization affidavits and/or participation/performance forms, **that bid is non-responsive and must be rejected as a matter of law**. *Kennedy Services, LLC*, MSBCA Case No. 3064 at pp. 7-8. Moreover, **the procuring agency has no discretion and must reject the non-responsive bid, as to do otherwise would be “unreasonable and unlawful.”** *Id.*

The Original Protest, attached and incorporated herein, sets forth seven separate and distinct grounds of protest, each of which alone and independently violate the critical and material tenets of governing procurement law and principals and require the rejection of the Northeast Remsco Bid. Below are four clear failures that require the rejection of Northeast Remsco’s Bid.<sup>1</sup>

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<sup>1</sup> In addition to the below examples of Northeast Remsco’s failures to accurately complete and submit the MBE utilization affidavit and the MBE participation submissions the Original Bid details other fatal errors in the Bid, to include the fact that Northeast Remsco’s Bid failed to meet both the MBE and WBE goals set by the State. *See Original Protest* at pp. 6-7.

**1. Northeast Remsco's Bid Includes a Subcontractor, Ed Wean Drilling & Blasting, Which is Not Certified by Either the City or the Maryland Department of Transportation ("DOT"); Certification by One of Those is Required to Satisfy WBE Requirements on SC 940.**

Northeast Remsco's bid lists as its second-largest WBE subcontractor, Ed Wean Drilling & Blasting ("Ed Wean"). Ed Wean is listed for \$1,150,000.00 of the WBE work, but is not certified as a WBE by either the City or the State DOT. *See Original Protest* at pp. 4-6. Instead, Northeast Remsco's Bid evidences an impermissible attempt to rely upon Ed Wean's certification in the State of New Jersey to satisfy its WBE requirements. *See Original Protest* at pp. 4-6; **Exhibit 2**, pp. 45, 85. A review of Northeast Remsco's DBE Subcontractor Utilization Form and DBE Subcontractor Performance Forms shows a failure to comply with both the IFB and City/State requirements that, to count toward MBE/WBE/DBE requirements, a subcontractor must be certified by the City or by the State. Additionally, the lack of the required City/State WBE Certification and the supporting forms evidencing this certification also renders the Bid non-responsive because a WBE must have been certified for the specific NAICS code for the work to be performed. There is no support evidencing that this uncertified WBE has the correct NAICS code for the work intended.

**2. Northeast Remsco Did Not Include the EPA DBE Performance Form for its Subcontractor, Foundation Test Group.**

The IFB mandates that the EPA Forms (specifically, the DBE Subcontractor Performance Form - EPA FORM 6100-3) be submitted for each DBE subcontractor. Northeast Remsco submitted EPA Forms for several DBE subcontractors but did not include one for Foundation Test Group. *See Original Protest* at p. 7. This clear omission of a material and mandatory form renders the bid non-responsive, on its face, per the terms and instructions of the IFB and governing law.

**3. Northeast Remsco Did Not Complete the DBE Good Faith Efforts Checklist, Which Demonstrates Further Noncompliance with the MBE/WBE Requirements.**

The IFB requires submission of a completed MDE DBE Good Faith Efforts Checklist. Northeast Remsco failed to submit an accurate and complete Checklist and, as such, failed to provide the requisite notice to the Board as to whether its subcontractors are using any additional subcontractors. *See Original Protest* at pp. 7-8; **Original Protest, Exhibit 2**, p. 34.

In fact, Northeast Remsco actually re-wrote a portion of the form, and completed it as follows:

<b>C: Solicitation Summary of DBE firms (Prime Contractor must fill EPA Form 6100-4)</b>			
C1	Did you use the Bidders List to solicit subcontractors?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C2	Did DBE firms bid as subcontractors (provide list, work type, & price)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C3	Did you select any DBE firms as subcontractor?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C4	Is the subcontractor using any additional subcontractors?	Yes <input type="checkbox"/>	No <input type="checkbox"/> <del>NOT KNOWN</del>

**4. Northeast Remsco Unilaterally Edited its Required DBE Subcontractor Utilization Form Without Subcontractor Verification.**

In its bid, Northeast Remsco also revised its WBE and MBE estimated dollar amounts on multiple MBE/WBE Forms, without the corresponding subcontractor initialing the change. Specifically, as detailed in the Original Protest, Northeast Remsco unilaterally increased the subcontractor estimated dollar amount as to subcontractor Bryant Associates. See **Original Protest** at pp. 8-9, **Exhibit 2**, p. 46. Northeast Remsco attempts to modify this MBE Subcontractor scope by unilaterally revising two required MBE/WBE/DBE Forms – the DBE Subcontractor Utilization Form and the DBE Subcontractor Performance Form. See **Original Protest** at pp. 8-9 and **Exhibit 2**, p. 46, p. 82.

A similar defect is found with respect to subcontractor Foundation Test Group; Northeast Remsco unilaterally decreased the estimated dollar amount on the DBE Subcontractor Utilization Form. See **Original Protest** at 9, and **Exhibit 2**, p. 47. This omission is especially egregious with respect to Foundation Test Group, because – and noted above – Northeast Remsco did not submit the required DBE Subcontractor Performance Form for Foundation Test Group, which would have listed the “Amount Received by Prime Contractor.”

**Conclusion**

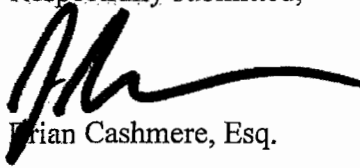
As outlined above, it is well-established and **settled law that the failure of a bidder to accurately complete and submit the required MBE/WBE/DBE documents, to include utilization affidavits and performance/participation schedules, renders a bid not responsive.** Further, the law provides no discretion to the procuring agency in such circumstances; the non-compliant, non-responsive bid must be rejected. To do otherwise would be “an unreasonable and unlawful act” by the procuring agency. Here, as detailed in the Original Protest and summarized above, Northeast Remsco’s bid contained multiple material failures, errors, and omissions. As such, to award SC940 to Northeast Remsco in the face of such an egregiously non-compliant bid would be an affront to both the City of Baltimore and State of Maryland’s procurement systems, given the specific and clear guidance with respect to compliance with WBE and MBE programs.

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February 12, 2019  
Page 5

**Ruling and Relief Requested**

Spiniello requests that the apparent lowest price bid of Northeast Remsco be found non-responsive and not eligible for award of Sanitary Contract No. 940. Spiniello further requests that the Board of Estimates award Sanitary Contract 940 to Spiniello as the lowest price, responsive, and responsible bidder.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian Cashmere', with a long horizontal flourish extending to the right.

Brian Cashmere, Esq.

Attachment – **Original Protest** w/ Encs.

cc: MWQFA, DBE Coordinator  
Scott Livingston, Esq., Rifkin, Weiner & Livingston  
Spiniello Companies

# WILLIAMS MULLEN

Direct Dial: 703.760.5232  
bcashmere@williamsmullen.com

May 3, 2019

## VIA HAND DELIVERY

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

## BID PROTEST SUPPLEMENT (Third Supplement)

Protestor: Spiniello Companies, Inc.  
3500 East Biddle Street  
Baltimore, MD 21213

Solicitation: City of Baltimore Department of Public Works'  
Sanitary Contract No. 940 for Hydraulic Improvements to the  
High Level Sewershed Collection System

Proposed Awardee: Northeast Remsco Construction, Inc.

Dear Honorable President and Members of the Board of Estimates:

Spiniello Companies, Inc. ("Spiniello"), by and through its undersigned counsel, submits this Third Supplement to its original Bid Protest dated October 18, 2018 ("Original Protest") regarding City of Baltimore Department of Public Works Sanitary Contract No. 940 ("SC940"). As detailed in the Original Protest and First and Second Supplements, there are multiple material flaws in the Bid of Northeast Remsco Construction, Inc. ("Northeast Remsco") as it relates to the WBE/MBE requirements that render Northeast Remsco's Bid non-responsive as a matter of law. Further, this Third Supplement sets forth in below that Northeast Remsco's Bid, as submitted, blatantly deviates from the material terms of the Solicitation rendering it nonresponsive and requiring it be rejected.

The single protest ground raised by this Third Supplemental Protest is a straightforward threshold procurement question for the City of Baltimore's Department of Public Works and Board of Estimates: Is Northeast Remsco's Bid responsive to the requirements set forth in the IFB. As detailed below, the answer is NO. **Northeast Remsco's Bid includes and is priced upon performing rock excavation by "BLASTING," however the use of "blasting" is specifically prohibited by the IFB.** Northeast Remsco's Bid, as submitted, blatantly ignores the clear

prohibition on “Blasting”, thereby deviating from a material term of the Solicitation (and is priced on this basis) and rendering Northeast Remsco’s Bid nonresponsive. Accordingly, **separate and independent of Northeast Remsco’s various other failures**, the application of well-settled law and public procurement principles to this blatant failure to conform to the requirements of the IFB requires the rejection of Northeast Remsco’s Bid in its entirety.

### Supplemental Grounds of Protest

A primary purpose of the City’s procurement system is to ensure fair and equitable treatment of all businesses that wish to conduct business with the City. Further, the Bid Protest process is intended to ensure that irregularities in bidding do not materially modify the scope of the IFB or undermine the competitive process by giving one bidder an unfair advantage over others. **Here, Northeast Remsco submitted an irregular Bid rife with omissions, deficiencies, ambiguity and mistakes, which objectively make its intent to comply with the IFB requirements and even the Bid price impossible to ascertain.**

Many of these irregularities have been explained to the Board in Spiniello’s earlier Bid Protest submissions on SC940. However, this Third Supplemental Protest raises a separate and distinct flaw in Northeast Remsco’s Bid. **Specifically, Northeast Remsco’s Bid is nonresponsive because it fails to establish conformance to the material terms of the IFB based on the stated intent to perform \$1,150,000 in BLASTING Work despite the IFB’s clear prohibition on BLASTING Work.**

#### **A. Northeast Remsco’s Bid is Non-Responsive as the Work Plan and Price are Based on Excavation By “BLASTING”, in Direct Violation of the IFB Documents**

A key element of a sealed bidding procurement is that nonresponsive bids may not be considered for award. NASH & CIBINIC, FORMATION OF GOVT. CONTRACTS, Third Ed., at 537 (“The purpose of [the responsiveness] requirement is to promote fairness and objectivity, and to encourage wide competition by requiring all bidders to bid on exactly the same work and to the same terms and conditions”) (hereinafter “Nash & Cibinic”). Responsiveness is a determination that the bid complies with all material requirements of the IFB. Responsiveness concerns a bidder’s **legal obligation to perform the required services in exact conformity with the IFB specifications.** *Nat’l Elevator Co.*, No. 1291, Oct. 1, 1986, 1 MSBCA ¶ 135.

As explained in *International Business Machines Corporation*, No. 1071, August 18, 1982, 1 MSBCA ¶23, a Responsive Bidder means a person who has submitted a bid under procurement by competitive sealed bidding which conforms in all material respects to the requirements contained in the IFB and **a Responsive Bid is a bid which meets the requirements and evaluation criteria set forth in the IFB.** As such, a bid which contains terms that materially deviate from the requirements expressed in the invitation for bids, therefore, is not responsive and must be rejected. *Solon Automated Services, Inc.*, No. 1046, January 20, 1982, 1 MSBCA ¶10.

The test of responsiveness is whether the bidder has offered to do what is required by the solicitation.<sup>1</sup> More specifically, the **test for responsiveness** is whether the bid as submitted is an offer to perform, without exception, the exact thing called for in the Solicitation so that, upon acceptance, the contractor will be bound to perform in accordance with all of the IFB's material terms and conditions. In this case, as outlined below, Northeast Remsco's material deviation from the IFB that prohibits the use of blasting leads to an indisputable result – its Bid is nonresponsive.

**1. Northeast Remsco's Bid is Based on Prohibited Blasting, Deviating from the Material Requirements of the IFB**

The SC940 IFB includes certain excavation work, including the removal of rock during excavation, under several Bid Items. For example, Bid Item 206 provides for the excavation of rock or boulders one-half cubic yard or more. This is described, in part, as: "*This item of work covers the removal of rock during excavation for pipe replacement and excavation for open cut installation of pipe.*" See Exhibit A, SC940 IFB, p. CD-13. **Importantly, there are varied methods to fracture and/or break rock as a part of excavation. Such methods include, without limitation, manual methods (using manually-controlled pneumatic jacks and hammers) and blasting (using explosives).** However, on SC940 the IFB expressly limited the bidders' approach to performing and pricing this work by prohibiting the use of explosives or blasting on this Project.

This prohibition is clearly stated at page CD-13 (Exhibit A) as shown below:

SANITARY CONTRACT NO. 946

ITEM 206 CONTINGENT EXCAVATION FOR ROCK OR BOULDERS ONE-HALF CUBIC YARD OR MORE (SECTION 31 23 33 and 01 45 34)

Section 31 23 33 of the Standard Specifications, Part 1 General

Supplement with the following:

This item of work covers the removal of rock during excavation for pipe replacement and excavation for open cut installation of pipe. Any material, which, in the opinion of the Engineer, cannot be excavated by any other process other than drilling and wedging shall be considered as rock. Foundations encountered and requiring removals, which were constructed using cement mortar, shall also be classified as rock. Any material, which can be removed by conventional means other than drilling and wedging, but which, for any reason, the Contractor prefers to remove by such drilling and wedging, shall not be classified as rock.

Soft or disintegrated rock which can be removed with an excavator of 165 flywheel horsepower, fitted with a single rock line, boulders less than one-half (1/2) cubic yard in volume, loose, shaken or previously blasted rock, broken stone in rock tailings or elsewhere, rock which may be exterior to the maximum limits of measurements allowed, which may have been loosened in previous excavations and which by reason of such loosening may fall into the trench, will not be measured or allowed as rock.

No blasting is permitted as part of this project.

Cable conduits, of concrete or other material, which may be encountered in the course of excavation and which require removal, shall not be considered rock.

Section 31 23 33 of the Standard Specifications, Part 4 Measurement and Payment

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<sup>1</sup> As set forth in the Board's Proposed Regulations on Procurement and Protests: "*In determining responsiveness, the Procuring Agency shall consider, among other factors, the responder's conformance with the terms and specifications of the solicitation.*"



However, as outlined below, despite the IFB's clear prohibition Northeast Remsco prepared its Bid and its Price based on the specific use of blasting.

An objective review of Northeast Remsco's Bid evidences the intent to perform \$1,150,000 worth of "BLASTING" using Ed Wean Drilling & Blasting, LLC, a contractor is not certified by the City or the Maryland Department of Transportation ("DOT").<sup>2</sup> See Exhibit B, EPA Disadvantaged Business Enterprise Program DBE Subcontractor Performance Form. As detailed at page 85 of Northeast Remsco's Bid, it intends to have this NJ-certified DBE perform \$1,150,000 of BLASTING Work on SC940 despite the clear prohibition in the IFB:

July 2017

OMB Control No. 2990-0090  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE's subcontractor's description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>Ed Wean Drilling &amp; Blasting, LLC</b>		Project Name <b>Hydraulic Trip to High Level Sewerage Collection</b>	
Bid/Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>Heather Havlik</b>	
Address <b>112 Ravine Rd Stewartsville NJ 08886</b>			
Telephone No. <b>908-454-1056</b>		Email Address <b>heather.wean@edwean.com</b>	
Prime Contractor Name <b>Northeast Remsco Construction, Inc.</b>		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<b>BLASTING</b>	<b>\$1,150,000.00</b>

DBE Certified By: <b>0, OCT</b>	DBE Status: <b>DBE</b>	Meets/exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown
Other: <b>WBE /cert. # 72338-15</b> <b>NJ State</b>		

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Women Business Enterprise that has been certified by an entity from which EPA awards certifications as described in 40 CFR 23.204-13.205 as recognized by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 23.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**EPA FORM 6190-8 (DBE Subcontractor Performance Form)**

As blasting is specifically prohibited on SC940, the undisputed fact that Northeast Remsco has bid the Project based on a plan to blast – renders the Bid nonresponsive as a matter of law.

<sup>2</sup> The clear adverse impact of this material deviation from both the MBE/WBE/DBE Program and the procurement process is detailed in Spiniello's Original Protest and Supplements thereto.

**2. Northeast Remsco's Inclusion of \$1,150,000 in Prohibited Blasting Work (By an Unauthorized DBE) in its Bid Creates Significant, Uncurable Pricing Confusion AND Deviates from Material Requirements of the IFB**

Additionally, Northeast Remsco's representation to the City (and State) that it intends to meet the IFB's DBE/MBE/WBE requirements by subcontracting this \$1,150,000 "BLASTING" amount to a NJ-certified WBE also evidences an additional failure to comply with the IFB DBE requirements. Additional confusion and/or ambiguity is created by Northeast Remsco's certification that it intends to Subcontract \$1,150,000 in Blasting work to Ed Wean (a non-complaint, uncertified DBE) when considering that Northeast Remsco's cumulative total for the three excavation items in the Bid (201, 203, 206) is only \$152,900. **This significant discrepancy not only calls into question what work (and how much) this unsanctioned DBE will be performing but raises serious questions about the pricing of this bid.** This ambiguity creates further cause for rejection as, "[t]o be responsive a bid cannot be ambiguous." *Nat'l Elevator Co.*, No. 1291, Oct. 1, 1986, 1 MSBCA ¶ 135 ("If the bid is subject to two or more reasonable interpretations, under one of which it is nonresponsive, it is ambiguous and, therefore, should be rejected as nonresponsive."); *see also* Nash & Cibinic, *Formation of Govt. Contracts*, Third Ed., at 538 ("The mandatory rejection rule also prevents bidders with ambiguous bids from having 'two bites of the apple' by contending, after seeing competing bids, that their bids conformed to the solicitation (or did not conform), depending on the interpretation that is most beneficial to them.").

In this regard, as detailed in earlier protest submissions Spiniello has pointed out indisputable flaws in Northeast Remsco's failed efforts to comply with the IFB's DBE/MBE/WBE requirements. These flaws are enhanced by Northeast Remsco's improper attempt to comply with these requirements through a \$1,150,000 subcontract to a Blasting Subcontractor, when blasting work is specifically prohibited by the IFB. This flaw also clearly shows a failure to comply with the DBE/MBE/WBE requirements of the IFB.

**3. Northeast Remsco's Deviations from the IFB are MATERIAL**

Further, it cannot be disputed that Northeast Remsco's clear deviation from the requirements of the IFB is certainly material as it affects, among other things, the price offered. *See Solon Automated Services, Inc.*, No. 1046, January 20, 1982, 1 MSBCA ¶10, citing *Prestex, Inc. v. United States*, 162 Ct. Cl 620 320 F.2d 367 (1963) (holding that a deviation from the requirements of the solicitation is material when it affects the price, quantity or quality.) In this regard, **it is well understood (and DPW engineers can attest) that the specified method of rock excavation (and therefore any limitations thereon) will affect bid and contract price.** Here, Northeast Remsco's Bid clearly demonstrates its materiality and effect on price as the Bid indicates that at least \$1,150,000 of the Bid has been improperly allocated to the noncompliant Blasting. The effect of excavation methods on price is also evidenced by a comparison of Northeast Remsco's non-compliant Blasting-Based-Bid with Spiniello's compliant Bid. **For example, an objective review of the different prices provided by Northeast Remsco and Spiniello on Item**

**206 is telling. Item 206 in Northeast Remsco's Blasting-Based-Bid is \$57,000; while Spiniello's Bid prices this work, using non-blasting methods, at \$2,223,000.**

**Conclusion**

**An objective and plain reading of Northeast Remsco's Bid demonstrates that Northeast Remsco does not intend to comply with the IFB's requirement barring the use of blasting and, as such, based on this single material deviation – the Bid is nonresponsive and must be rejected.** As outlined above, it is well-established and settled law that the failure of a bidder to materially comply with the IFB requirements renders a bid not responsive. The law provides no discretion to the procuring agency in such circumstances: the non-compliant, non-responsive bid must be rejected. To do otherwise would be "an unreasonable and unlawful act" by the procuring agency. Further, as detailed in the Original Protest, supplements thereto, and as summarized above, Northeast Remsco's Bid contained multiple material failures, errors, and omissions. As such, to award SC940 to Northeast Remsco in the face of such a blatant and egregiously non-compliant Bid would be an affront to both the City of Baltimore and State of Maryland's procurement systems.

**Ruling and Relief Requested**

Spiniello requests that the apparent lowest price Bid of Northeast Remsco be found non-responsive and not eligible for award of Sanitary Contract No. 940. Spiniello further requests that the Board of Estimates award Sanitary Contract 940 to Spiniello as the lowest price, responsive, and responsible Bidder.

Respectfully submitted,



Brian Cashmere, Esq.

Enclosures

cc: MWQFA, DBE Coordinator  
Scott Livingston, Esq., Rifkin, Weiner & Livingston  
Spiniello Companies

# EXHIBIT A

**ITEM 206 CONTINGENT EXCAVATION FOR ROCK OR BOULDERS ONE-HALF CUBIC YARD OR MORE (SECTION 31 23 33 and 01 45 34)**

**Section 31 23 33 of the Standard Specifications, Part 1 General**

Supplement with the following:

This item of work covers the removal of rock during excavation for pipe replacement and excavation for open cut installation of pipe. Any material, which, in the opinion of the Engineer, cannot be excavated by any other process other than drilling and wedging shall be considered as rock. Foundations encountered and requiring removals, which were constructed using cement mortar, shall also be classified as rock. Any material, which can be removed by conventional means other than drilling and wedging, but which, for any reason, the Contractor prefers to remove by such drilling and wedging, shall not be classified as rock.

Soft or disintegrated rock which can be removed with an excavator of 165 flywheel horsepower, fitted with a single rock tine, boulders less than one-half (1/2) cubic yard in volume, loose, shaken or previously blasted rock, broken stone in rock tailings or elsewhere, rock which may be exterior to the maximum limits of measurements allowed, which may have been loosened in previous excavations and which by reason of such loosening may fall into the trench, will not be measured or allowed as rock.

No blasting is permitted as part of this project.

Cable conduits, of concrete or other material, which may be encountered in the course of excavation and which require removal, shall not be considered rock.

**Section 31 23 33 of the Standard Specifications Part 4 Measurement and Payment**

Supplement with the following:

- G. Rock shall be stripped for measurement in place in section of lengths, not in any case, less than fifty (50) feet as the Engineer may direct, and no rock excavated before such measurement will be allowed or paid for. When rock is to be excavated, it shall be fully taken out twenty (20) feet in advance of the laying of the sewer, to a point six (6) inches below the grade of the outer bottom of the sewer pipe, or to such a point below the invert of the sewer as the Engineer may require. Trenches for pipe shall be refilled to the level of the sub-grade with select backfill thoroughly rammed and made solid. Soil shall be compacted to 95% AASHTO T-180 Method D. The prism removed shall be as near as possible to the prescribed dimensions. Only rock actually removed will be paid for, and in no case will allowance be made for rock extending outside the above described prism.
- H. For excavated material which is considered unfit for refilling, the Contractor shall at no additional costs to the City, remove and dispose of such unsatisfactory material and substitute in lieu thereof, suitable material from elsewhere within the project limits. In the event suitable materials are not available within the project limits, the contractor shall use contingent trench backfill from other sources meeting requirements for borrow excavation.

# EXHIBIT B

July 2017



OMB Control No: 2090-0030  
 Approved: 8/13/2013  
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name <b>Ed Wean Drilling &amp; Blasting LLC</b>		Project Name <b>Hydraulic Imp to High Level Sewershed Collection</b>	
Bid/ Proposal No. <b>SC 940</b>	Assistance Agreement ID No. (if known)	Point of Contact <b>Heather Havlik</b>	
Address <b>112 Ravine Rd Stewartville NJ 08886</b>			
Telephone No. <b>908-454-1656</b>		Email Address <b>heather.wean@edwean.com</b>	
Prime Contractor Name <b>Northeast Ramsco Construction, Inc.</b>		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<b>BLASTING</b>	<b>\$1,150,000.00</b>
<b>cert # A0071-12</b>		
DBE Certified By: <input type="radio"/> DOT <input checked="" type="radio"/> <del>SBA</del>		Meets/ exceeds EPA certification standards?
<input checked="" type="radio"/> Other: <b>WBE / cert # 72338-15</b> <b>NJ State</b>		<input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance



OMB Control No: 2000-0030  
Approved: 8/13/2013  
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>Rolando Acosta</i>	Rolando E. Acosta
Title	Date
President	8-28-18

Subcontractor Signature	Print Name
<i>Heather Havlik</i>	Heather Havlik
Title	Date
Managing Partner	8-28-18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



# WILLIAMS MULLEN

Direct Dial: 703.760.5232  
bcashmere@williamsmullen.com

September 23, 2019

## VIA HAND DELIVERY & FEDEX

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

### BID PROTEST SUPPLEMENT (Request for Postponement/Deferral)

Protestor: Spiniello Companies, Inc.  
3500 East Biddle Street  
Baltimore, MD 21213

Solicitation: City of Baltimore Department of Public Works'  
Sanitary Contract No. 940 for Hydraulic Improvements to the  
High Level Sewershed Collection System

Proposed Awardee: Northeast Remsco Construction, Inc.

Dear Honorable President and Members of the Board of Estimates:

Spiniello Companies, Inc. ("Spiniello"), by and through its undersigned counsel, submits this request that the City postpone and/or defer discussion of the potential award of the City of Baltimore Department of Public Works Sanitary Contract No. 940 ("SC940") until after October 2, 2019.

Good grounds exist for this postponement request. On or about August 16, 2019, Spiniello set a Request for Reconsideration the State of Maryland Department of Environment, the state agency purportedly reviewing the proposed awardee's compliance with MBE/WBE/DBE requirements for SC940, presented certain arguments and appeals with respect to the State's MBE/WBE/DBE review. As part of this reconsideration process, Spiniello has requested and the State has agreed to meet with Spiniello's representatives to discuss Spiniello's objections to any purported finding that the apparent low bidder complies with the MBE/WBE/DBE requirements.

A copy of the e-mail transmitting this Request for Reconsideration, to include Spiniello's request of a meeting to review and discuss the ground of the request is attached as **Exhibit A**. As evidenced in the attached September 16, 2019 letter from the State MDE (**Exhibit B**) and the attached follow-on e-mail communications (**Exhibit C**), as part of the reconsideration process the

Board of Estimates  
September 23, 2019  
Page 2

State has agreed to meet with Spiniello has confirmed a meeting to review and discuss Spiniello's objections and protest. This meeting has been scheduled for Wednesday, October 2, 2019 at 10:00 A.M., the first available time the State Representatives offered for this meeting.

This limited deferral or postponement to allow for this meeting will not cause any prejudice but allow the State to complete its consideration of the points raised by Spiniello in its request for reconsideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Brian Cashmere', is written over a light blue rectangular background.

Brian Cashmere, Esq.

Enclosures, as stated.

cc: Mary R. Sheppard, Assistant Attorney General  
Scott Livingston, Esq., Rifkin, Weiner & Livingston  
Spiniello Companies

# **EXHIBIT A**

## Cashmere, Brian

---

**From:** Scott A. Livingston <slivingston@rwllaw.com>  
**Sent:** Friday, August 16, 2019 4:12 PM  
**To:** Mary Sheppard -MDE-  
**Subject:** RE: Request for Reconsideration Contract No. SC-940

Ms. Sheppard,

I would like to meet with you, at your office and at your convenience, next week. Please be so kind as to allow me, perhaps an hour, to meet with you and any other official(s) as you see fit. I expect not to bring any other representatives of Spiniello to our meeting, if any.

*Scott Livingston*  
Rifkin Weiner Livingston LLC  
7979 Old Georgetown Road, Ste 400  
Bethesda, MD 20814  
301.951.0150 (Office)  
301.704.8060 (Cell)  
301.951.0172 (fax)  
[www.rwllaw.com](http://www.rwllaw.com)



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**From:** Mary Sheppard -MDE- <mary.sheppard@maryland.gov>  
**Sent:** Friday, August 16, 2019 1:52 PM  
**To:** Scott A. Livingston <slivingston@rwllaw.com>  
**Cc:** tonya.randall@maryland.com; bambi.turner1@maryland.gov; mary.sheppard-walker1@maryland.gov; amanda.redmiles@maryland.gov; Michael.mullen@baltimorecity.gov  
**Subject:** Re: Request for Reconsideration Contract No. SC-940

Dear Mr. Livingston:

Thank you for your correspondence. We are reviewing the matters discussed in your request for reconsideration to provide you with a response as soon as possible.

Best regards,

Mary R. Sheppard  
Assistant Attorney General  
Office of the Attorney General  
Maryland Department of the Environment  
1800 Washington Blvd., Suite 6048  
Baltimore, Maryland 21230-3031  
Tel: (410) 537-3044



Cell: (443) 844-0878  
Fax: (410) 537-3943  
Emails: [mary.sheppard@maryland.gov](mailto:mary.sheppard@maryland.gov)

\*\*\*\* My name and email address have changed. Please update your records. \*\*\*\*

On Fri, Aug 16, 2019 at 11:02 AM Scott A. Livingston <[slivingston@rwillaw.com](mailto:slivingston@rwillaw.com)> wrote:

Dear Ms. Randall,

On behalf of Spiniello Companies, Inc. ("Spiniello"), we request MDE reconsider its position concerning the bid of Northeast Remsco ("Northeast") on Contract No. SC-940 City of Baltimore, Department of Public Works.

### 1. Executive Summary

Northeast represented that it would meet the percentage goals, in part, through a WBE subcontractor that would perform blasting (for rock removal/excavation) at a price of \$1,150,000. As a procedural matter, a procurement officer lacks discretion or legal authority to allow a bidder to revise or change the information originally submitted with the bid. See COMAR 21.11.03.09C(5).

As a substantive matter, Northeast could not *in good faith* represent that \$1,150,000 blasting work could be counted towards meeting the percentage participation goal. This is true for two rather basic reasons:

(i) the specifications prohibit blasting as a method of excavation. The IFB amended the City's Standard Specification 31 23 33 and stated in the specs that "***No blasting is permitted as part of this project,***" and

(ii) the amount of \$1,150,000 allocated to excavate rock far exceeds the estimated cost of rock excavation in Northeast's Bid. The excess amount may not be counted as DBE participation insofar as much of \$1,150,000 is not a "commercially useful function" in accordance with both *State Fin. & Proc.* Section 14-303(b)(19), COMAR 21.11.03.12-1B, and Balt. City Code Art. V, Section 28-32.

Under the circumstances, MDE should its findings and recommendations, to include whether Northeast used good faith in attempting to comply with the DBE goals.

## 2. Discussion

By way of background, in the March 1, 2019 Letter to the City of Baltimore, MDE set forth its findings and recommendation to the City that Northeast's bid on SC-940 was responsive and satisfied the IFB M/WBE percentage participation goals and requirements. However, these findings and recommendation was made prior to the points set forth attached May 3, 2019 Bid Protest (ATTACHED).

Importantly, this subsequent, unconsidered Protest sets forth clear evidence supporting the points above that the Northeast Bid is non-responsive and fails to comply with the IFB and the State's M/WBE goals and requirements. As more specifically set forth in the Protest, Northeast represented to the State and the City that that it plans to perform the Work (and achieve the WBE goals) through a subcontract at a price \$1,150,000 worth of Rock Excavation using "BLASTING." However, as explained in the attached Protest, BLASTING is expressly prohibited by the terms of the governing IFB. As SC-940 has not yet been awarded there is still the opportunity to review, evaluate and consider this supplemental protest, which proves that Northeast lacked integrity and thus was not a responsible bidder.

MDE should re-assess its approval of Northeast's bid, primarily because the bid wrongly promised \$1,150,000 of blasting towards meeting the DBE participation goal. It cannot be said that Northeast aspired in good faith to meet the DBE goals. Northeast's bid is based on the improper promise that it can count DBE participation even though it called for work that was outside the scope of work in the contract; namely, blasting for excavation. This material deviation from the IFB requirements renders the bid non-responsive and noncompliant with DBE requirements in multiple respects, again:

- The Bid does not conform to the IFB based on the regular counting rules applied by the City as well as the State under COMAR 21.11.03.12-1 "Counting Minority Business Enterprise Participation." Baltimore City cannot count the DBE's blasting work because, as noted above, IFB amended the City's Standard Specification 31 23 33 such that: "*No blasting is permitted as part of this project.*" There will not be any blasting for the sub to do, and no \$1,150,000 performed for this item.
- The attempt to game the system by claiming this WBE would spend \$1.15M towards the DBE goal undermines an y claim that this bidder used good faith to meet the DBE goals.
- Northeast's Bid, on its face, shows that it did not aspire to meeting the goals legitimately; it planned to do the opposite and gained an unfair competitive advantage rendering award to Northeast plainly inequitable.

### 3. The Next Steps

Spiniello respectfully requests the MDE rescind the letter of March 1, 2019, pending reconsideration of the facts, information and grounds set forth in Spiniello's Supplemental Protest of May 3, 2019 (attached).

Please contact me directly should you have any questions. Thank you for your consideration.

*Scott Livingston*

Rifkin Weiner Livingston LLC

7979 Old Georgetown Road, Ste 400

Bethesda, MD 20814

301.951.0150 (Office)

301.704.8060 (Cell)

301.951.0172 (fax)

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# **EXHIBIT B**



BRIAN E. FROSH  
*ATTORNEY GENERAL*

ELIZABETH F. HARRIS  
*CHIEF DEPUTY ATTORNEY GENERAL*

CAROLYN QUATTROCKI  
*DEPUTY ATTORNEY GENERAL*

ANDREA S. BAKER  
*PRINCIPAL COUNSEL*

LYNN R. ANGOTTI  
ROBERTA R. JAMES  
*DEPUTY COUNSEL*

WRITER'S DIRECT DIAL NO.  
(410) 537-3044

mary.sheppard@maryland.gov



OFFICE OF  
**THE ATTORNEY GENERAL**  
DEPARTMENT OF THE ENVIRONMENT  
1800 WASHINGTON BLVD, SUITE 6048  
BALTIMORE, MARYLAND 21230  
FAX: (410) 537-3943

KUNLE ADEYEMO  
MATTHEW P. CLAGETT  
ELLEN W. COHILL  
CHRIS S. CORZINE  
ANDREW W. GAUDREAU  
JEANEEN M. MAXWELL  
JONATHAN E.C. MAY  
LAURA D. MAYBERRY  
GAYATRI MOSTAGHIMI  
ANAND N. PARIKH  
JEAN POPE  
REBECCA BALINT RESKE  
MARY R. SHEPPARD  
MATTHEW D. STANDEVEN  
MICHAEL F. STRANDE  
LAWRENCE A. THROWER  
PATRICIA V. TIPON  
CYNTHIA M. WEISZ  
MATTHEW ZIMMERMAN

*ASSISTANT ATTORNEYS GENERAL*

September 16, 2019

Scott Livingston, Esquire  
Rifkin Weiner Livingston LLC  
7979 Old Georgetown Road, Ste 400  
Bethesda, MD 20814

RE: City of Baltimore, Department of Public Works  
Sanitary Contract No. 940 for Hydraulic Improvements to  
the High Level Sewershed Collection System and the role of  
Maryland Water Quality Financing Administration

Dear Mr. Livingston:

You have asked that our office meet with you to discuss the third supplemental protest dated May 3, 2019 (the "Supplemental Protest") that was submitted to the City of Baltimore on behalf of your client, Spiniello Companies, Inc., to protest the bid proposal submitted by Northeast Remsco Construction, Inc. (the "Northeast Bid") in response to the City of Baltimore's solicitation of bids for the above-referenced contract ("SC-940"). To facilitate our discussion, it may be helpful if we describe the role of the Maryland Water Quality Financing Administration (the "Administration") in the procurement undertaken by the City of Baltimore.

The role of the Administration in the procurement undertaken by the City of Baltimore with respect to SC-940 is limited. With the expectation that the City of Baltimore has satisfied itself that the bid proposal submitted by the apparent low bidder complies with the contract requirements described in the solicitation, the Administration accepts the bid information submitted to it by the City of Baltimore. The Administration reviews the information submitted to determine, with respect to the disadvantaged business enterprise ("DBE") goals, that (i) the apparent low bidder has undertaken the six good faith efforts required by EPA to solicit DBE participation and (ii) there is documentation confirming that the DBEs listed have been certified as such by an entity acceptable to EPA. The DBE goals are not quotas, therefore, an apparent low bidder is not disqualified if the goals are not met. If the apparent low bidder has undertaken the six good faith efforts to solicit the participation of qualified DBEs and submitted sufficient



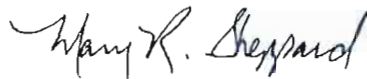
Scott Livingston, Esquire  
September 16, 2019  
Page 2

documentation to confirm that the DBEs identified are duly certified as such, the Administration has no reason to withhold its approval of the DBE compliance.

I have also carefully considered the provisions of the State Finance and Procurement Article and COMAR cited in the Executive Summary of the Supplemental Protest you sent to the Administration on August 16, 2019. You provided the Executive Summary in support of your request that the Administration rescind its letter of approval dated February 22, 2019, as revised March 1, 2019 (the "Approval Letter"), with respect to the Northeast Bid. However, I have confirmed that these provisions are not applicable to the Administration's approval of the DBE compliance because the procuring entity (City of Baltimore) is not a unit, as defined in the procurement provisions of the State Finance and Procurement Article, subject to these provisions of Maryland law.

Based on the information set forth above, we can identify no issue with the Northeast Bid related to compliance with EPA's DBE requirements that justifies a rescission of the Administration's Approval Letter. We remain open to meeting with you, as you requested.

Very truly yours,



Mary R. Sheppard  
Assistant Attorney General

cc: Theresa A. Wilson  
Jeffrey Fretwell  
Tonya Randall  
Bambi Turner  
Andrea Baker, Esq.  
Lynn Angotti, Esq.  
Roberta James, Esq.

# **EXHIBIT C**

**Cashmere, Brian**

---

**Subject:** FW: Meeting re Contract No. SC-940

**From:** Mary Sheppard -MDE- <[mary.sheppard@maryland.gov](mailto:mary.sheppard@maryland.gov)>  
**Sent:** Wednesday, September 18, 2019 12:58 PM  
**To:** Barbara Turner <[bturner@rwillaw.com](mailto:bturner@rwillaw.com)>  
**Cc:** Scott A. Livingston <[slivingston@rwillaw.com](mailto:slivingston@rwillaw.com)>; Roberta James -MDE- <[roberta.james@maryland.gov](mailto:roberta.james@maryland.gov)>  
**Subject:** Re: Meeting re Contract No. SC-940

Ms. Turner -- Roberta James, Deputy Counsel to the Maryland Department of the Environment, and I can meet with Mr. Livingston and Mr. Cashmere from 9:00 am to noon, Wednesday - Friday, Oct 2, 3 and 4. Please let us know if any of those dates and times work for them. Also, please let us know if Mr. Livingston and Mr. Cashmere plan to come to our office for this meeting or if the meeting will be conducted by conference call.

Thanks,

Mary R. Sheppard  
Assistant Attorney General  
Office of the Attorney General  
Maryland Department of the Environment  
1800 Washington Blvd., Suite 6048  
Baltimore, Maryland 21230-3031  
Tel: (410) 537-3044  
Cell: (443) 844-0878  
Fax: (410) 537-3943  
Emails: [mary.sheppard@maryland.gov](mailto:mary.sheppard@maryland.gov)

\*\*\*\* My name and email address have changed. Please update your records. \*\*\*\*

On Wed, Sep 18, 2019 at 11:22 AM Mary Sheppard -MDE- <[mary.sheppard@maryland.gov](mailto:mary.sheppard@maryland.gov)> wrote:

Ms. Turner -- Unfortunately, we can not meet before September 30. I am checking for dates and times during the week of Sept 30 - October 4 for a possible meeting. Is Mr. Livingston planning to come to our office or is it a conference call that he is intending?

Mary R. Sheppard  
Assistant Attorney General  
Office of the Attorney General  
Maryland Department of the Environment  
1800 Washington Blvd., Suite 6048  
Baltimore, Maryland 21230-3031  
Tel: (410) 537-3044  
Cell: (443) 844-0878  
Fax: (410) 537-3943



Emails: [mary.sheppard@maryland.gov](mailto:mary.sheppard@maryland.gov)

\*\*\*\* My name and email address have changed. Please update your records. \*\*\*\*

On Tue, Sep 17, 2019 at 2:22 PM Barbara Turner <[bturner@rwllaw.com](mailto:bturner@rwllaw.com)> wrote:

**\*\*On Behalf of Scott Livingston, Esquire\*\***

Ms. Sheppard:

Mr. Livingston and Mr. Brian Cashmere would like to meet with you this Thursday or Friday, September 19<sup>th</sup> or 20<sup>th</sup> regarding the above reference Contract. Please let me know which date and time would work best for you and I will be happy to set up a meeting invite. Thank you in advance for your attention to this matter.

*Regards,*

*Barbara Turner*

RIFKIN WEINER LIVINGSTON LLC

7979 Old Georgetown Road, Suite 400

Bethesda, Maryland 20814

(301) 951-0150

(301) 951-0172 (fax)

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<image001.jpg>

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# WILLIAMS MULLEN

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September 24, 2019

## VIA HAND DELIVERY & FEDEX

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

### BID PROTEST SUPPLEMENT (Fourth Supplement)

Protestor: Spiniello Companies, Inc.  
3500 East Biddle Street  
Baltimore, MD 21213

Solicitation: City of Baltimore Department of Public Works'  
Sanitary Contract No. 940 for Hydraulic Improvements to the  
High Level Sewershed Collection System

Proposed Awardee: Northeast Remsco Construction, Inc.

Dear Honorable President and Members of the Board of Estimates:

Spiniello Companies, Inc. ("Spiniello"), by and through its undersigned counsel, submits this Fourth Supplement to its original Bid Protest dated October 18, 2018 ("Original Protest") regarding City of Baltimore Department of Public Works Sanitary Contract No. 940 ("SC940") and Supplemental Request for Postponement. As detailed in the Original Protest and First, Second and Third Supplements, there are multiple material flaws in the Bid of Northeast Remsco Construction, Inc. ("Northeast Remsco") as it relates to the WBE/MBE requirements and our the scope of work and manner of performance that render Northeast Remsco's Bid non-responsive as a matter of law.

Spiniello intends to challenge the award of SC940 to Northeast Remsco before the Board of Estimates. Spiniello will be represented by Brian Cashmere and/or Scott Livingston and/or Akil Patterson and all are authorized to represent Spiniello before the Board of Estimates on this Matter. The issues to be presented at the Protest and the harm to Spiniello by the proposed Board of Estimates action (possible award of SC940 to Northeast Remsco) are outlined in Spiniello's Bid Protest and Supplemental Bid Protests, as well as the September 23, 2019 Request for Postponement, all of which are incorporated herein by reference. Spiniello, further intends to

respond to Northeast Remsco's Responses to Spiniello's May 5, 2019 Third Supplemental Protest as set forth in their correspondence to the Board of Estimates, the City Solicitor's Office and the State Attorney General in correspondence dated in the May to August 2019 period.

Spiniello also will argue as set forth in its September 23, 2019 requested postponement of this matter that the Board of Estimates consideration of this matter is premature. As noted in the September 23, 2019 Request for Postponement, Spiniello has an open Request for Reconsideration of the State's DBE determination. As indicated in the State's September 16, 2019 Letter and evidenced in the Request for Postponement, the State has agreed to meet with Spiniello to review and issue the ground of the reconsideration request. While the State's September 16, 2019 Letter indicates that they have not identified any issues with Northeast Remsco's bid justifying the recession of its February/March 2019 Approval Letter – this September 2019 Letter plainly states that they are open and willing to meet with Spiniello to discuss the request and that much or its response was merely to facilitate the discussion that is now set for October 2, 2019. These facts demonstrate that any reliance by the City on the State's February/March 2019 Approval Letter is erroneous. Spiniello's request or a limited postponement is also supported by the fact that these Northeast Remsco responses to Spiniello's Bid Protests were not provided to Spiniello. Spiniello did not receive these documents until August 24, 2019 – after the Board of Estimates listed SC940 on its agenda for September 25, 2019 and mere hours before the deadline to file final positions on the Protest. This late submission of this information to the Protester – Spiniello – also warrants the limited postponement requested.

**Ruling and Relief Requested**

Spiniello requests that the apparent lowest price Bid of Northeast Remsco be found non-responsive and not eligible for award of Sanitary Contract No. 940. Spiniello further requests that the Board of Estimates award Sanitary Contract 940 to Spiniello as the lowest price, responsive, and responsible Bidder.

Respectfully submitted,



Brian Cashmere, Esq.

Enclosures

cc: MWQFA, DBE Coordinator  
Mary R. Sheppard, Assistant Attorney General  
Scott Livingston, Esq., Rifkin, Weiner & Livingston  
Akil Patterson  
Spiniello Companies



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President: "The first item on the non-routine agenda can be found on Page 122 to 123 Recommendations for Contract Awardees/Rejections item one, SC 940, Sanitary Sewer Collections System Improvements in the High Level Sewershed, will the parties please come forward."

Mr. Matthew Garbark: "Good morning Mr. President, Mr. Mayor, Madam Comptroller, members of the Board of Estimates. My name is Matthew Garbark, I'm the Deputy Director of the Department of Public Works. Um -- as it relates to Sanitary Contract 940, Sanitary Collections System Improvements in the High Level Sewershed, um -- four bids were received on September 26, 2018, one from Northeast Remsco Construction Incorporated, one from Spiniello Companies, one from Bradshaw Construction and one from Oscar Renda Contracting. Um -- upon review, Northeast Remsco was the apparent low bidder, followed by Spiniello Companies as the second low bidder. This contract uses State revolving funds through the Maryland Depart-

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ment of the Environment. So, instead of being subject to the City's MBE and WBE program, we're subject to the State's DBE program. The State found the lowest apparent ah -- lowest bidder in compliance and the City has ah -- deferred to the State as in all matters on the DBE program and um -- is thus recommending that the contract be awarded to Northeast Remsco as the lowest responsive and responsible bidder. I'm joined by members of the Law Department who can explain um -- in more detail some of the legal questions and other issues that are raised in the protests."

Mr. Kyle Hildreth: "Good morning members of this Honorable Board. Ah -- my name is Kyle Hildreth. I'm here with Mike Mullen from the Law Department ah -- as you just heard. Um -- again, ah -- the Department of Public Works has reviewed all the bids and recommended that this award go to Northeast Remsco as the lowest responsive and responsible bidder. Ah -- as you just heard, this involves State ah -- funding as such, the State's DBE goals apply,

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our City MWBOO goals are not applicable. Ah -- the Department of the Environment issued an approval letter on February 22, ah -- I have a copy of that if you would all like to see it. (Hands out letter) Um -- I have a copy for you as well Counsel. As you can see from the second sentence ah -- of that letter, the Department of the Environment has expressly stated that the contract may be awarded to the low responsive and responsible bidder Northeast Remsco Construction, Inc. Ah -- that letter also approve of Northeast Remsco's use of all of its DBE's including Edwin Construction, ah - Ed Wean Drilling & Blasting, excuse me. Um -- - the Maryland Department of the Environment has reviewed this multiple times ah -- following Spiniello's protest ah -- and -- as recently ah -- yesterday, the Maryland Department of the Environment has communicated to the City that it may move forward um --- and its approval is not going to change. Um -- I have a copy of that as well. Give me one second. I have a copy for you

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Counsel. Here's a copy of that email from yesterday from Mary Sheppard is the Assistant Attorney General at the Maryland Department of the Environment. Um -- so as to the issue of um -- as to the issue of blasting versus drilling, ah -- no blasting will be done on this project. Both Northeast Remsco and Ed Wean are perfectly aware that they cannot blast on this project per the terms of the contract. Um -- and they have ah -- submitted multiple communications to both the State in their responses to ah - to Spiniello's protest and the City that indicate Ed Wean will only be doing drilling services, not blasting services. Finally, ah - - I'd like to note that this is a DPW Consent Decree contract, ah -- the same agency that the City has the Consent Decree with ah - - the Maryland Department of the Environment has now told the City multiple times that its approval is not going to change ah --- and that the City can move forward with the lowest responsive responsible bidder which is Northeast Remsco. Ah -- that was what

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was included in our latest email from September 24, from Mary Sheppard. With that being said ah -- the Law Department is of the opinion that this Board should award the contract to the lowest responsive and responsible bidder and in doing so, follow its historical practice of deferring to the State approval of DBE's in State funded contracts. And I'm willing to answer any questions."

Comptroller: "What was the next lowest bidder. The dollar amount?"

Mr. Hildreth: "What was the dollar amount?"

Comptroller: "The next lowest."

Mr. Hildreth: "The next lowest bidder dollar amount was \$44,633,000.00."

Comptroller: "Okay."

Mr. Hildreth: "For a difference of -- Spiniello for a difference of \$33,189.00."

Comptroller: "Okay."

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Mr. Brian Cashmere: "If I may be heard, I'm the -- I represent the protestor. I'd like to be heard."

President: "Are you guys done?"

Mr. Hildreth: "Yes I'm done. Excuse me. Unless there are any questions."

President: "We'll see."

Mr. Hildreth: "Of course."

President: "Yes sir."

Mr. Brian Cashmere: "Good morning Honorable President, members of the Board. Brian Cashmere on behalf of Spiniello Companies the protestor in this matter. As a threshold matter, I'd like to be heard briefly on our request for postponement. Um -- Spiniello has asked that the Board defer ah -- consideration of SC 940 for a couple of reasons. Spiniello became aware that this was on the agenda on Monday morning. Um -- upon hearing that, there was some surprise because as the Board knows, this has been the subject of

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ongoing communications between the Board through the protest process as well as through the State, recognizing the City's position that the State is reviewing ah -- DBE issues. Um -- Spiniello has reached out to the State and pointed out to the State that the approval letter that you have before you is dated February 22, 2019, and that is that pre-dates um -- Spiniello's protest of May 3, 2019, um -- February of 2019. If I have said 2018, I apologize. It pre-dates that and so Spiniello has asked the State to reconsider that approval um -- because of matters brought forth in the May protest. Essentially, that the use by Northeast Remsco of a blasting subcontractor to comply with its WBE goals should be factored in to the State's analysis. That ah -- reconsideration request has gone into the State. The State is considering it in our reconsideration ah -- proposal to the Board we pointed out that on September 16, just last week the State pointed out that, they were willing to meet with Spiniello's representatives to

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discuss the reconsideration. That letter been provided to the Board. In that the -- the - the - the -- ah -- State did say that they have a limited role in this procurement, but they were - wri -- interested in meeting. October 2nd, at 10.00 has been the date set. Spiniello asked for an earlier meeting. Spiniello asked for a meeting last week this week. It was the first available. That meeting goes forward many of the MBE, DBE, WBE issues that Spiniello has will likely be resolved at the State level. I understand just now that the State has sent an email to the City saying that the State has a limited role in the Baltimore City procurement, and as explained, I haven't had the opportunity to read this. But I have had an opportunity to read their September 16<sup>th</sup>, letter in which they have offered to meet to discuss these matters. So --"

City Solicitor: "Counsel I'm sorry --."

Mr. Cashmere: "Yep."



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City Solicitor: "I appreciate you haven't had a chance to read the email. But, they say, quote 'as a courtesy, we have agreed to meet with Mr. Livingston and other representatives on Spiniello'. That would appear to be what it says a courtesy which one would expect from Government officials to extend courtesy meetings, but it appears that the State has made its mind up about this and there's no reasonable possibility that the -- that the Department is going to change its mind."

Mr. Cashmere: "I -- I hear you. But the September 16, letter that we submitted requesting just a limited postponement or deferral does not say courtesy. That was not communicated to Spiniello. Spiniello had an expectation that they were going to have this process, their being deprived that and -- and it can be resolved by a simple deferment with limited pro -- prejudice to anyone. This matter's been going on for a year, we're looking at two three weeks to allow that process to go forward. To allow that meeting to occur to see if it can -- it can be -- this can be resolved."

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Comptroller: "But also, also I just want to say --."

President: "One second Madam Comptroller um -- you fin -- Madam Comptroller go ahead."

Comptroller: "Mr. Solicitor, if you read a little further it says, 'therefore, it seems unlikely that the October 2<sup>nd</sup>, meeting between the State and Spiniello representatives will result in the State's rescission of its approval of Northeast Remsco bid for SC 940'."

Mr. Cashmere: "So there's -- there's an opportunity. In that language there's an opportunity, unlikely, not never it could happen. And all we're asking is that opportunity to present this. This is important, it's important to Spineillo, it's important to the procurement agencies, it's important to the City that we have complete transparency in understanding how this is being applied. And that's all we're asking for with the deferral. In addition to

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that, we asked for the deferral we just received. The Northeast Remsco responses to our protests yesterday morning a mere hour and a half before our deadline for a protest. This was submitted to the City on May 20<sup>th</sup>. All this response to blasting that I just heard here is news to Spineillo. We've not known about that. How can that, that's prejudicial to Spineillo in the process that we were not given those documents. Now -- now however that happened it happened. We were not in possession of that. We didn't understand Northeast Remsco's position that they are not going to blast. On the face of the papers they were going to blast. That was our position. We are prejudiced not being able to respond to that in a timely manner. And I would suggest that the deferral also will cure that prejudice. Why go forward with that prejudice when a -- when a de minimus deferral of this will clear that up as well and increase the transparency."

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President: "I have a question for -- for the Law Department. So we know that this is a -- a State DBE and not a City MBE. Ah -- let's just say someone made that same mistake on a City contract. What would, what would have been the Law Department's opinion."

Mr. Hildreth: "I'm not sure if I can speak to that. I think that would be that would be reviewed by the MWBOO office."

Ms. Tamara Brown: "Good morning Tamara Brown."

President: "Good morning."

Ms. Brown: "I'm Chief of the Minority and Women's Business Opportunity Office. So if that mistake was made on a -- um -- on one of our contracts I would have likely have thrown that out with the blasting listed as a service. You have to list the service that would be provided on that contract, and um - we would have most likely have --."

President: "Okay."

Ms. Brown: "Most likely. However, they do -- what we look at is what services are provided. So if they are certified to provide

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that service, then we would have approved it. So it just depends. They are certified and we typically we don't know the specs of the contract like there is no blasting allowed I don't know if that would have trickled down to my office, where we would have disqualified them for that. So that would have been up to the agency I think at that point. But for MWBOO we just look at if the company is certified to provide that particular service that is listed on the form."

President: "Okay, thank you."

Mr. Hildreth: "And if I could just speak further to that point that ah -- that blasting mistake occurred on an EPA form that the form itself explicitly said that the bidder was not even bound to use that particular contractor. It's just used in a good faith effort analysis um -- to make sure that these bidders at the DBE process are -- are making good face to use utilize ah -- DBE Enterprises."

President: "Okay. Questions. Director Chow."

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Director of Public Works: "Yeah. Ah -- thank you Mr. President. First of all, this is as mentioned by the ah -- Spineillo's counsel, this is a Consent Decree. This contract came in last October; it's nearly a year now. We go on the fifth round of protests by them which basically going around and around, around and I think the State had made very clear that they are they have no issues with us moving forward ah -- they analyzed the DBE requirements and they met whatever the requirement that the State revolving fund requires. And ah -- we are anxious to move forward on this contract. As stated, this is a Consent Decree work and we are in essence one year behind schedule now. Thank you."

Mr. President: "Thank you, Sir."

Mr. Cashmere: "Again I would just restate I -- I -- if -- if the Board determines to go forward I would like to be heard on the protest. But again, I think a limited ah -- deferral to allow this meeting to occur with the State and to allow us the opportunity to evaluate Northeast Remsco's May 20<sup>th</sup> submission that

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we just received yesterday would clear up ah -- any concerns and reduce prejudice and increase transparency. So I request that it be deferred."

President: "Please continue with your protest."

Mr. Cashmere: "Okay. Ah -- Spineillo as -- protest the award of SC 940 to Northeast Remsco as recommended on today's Agenda. Spineillo comes forward today with this protest in good faith. And I understand and hear some frustration that there are multiple protests. But it was a complicated matter. We looked through and when we found things, we brought it to the Board's attention. Again, with the goal of ah -- supporting the integrity of the system. What our biggest protest is goes to is the responsiveness. Our view is that the um --- that the bid provided by Northeast Remsco is not responsive in a number of material respects and I'm not going to go through the entirety of our position as set forth in the papers I incorporate them. But if I can talk for just a moment about responsiveness and why it's so important. It's a

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critical component of the public procurement rout -- um process. It's defined in the City's new procurement regulations as making sure that the bids conform with the specifications as set forth in the contract terms and conditions. You need conformance and that's the key. The test for responsiveness is whether the bid as submitted on the day it was submitted based on the documents and materials provided evidence and offered to perform the exact scope of work in the exact manner that is specified. That's responsiveness. And the purpose of responsiveness is to promote fairness and um -- and encourage an equitable wide competition among those bidders. So that they're all providing the same work, the same responsibilities. You're providing an apples to apples comparison. Um -- our position is, well, another component of responsiveness that needs to be understood is that is well settled. It is well-settled law that responsiveness must be determined on the face of the bid at the time of the bid, okay. This is important



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because this is something that's just come up. We now realize as of yesterday that Northeast Remsco had said, look blasting is not what we're doing. What we said that on the form is the description of work, that's not what we intended. But the reality is, under the law and I could if -- if given more time I could provide the Board with dozens of cases. But there's a Maryland State board of Contract Appeals that I found this morning on my iPhone at Starbucks. Epso, Inc. MSBCA No. 1977 5MSBCA at paragraph 415, it's a January 29<sup>th</sup>, 1997 case, which stands for the proposition that responsiveness has to be looked at on the bid. Nothing outside of the bid. Why is that important? And I will -- I will say that we do have a number of MBE/WBE form deficiencies that we have -- we have -- we have noted. I'm going to move past those based on the State's representation with respect the State revolving fund and the State's role in that and I would reserve just one moment to talk about that at the end. But let me talk about two significant material deviations in -- in Northeast Remsco's package that don't have anything to do with the MBE goals.

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or the WBE goals and that is that they u -- they provided that Ed Wean would provide \$1.2 million dollars' worth of work. Ed Wean is a New Jersey certified WBE, not a City or State. They also say that the scope of work to be provided by them is blasting. That's what they say, blasting. Both of these things independent of what the City is reviewing for compliance with goals, deviate from the clear terms of the contract. At IB10, the contract says 'you can only bid this using the City of Baltimore or the State of Maryland WBE's.' They used a New Jersey one. They deviated from that clear express requirement of the contract. Why is that important? Because the City defined the pool, that everyone in the competitive field could bid to. They defined the pool. They limited the pool. The other three bidders complied with that requirement. A competitive advantage is given to Northeast Remsco's bid when they are allowed to deviate from that clear requirement and that that--

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is -- that makes this a non-responsive bid. That's the role of the Board of Estimates to evaluate that and say wait a second that's not fair. Why does Northeast Remsco get a larger pool versus everyone else? That's going to affect price. It affects responsiveness. That is a responsiveness issue. The blasting issue is also responsive. It is - there's no dispute that blasting is prohibited. There's no dispute that in their bid as submitted they indicated to the City that blasting was going to be done. Now I see yesterday 23 hours ago, I see ah -- 24 hours ago, it is probably about 9:15 last yesterday. I see that Northeast Remsco says look, that wasn't a description of the work. That was just part of our name. That's not really what we're going to do. We're going to drill. Okay. We're not going to Blast. Well that's not on the face of the bid. Responsiveness is on the face of the bid. You can't go outside of the bid to determine responsiveness. There is only one exception and that is for minor irregularities and you can read your own regulations. It doesn't allow you for responsiveness to

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look outside of the bid. But it does allow you to deviate from minor irregularities. It's not and you know how I know it's not, because yesterday I received this document from Edwin, undated. Edwin said to the City of Baltimore the follow, to Baltimore City of Board of Estimates; please accept this letter in response to your concerns expressed by the City of Baltimore with regard to our scope and work of me -- work and means and methods on the SC 940 contract, after they submitted their bid. After Bradshaw, Spineillo, Oscar Renta submitted their bids. They submitted something to the Board of Estimates that said, I was wrong, I'm not going to do Blasting and you're concerned about it. It's not a minor irregularity. If it was a minor irregularity, you wouldn't have said you were concerned. And -- and it's clearly not part of their bid. This is a post bid clarification that -- that this tells the world they are not responsive. And for you to allow them to move forward whether they are going to blast or not

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based on that bid eliminates transparency. It eliminates the -- the rules that Bradshaw, Oscar Renta and Spineillo bid by, and I understand they've come back now and explained it. But what I'm saying here is that's too late. With respect to the New Jersey and others that's too late. If I could be heard for one moment on the issues with the State compliance and -- and this is just a broader concern that Spineillo has and this is why and I understand frustration with this. But this is why we're concerned. The City takes the position on the State funded programs that they will not look at MBE at M -- ah MBE/WBE compliance. They're going to defer that to the State. They're not going to look behind it. The State in both its email yesterday to Mr. Mullen that the Board has looked at and in its letter to us on September 16<sup>th</sup>, to Mr. Livingston has told us they have a limited role. They have a limited role. They are a clerk. All they are checking is to see if a form's there. They are not looking behind the form. They are not looking for

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true compliance. There's a disconnect ah -- Mr. President, members of the Board, there's a disconnect here in these contracts. Who's looking for compliance with this important program in these instances? This is an aside we believe that the non-responsiveness of Northeast Remsco on its face with those two critical points that I brought up give them a significant competitive advantage over the competition. It's not responsive and for the City to allow them to come in after the fact, address the City's concerns with responsiveness is very typical in a procurement process and for that, they should be found non-responsive. Their bid should be rejected and Spineillo should be found as a matter of law and fact to be the lowest responsive and responsible bidder and they should be awarded SC 940."

President: "Thank you. Madam Comptroller."

Comptroller: "Could you respond to his comments."

Mr. Mullen: "I think that the -- Michael Mullen from the Law Department. I think the simple response to all that is that Ed Wean was a certified bidder that was accepted by the MDE. We have

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that in their letters that they've approved. And this business about the responsiveness was also looked at by the MDE Office. That's what they look at. They look at their forms. They look at the forms to make sure that there has been compliance with the State program and we accept what they say. They've said to move forward with Northeast Remsco as the lowest responsive responsible bidder and we accept that. We knew that Ed Wean was certified by them to move forward with this contract and that's what we really have traditionally based decisions on before this Board is that if the State has approved the process and by the way, when we submit the paperwork to the State, we don't just submit the one piece of paper or the DBE papers, we submit the entire package to them. They know who the subs are, they know all what the bid prices were, they know what the various items of work that were represented to be worked on or in those papers and so the MDE in this case, does

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look at the whole picture, and if you look back at the document that Mr. Hildreth gave you earlier, it says at the very beginning, we have reviewed the entire package and we have found that Northeast Remsco is the lowest responsive and responsible bidder. That is why we are urging recommendation to the Board to be consistent with prior practice that we have been consistent in this regard for years and years that when the State approves the package we go forward with that. And the bottom line I think on all of this what I'd like to stress to you all is that Northeast Remsco has to do this project for the price that they have bid which is the lowest price and they have to comply with the terms and conditions of the specifications which say they can't blast. So that if they put blasting on an EPA form by the way, and that form itself says right on it that the company is not even bound to use that contractor. It's almost a Statement of Good Intent or something. I'm not really sure why the State put that EPA form in



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there, but it's not a form that the City created. It's not a form that binds the contractor to use Ed Wean in any way. At the very least, putting the word blasting on there is a simple mistake. Because everybody knows you can't blast under this contract. If they try to blast, we're going to stop them, and Northeast will have to do the job without blasting and they have to do it for the price that they bid and they are the lowest responsive and responsible bidder. And I think that is my summary. I'm happy to answer any further questions you have Madam Comptroller or Mr. President or Mr. Mayor."

President: "Madam Comptroller."

Comptroller: "No I'm good."

Mr. Cashmere: "If I could have a quick response to that."

President: "One second sir."

Mr. Cashmere: "I just have --."

President: "Any other questions from the Board. Yes sir very quickly."

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Mr. Cashmere: "That one point, I'm not talking about the State, I'm not talking about the State reviewing this. I'm talking about them bidding this and indicating that the scope of work, the description of work by Ed Wean will be blasting. That's what they communicated to the City not the State. The City expressed a concern. This is independent of the State's DBE review. The City expressed a concern. It's in writing. They responded to the City's concern. This has nothing to do with DBE, MBE or WBE. It has to do with specific responsiveness. The City was concerned, reached out, asked for that, this has to do with general responsiveness that's a City requirement for review. The City quite frankly cannot hide behind the State's um -- review and on that by the way the State's review if you look at it, February 22, it says that they are going to do blasting. Read that letter. They believe that Ed Wean is going to do blasting. It say it, the last line of that page that was submitted by the City Solicitor to you says

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it was doing Blasting. The City didn't -- the State didn't review it, the City can't hide behind the State."

President: "Thank you. Ah -- thank you. I would entertain a Motion. Oh yes sir."

Mr. Dashiell: "Good morning Mr. President."

President: "Good morning."

Mr. Dashiell: "My name is Robert Fulton Dashiell. I represent the lowest responsive and responsible bidder, Northeast Remsco. We support the recommendation made by the Department of Public Works. We support the position taken by the Law Department, we think that they're completely accurate. This is a -- the rules have been the rules forever. They were applied to everybody. There is no favoritism, there is no arbitrariness, there is no capriciousness about it. We ask the Board to accept the recommendation. Thank you."

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

City Solicitor: "Mr. President, just to complete the record, I simply want to note that the protestant filed a lawsuit yesterday in the Circuit Court for Baltimore City, seeking an emergency order against the Board. Um -- I conferred with the Court last evening by telephone and the Court has elected not to enjoin or forestall the Board's decision this morning. Ah -- with that background Mr. President I move to deny the request for a postponement and further to reject the ah -- protest in all particulars and that the recommended award be approved."

Comptroller: "I second."

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

\* \* \* \* \*

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Procurement

2. B50005834, Polyethylene Fordian Packing, \$ 574,320.00  
Liners Ltd.

(Recreation & Parks,  
Dept. of General Services)

**MWBOO GRANTED A WAIVER ON FEBRUARY 21, 2019.**

3. B50005884, Steel D-S Pipe & Steel \$ 574,320.00  
Products Supply, LLC

(Dept. of General Services,  
Fleet Management)

**MWBOO GRANTED A WAIVER ON APRIL 25, 2019**

4. B50005755, Heavy Duty Holabird - \$2,000,000.00  
Manual Trans. & -  
Differentials and Enterprises of  
Rebuilt Heavy Duty Maryland, Inc.  
Manual Trans. and  
Differentials

(Dept. of General Services,  
Fleet Management)

**MWBOO GRANTED A WAIVER ON JUNE 10, 2019.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Procurement

5. B50005822, Provide Husky Envelop \$ 163,782.00  
Water Bill Envelops Products

(Dept. of Public Works)

**MWBOO GRANTED A WAIVER ON JUNE 4, 2019.**

6. B50005838, Automotive Radiators & Heaters Cummins Cooling Products, Inc. \$ 500,000.00

A B C Radiator &  
Welding Corporation

(Dept. of General Management)

**MWBOO GRANTED A WAIVER ON APRIL 29, 2019.**

7. B50005840, OEM Parts and Service for Mack Trucks \$ 500,000.00  
FIRST CALL  
Waste Equipment  
Sales and Service  
LLC

SECOND CALL  
Baltimore Truck  
Center, Inc.

(Dept. of General Services,  
Fleet Management)

**MWBOO GRANTED A WAIVER JULY 23, 2019.**

**MINUTES**

Mayor's Office of Homeless - Correction to Provider Agreement  
Services

**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested to approve a correction to the contract number from Contract No. 38471 to Contract No. 39267 for the Provider Agreement with Health Care for the Homeless, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$0.00

**BACKGROUND/EXPLANATION:**

On January 16, 2019, the Board approved Contract No. 38471 as submitted on the Board memo. By inadvertence, the incorrect contract number was assigned to the contract. The correct contract number is 39267.

The terms and conditions of the original Provider Agreement will remain the same. The correction is needed to process program expenditure reimbursement.

**MBE/WBE PARTICIPATION:**

N/A

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

4566 - 4568

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 Mayor **ABSTAINED** on item nos. 2 and 4.

The President **ABSTAINED** on item no. 2.



**MINUTES****PERSONNEL**Baltimore City Sheriff

1. Adjust the salary for the following classification, effective July 1, 2019:
- 

Classification: Sheriff  
 Job Code: 01410  
 Grade: 86E (\$143,581.00)  
 Position No: 86E (\$146,694.00)

Costs: \$5,000.00 - 1001-000000-1182-1388000-601001

The compensation for the Baltimore City Sheriff requires a fixed relationship to the Police Colonel classification, grade 86P. The Sheriff's salary is continually monitored and adjusted when necessary to avoid conflict with the statutory requirements. The Fraternal Order of Police approved contract provided their members a COLA effective July 1, 2019. Therefore, the Sheriff salary requires an adjustment to maintain a fixed relationship with the Police Colonel classification.

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

City Council

2. Create the following ten positions:

Classification: Council Assistant  
 Job Code: 10011  
 Grade: 084 (\$37,741.00 - \$45,044.00)  
 Position Nos.: To be assigned by BBMR

MINUTES

PERSONNEL

City Council - cont'd

Costs: \$599,240.00 - 1001-000000-1000-106300-601001  
 1001-000000-1000-106400-601001  
 1001-000000-1000-106600-601001  
 1001-000000-1000-106700-601001  
 1001-000000-1000-106800-601001  
 1001-000000-1000-107000-601001  
 1001-000000-1000-107100-601001  
 1001-000000-1000-107400-601001  
 1001-000000-1000-106500-601001  
 1001-000000-1000-107600-601001

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 Health Department

	<u>Rate of Pay</u>	<u>Amount</u>
3. <b>MARY ELIZABETH MURPHY</b>	\$10.10	<b>\$13,332.00</b>

Account: 6000-607620-3110-306700-601009

Ms. Murphy will continue to work as a Contract Services Specialist II. She will be responsible for assisting with Intake and Referrals, answering telephones, referring calls to proper stations; distributing documents to program staff; filing invoices and client records; monitoring incoming and outgoing faxes. The period of the agreement is effective upon Board approval for one year.

**MINUTES****PERSONNEL**Mayor's Office of Public Affairs

	<u>Rate of Pay</u>	<u>Amount</u>
4. <b>KIRK SHANNON-BUTTS</b>	\$42.00	<b>\$51,954.00</b>

Account: 1001-000000-1250-775200-601009

Mr. Shannon-Butts will continue to work as a Contract Services Specialist II for the Mayor's Office. He will be responsible for planning and curating a minimum of six exhibitions per year - exhibits will include City Hall north and south gallery and art installations on War Memorial Plaza; scouting artists; writing press releases and press kits; writing exhibition didactic, reviewing artists information and exhibition collateral; installing and de-installing art; acquiring all artist assets; trafficking (receiving and returning) all exhibition materials and assets; managing opening reception from start to finish: Leading gallery social media voice and content via Social Media Manager; directing campaigns and promotional pieces via Graphic Designer; establishing digital footprint; creating database and providing exhibition dates for official Events calendar and courting/inviting/attracting the lunch crowd, millennials, cultural sect, downtown dwellers, academics and Baltimore residents with stellar exhibitions, installations, program and events. This is a 40% increase in the hourly rate from the previous contract. The period of the agreement is effective upon Board approval for one year.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Employees' Retirement System</u>			
1. Joan M. Pratt	16 <sup>th</sup> Annual Public Pension Financial Forum (P2F2) Conference Salt Lake City, UT October 19 - 23, 2019 (Reg. Fee \$425.00)	Special Funds-ERS	\$2,435.00

The subsistence rate for this location is \$181.00 per day. The hotel cost is \$199.00 per night. The Employees' Retirement System is requesting additional subsistence of \$18.00 per day, totaling \$72.00 to cover the hotel costs and \$40.00 per day, totaling \$160.00 to cover meals and incidental expenses. The additional \$232.00 has been added to the total.

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 workdays or if 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.

Department of Recreation and Parks

2. Ashley Bowers	2019 North American Invasive Species Management Association - New York Invasive Species Research Saratoga Springs, NY Sept. 29 - Oct. 3, 2019 (Reg. Fee \$0.00)	General Funds	\$ 776.48
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**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Recreation and Parks - cont'd</u>			

Ms. Bowers will travel by City vehicle to and from the event. Ms. Bowers paid the cost of the hotel including taxes. She will therefore be disbursed \$776.48.

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 workdays 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.

Department of Planning

3. Walter W. Gallas	National Alliance of Preservation Commissions Board Meeting Tacoma, WA Sept. 26 - 29, 2019 (Reg. Fee \$0.00)	General Funds	\$1,125.67
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The subsistence rate for this location is \$192.00 per day. The hotel cost is \$159.00 per night, plus hotel taxes of \$22.67 per night. The Department is requesting additional subsistence in the amount of \$7.00 per day for meals and incidentals.

Mr. Gallas personally incurred the cost of the airfare and hotel costs. Therefore, Mr. Gallas will be disbursed \$1,125.67.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
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Department of Planning - cont'd

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 workdays 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.

Department of Housing and Community Development

4. Susan Moriarty	APA Maryland 2019 Biennial Conference Flintstone, MD Oct. 6 - 8, 2019 (Reg. Fee \$350.00)	Federal Community Develop- ment Grant	\$ 875.16
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The subsistence rate for this location is \$149.00 per night. The Hotel cost is \$119.00 per night, plus hotel taxes of \$9.52 per night, tourism fee of \$3.00 per night and resort fee of \$15.00 per night. The Department is requesting an additional \$10.00 per day for meals and incidentals. The registration fee of \$350.00 was prepaid on a City-issued procurement card assigned to Ms. Elaine Harder. Therefore, Ms. Moriarty will be disbursed \$526.16.

Baltimore Police Department

5. Michael Sullivan	International Association of Chiefs of Police Annual Conference Chicago, IL Oct. 26 - 27, 2019 (Reg. Fee \$425.00)	Asset Forfeiture Funds	\$1,781.39
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**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department - cont'd</u>			
<p>The subsistence rate for this location is \$299.00 per night. The cost of the hotel is \$269.00 per night plus taxes of \$46.81 per night. The Department is requesting additional subsistence of \$10.00 per day for meals and incidentals.</p> <p>The hotel cost of \$807.00, hotel tax of \$140.43, airfare cost of \$228.96, and registration cost of \$425.00 were prepaid using a City-issued credit card assigned to Mr. Tribuhvan Thacker. Therefore, the disbursement to Mr. Sullivan is \$180.00.</p>			
6. Gary Cordner	International Association of Chiefs of Police Annual Conference Chicago, IL Oct. 24 - 28, 2019 (Reg. Fee \$0.00)	Non-City Funds	\$ 0.00

The National Institute of Justice will pay the cost of registration, airfare, ground transportation, hotel accommodations, and meals during the forum. City funds will not be expended.

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 workdays 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.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department - cont'd</u>			
7. James Rhoden	Police Captain Assessment Center Charlotte, NC Sept. 29 - Oct. 4, 2019 (Reg. Fee \$0.00)	Non-City Fund	\$ 0.00

The Charlotte-Mecklenburg Police Department will pay the cost of registration, airfare, ground transportation, hotel accommodations, and meals during the forum. City funds will not be expended.

Department of Finance/Bureau of Revenue Collections

8. Dorothy Reed	Harris Customer Training Conference Oct. 8 - 11, 2019 Denver, CO (Reg. Fee \$0.00)	Travel Funds	\$1,494.96
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The subsistence rate for this location is \$257.00 per night. The hotel cost of \$527.00 and hotel tax of \$83.00 were prepaid using a City-issued procurement card assigned to Robert Cennane. Therefore, the disbursement to Ms. Reed is \$304.00.



**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Finance/Project Management</u>			
9. William Clinton	Workday Human Capital Management Training Atlanta, GA Oct. 14 - 18, 2019 (Reg. Fee: \$0.00)	Travel Funds	\$1,314.91

The subsistence rate for this location is \$225.00 per night.

The airfare of \$241.96, the total hotel costs of \$550.00, the total hotel taxes of \$92.95, and the total occupancy taxes of \$20.00 have been prepaid on a City issued credit card assigned to Mr. Robert Cennane. Therefore, Mr. Clinton will be disbursed \$410.00.

Department of General Services

10. Rick Opitz	International Construction and Utility Equipment Expo Louisville, KY Oct. 1 - 3, 2019 (Reg. Fee: \$39.00)	Internal Service Fund	\$1,314.96
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The subsistence rate for this location is \$183.00 per night. The cost of the hotel is \$215.00 per night, plus hotel taxes of \$34.55 per day.

The cost of the airfare is \$636.86 and the registration fee is \$39.00. The Department is requesting additional subsistence in the amount of \$32.00 per day for the hotel and \$40.00 per day for meals and incidentals. Therefore, Mr. Opitz will be disbursed \$1,314.96.

**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>			
11. Aisha Hilliard	Maryland Human Trafficking Investigators Seminar Ocean City, MD Apr. 15 - 18, 2018 (Reg. Fee \$0.00)	Asset Forfeiture Funds	\$ 588.86

Ms. Hilliard traveled to Ocean City, Maryland to attend the Maryland Human Trafficking Investigators Seminar on April 15 - 18, 2018.

The subsistence rate for this location was \$172.00 per night. The cost of the hotel was \$92.00 per night, plus hotel taxes of \$29.66 per night.

The hotel costs and the hotel taxes were prepaid by a City-issued credit card assigned to Ms. Robin Haskins. Ms. Hilliard personally incurred the cost of meals and incidentals and ground transportation. Therefore, the reimbursement to Ms. Hilliard is \$223.88

**TRAVEL REIMBURSEMENT**

\$ 84.36 - Meals and incidentals
<u>139.52</u> - Ground transportation
<b><u>\$223.88</u> - Total</b>

This request is late because of delays in the administrative approval 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>			
12. Tonya Bland	National Domestic Violence Prosecu- tion Conference Kansas City, MO June 5 - 8, 2018 (Reg. Fee \$295.00)	Federal Asset Forfei- ture Funds	\$1,242.55

Ms. Bland traveled to Kansas City, Missouri to attend the National Domestic Violence Prosecution Conference on June 5 - 8, 2018.

The subsistence rate for this location was \$185.00 per night. The cost of the hotel was \$121.00 per night, plus hotel taxes of \$22.45 per night.

The airfare of \$342.77, the hotel costs and the hotel taxes were prepaid by a City-issued credit card assigned to Ms. Robin Haskins. The registration fee was prepaid by a City-issued credit card assigned to Ms. Timi Roberts. Ms. Bland personally incurred the cost of meals and incidentals and ground transportation. Therefore, the reimbursement to Ms. Bland is \$174.43.

## 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 - cont'd</u>			

TRAVEL REIMBURSEMENT

\$139.83 - Meals and incidentals  
34.60 - Ground transportation  
**\$174.43 - Total**

This request is late because of delays in the administrative approval process.

13. Mark Jaskulski	Maryland Human Trafficking Investigators Seminar April 15 - 18, 2019 Ocean City, MD (Reg. Fee \$0.00)	Asset Forfeiture	\$ 267.15
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On April 15 - 18, 2019, Mr. Jaskulski traveled to Ocean City, MD to attend the Maryland Human Trafficking Investigators Seminar. The attendee did not need accommodations, and is only requesting subsistence of \$40.00 per day for meals and incidentals. Therefore, the reimbursement to Mr. Jaskulski is \$267.15.

This request is late because of the administrative review process. The Department apologizes for the delay. The requested travel reimbursement is as follows:

TRAVEL REIMBURSEMENT

\$147.15 - Mileage  
120.00 - Food  
**\$267.15**

## MINUTES

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of Council President</u>			
14. Sharon Green-Middleton	Maryland Association of Counties Ocean City, MD Aug. 14 - 17, 2019 (Reg. Fee \$325.00)	Elected Officials Expense Account	\$1,475.21

On August 14 - 17, 2019, Ms. Green-Middleton traveled to Ocean City, MD to attend the Maryland Association of Counties. The allowed subsistence rate for this location is \$311.00 per day.

The cost of the hotel for August 14 - 16, 2019 was \$299.00 per night, hotel tax of \$13.46 per night, and safe fee of \$1.41 per night.

The cost of the hotel for August 17, 2019 was \$320.00, the hotel tax was \$13.47, and the safe fee was \$1.41.

The Office of the Council President is requesting additional subsistence in the amount of \$9.00 to cover the cost of the hotel and \$13.82 to cover the cost of meals and incidentals. Therefore, the disbursement to Ms. Green-Middleton is \$1,475.21.

This request is late because the prior hotel reserved for the travel was overbooked, causing late reservation for the current hotel. The requested travel reimbursement is as follows:

## MINUTES

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of Council President - cont'd</u>			
\$172.84	- Transportation		
918.00	- Hotel		
41.32	- Hotel Tax		
4.23	- Safe Fee		
13.82	- Meals and Incidentals		
<u>325.00</u>	- Registration		
<b>\$1,475.21</b>			
<u>Health Department</u>			
15. Vira David-Brown	2018 Pregnancy Assistance Fund Orientation Bethesda, MD Aug. 12 - 14, 2018 (Reg. Fee \$0.00)	Private Grant	\$ 554.80

On August 12 - 14, 2018 traveled to Bethesda, MD to attend the 2018 Pregnancy Assistance Fund Orientation. The allowed subsistence rate for this location is \$244.00 per day. The hotel rate was \$175.00 per night, hotel taxes were \$22.75 per night. Therefore, the disbursement to Ms. David-Brown is \$554.80

This request is late because of the administrative process. The Department requests retroactive travel approval. The requested travel reimbursement is as follows:

**MINUTES****RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT**

Health Department - cont'd

**TRAVEL REIMBURSEMENT**

\$ 43.87	-	Transportation
30.00	-	Parking
350.00	-	Hotel
45.50	-	Hotel Tax
85.43	-	Meals and Incidentals
<u>\$554.80</u>		

The Board, UPON MOTION duly made and seconded, approved the foregoing Travel Requests and the Travel Reimbursements. The Mayor **ABSTAINED** on item no. 14. The President **ABSTAINED** on item no. 14. The Comptroller **ABSTAINED** on item no. 1.

MINUTES

President: "As there is no more business before the Board, we will recess until bid opening at twelve noon."

\* \* \* \* \*



**MINUTES****BIDS, PROPOSALS AND CONTRACT AWARDS**

Prior to the reading of bids received today and the opening of bids scheduled for today, the Comptroller announced that **NO ADDENDA WERE RECEIVED** extending the dates for receipt and opening of bids. There were no objections.

## MINUTES

Comptroller: "In the interest of promoting the order and efficiency of the 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. Thank you. So the first item --."

Dr. Cheatham: "Madam Comptroller, I know that I'm out of order and I will immediately leave. I am Doctor Marvin Cheatham. I am a life member Alumnus of Coppin State University. I am making myself available even though I will leave to be arrested. I just want voice our strong opposition to the decision made by the Board of Estimates last week without any community dialogue and there being no accessibility study done on Coppin for there to be a decision to give -- to give the Police Academy to the University of Baltimore which is basically one of the ah -- the individual organizations that testified against the Maryland HBCU. To give them the Police Academy is an insult to us here in Baltimore City, and I just want to make my opposition present. Publicly known I'm also President of a Neighborhood Association directly down the street from Coppin. None of the communities were communicated

## MINUTES

with but this community we're saddened that three of the highest ranking African American Elected Officials decided to take part with the Governor and to provide something to a -- University, University of Baltimore which is one of the white institutions that we filed a lawsuit against in the HBCU case. How do we continue to discriminate against the four HBCU's. So I know I'm due to leave I'm surprised you didn't have the police here. Because we did tell the police I was going to be a little disruptive so no harm meant to you all personally, ah -- but we just wanted to make it publicly known that this is an awful decision. It's very easy to come back and do a motion for reconsideration and all we're asking you to do is to table any action. It's only been a week, and all we're asking you to do is to table this issue about whether UB should get it or Coppin should get it. Give a public discussion but more especially do a feasibility study, which this body has not done. You made a decision about Coppin and there is no feasibility study. So, thank you. I'm sorry I mean no harm to you personally, ah -- but being a long time member of Coppin from 71, I have to speak out. So, sorry for the interruption but I had to make this known."

Comptroller: "Right. Thank you Mr. Cheatham and your comments will be noted in the minutes. Thank you very much."

\* \* \* \* \*

## MINUTES

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

Bureau of Procurement - B50005886, Portable Generator

Correlli, Inc.  
 Ramsey-Blige Corp. dba Lette  
 Generators  
 Fidelity Power Systems

Bureau of Procurement - B50005868, Provide Mobile and  
 On-Site Shredding

PROSHED Security  
 Clean Cut Shredding

Bureau of Procurement - B50005835, City of Baltimore and  
 Housing Authority of Baltimore  
 City Disparity Study  
TECHNICAL OPENING

Mason Tillman Associates, LTD\*  
 MGT of America Consulting, LLC  
 Griffin & Strong, P.C.  
 Miller3 Consulting, Inc.  
 Miller3 Consulting, Inc.

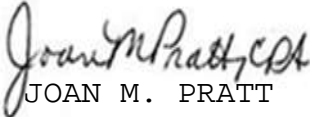
## MINUTES

\*UPON FURTHER MOTION duly made and seconded, the Board declared the bid of Mason Tillman Associates, LTD **NON-RESPONSIVE** due to the companies' failure to submit two different proposals: one for the city and one for the HABC, as mandated by the solicitation instructions. The submission included the proposal for HABC.

CLERK'S NOTE:

On October 23, 2019, the Board recalled this item to open the second timely received package received from this bidder on September 25, 2019. The solicitation was recalled to determine if the second package with a label of "Price Submission" and an obscured label that appeared to read, "technical submission" included the proposal for the City of Baltimore. On November 06, 2019, it was determined that the Baltimore City proposal was in the second package and both technical proposals should be referred to the Bureau of Procurement for technical evaluation.

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, October 2, 2019.



JOAN M. PRATT  
Secretary