

MINUTES

REGULAR MEETING

Honorable Brandon M. Scott, President
Honorable Bernard C. "Jack" Young, Mayor
Honorable Joan M. Pratt, Comptroller and Secretary
Matthew W. Garbark, Acting Director of Public Works
Dana P. Moore, Acting City Solicitor

President: "Good morning the August 05, 2020, meeting of the Board of Estimates is now called to order. In the interest of promoting and maintaining health and safety as we continue to deal with COVID-19, the Board of Estimates continues to meet virtually. I would direct the Board member's attention to the memorandum from my office dated August 03, 2020 identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Comptroller. I will entertain a Motion to approve all the items contained on the routine agenda."

Acting City Solicitor: "Ah -- good morning, everyone. I move approval of all of the items on the routine agenda."

Comptroller: "I second."

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President: "All those in favor say, Aye. All opposed say, Nay. The routine agenda items have been adopted. Ah -- Board members, is there anyone that would like to make any remarks or anything this morning. Thank you."

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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:

Capital Contracting, Inc.	\$ 770,000.00
Concrete Protection and Restoration, Inc.	\$8,000,000.00
Dvorak, LLC	\$8,000,000.00

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:

CBRE Heery, Inc.	Architect Engineer
Essential Corrosion Protection, LLC	Engineer
Forella Group, LLC	Architect
iDesign Engineering, Inc.	Engineer
LSG Landscape Architecture, Inc.	Landscape Architect
Morabito Consultants, Inc.	Engineer
Suyash Consulting, LLC	Engineer

MINUTES**BOARDS AND COMMISSIONS** - cont'd

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

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2949 - 2952

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development (DHCD)</u>		
1. \$ 275,460.00 1 st Affordable Housing Loan	9910-924026-9587 New Affordable Housing Fund	9910-903862-9588 Sage II - Monarch View
The proceeds of the City AHP Bond loan will be used to support a portion of the hard construction costs of five affordable rental units known as Sage II - Monarch View for families who are participants in the Sage Center program for recovery from substance abuse.		
2. \$ 27,000.00 Other Fund Revenue	9910-995001-9587 Unallocated Reserve HCD	9910-909124-9588 Loan Administration
This transfer will provide funds to support the Loan Administration account for the Office of Rehabilitation loans for processing credit, property and judgment reports.		
3. \$1,500,000.00 Comm. Dev. Block Grant 46	9981-937019-9587 Homeownership Incentive - Program (Reserve)	9981-955010-9593 Direct Homeownership
This transfer will provide Community Development Block Grant funds for Baltimore Housing's Homeownership Incentive Program for Fiscal Year 2021.		

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TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD</u> - cont'd		
4. \$ 880,000.00	9910-922012-9587	
2 nd Comm. & Economic Dev. Bonds	Whole Block Demo Res.	
125,000.00	" " "	
1 st Comm. & Economic Dev. Bonds		
<u>\$1,005,000.00</u>	-----	9910-903395-9588 Whole Block Demo - Staff Costs FY20

This transfer will provide funding to support the Land Management and Demo Staff Costs for Fiscal Year 2020.

5. \$ 118,330.74	9910-908636-9588	
1 st Comm. & Economic Dev. Bonds	Whole Block Land Resources FY16	
31,669.26	" " "	
31 st Comm. Dev. Bonds		
<u>\$ 150,000.00</u>	-----	9910-907157-9588 MCC - Land Management - HCD

This transfer will provide funds to support the stabilization of City-owned properties.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD</u> - cont'd			
6.	\$1,007,384.00	9910-903245-9587	
	Mayor & City	Land Resources	
	Council Revenue	Administration	
	154,174.00	9910-903963-9587	
	30 th Comm. Dev.	Park Heights	
	Bond	Greening RES	
	115,669.82	9910-903183-9588	
	Mayor & City	Park Heights Major	
	<u>Council Revenue</u>	Redevelopment	
	<u>\$1,277,227.82</u>	-----	9910-904365-9588
			LM Project Staff
			Costs FY20

This transfer will provide funding to support the transfer credits for Land Management and Park Heights Staff Costs for Fiscal Year 2020.

Baltimore Convention Center

7.	\$ 166,228.00	9953-938004-9535	9953-918004-9534
	3 rd Parks &	BCC West Side	West Side Freight
	Public	Freight Elevator	Elevator
	Facilities		

This transfer will provide funds to cover the costs for the design phase of the replacement of the freight elevator on the west side of the Baltimore Convention Center.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Enoch Pratt Free Library</u>			
8.	\$97,478,000.00	9936-902024-9458	
	State Funds	Central Library Renovation	
	15,061,912.93	9936-902001-9458	
	<u>State Funds</u>	Unallocated - Library	
	\$112,539,912.93	-----	9936-901024-9457 Central Library Renovation

This transfer will allow the Central Library, which serves as the Maryland State Library Resource Center, to be capitalized for asset purposes since the building is owned by Baltimore City. The Central Library renovation was managed by the State Department of General Services.

Department of Planning

9.	\$ 100,000.00	9904-914046-9129	9904-917046-9127
	3 rd Community and Economic Dev. Loan	Hippodrome Theatre Event Space (Active)	Hippodrome Theater Event Space (Reserve)

The funds will be used to make improvements to the France-Merrick Performing Arts Center. The M&T Bank Pavilion will be converted into a state-of-the-art flexible event space that can be used by a large cross-section of the Baltimore community.

MINUTES

Office of the State's Attorney - Expenditure of Funds
for Baltimore City

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay the Client Protection Fund of the Bar of Maryland. The expenditure of funds is for the period September 2020 through August 2021.

AMOUNT OF MONEY AND SOURCE:

\$23,140.00 - (178 X \$130.00)

Account: 1001-000000-1151-117900-603026

BACKGROUND/EXPLANATION:

The Client Protection Fund of the Bar of Maryland was created in 1965 for the purpose of maintaining the integrity and protecting the good name of the legal profession. The Client Protection Fund is supported financially by practicing attorneys, reimburses claimants for losses caused by theft of funds by members of the Maryland Bar, acting either as attorneys or as fiduciaries. Payment of the Client Protection Fund assessment is required to practice law in Maryland.

The Baltimore City State's Attorney Office will cover the mandatory Client Protection Fund fee for all prosecutors.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

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

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds to pay Client Protection Fund of the Bar of Maryland.

MINUTES

OPTIONS/CONDEMNATIONS/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. William F.R. Gilroy	2201 Etting Street	G/R	
	2203 Etting Street		
		\$36.00	\$ 600.00
2. S. Goldberg	2217 Etting Street	G/R	\$ 660.00
Custodian, LLC.		\$72.00	

Funds are available in account no. 9904-918051-9127-900000-704040, BGN Druid Square Park, Druid Square/Cab Calloway Square.

3. Bernard J. Sachs,	349 N. Chester St.	G/R	\$ 230.00
Testamentary		\$34.50	
Trustee, one of			
the residuary			
legatees under			
the Last Will and			
Testament of			
Philip H. Goodman,			
Deceased			

Funds are available in account no. 9910-910427-9588-900000-704040, EBDI, EBDI.

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.

MINUTES**OPTIONS/CONDEMNATIONS/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Condemnations</u>			
4. Norman Murphy, and Dorothy M. Murphy	1303 Edmondson Avenue	F/S	\$3,130.00
5. Estella I. Dobson and Spencer G Dobson	1307 Edmondson Avenue	L/H	\$2,594.00

Funds are available in account no. 9904-921053-9127-900000-704040,
BGN Harlem Park, Harlem Inner Block Park Greening.

DHCD - Condemnations or Redemptions

6. Stephanie E. Gerber	1121 Riggs Avenue	G/R	\$ 70.00
		\$78.00	
			\$ 234.00

Funds are available in account no. 9904-919052-9127-900000-
704044, Smithson Street Park, Smithson Street Park.

7. Henrietta D. Stonestreet	1011 N. Carlton Street	G/R	\$ 70.00
		\$30.00	
			\$ 90.00

Funds are available in account no. 9904-919052-9127-900000-
704044, Smithson Street Park, Smithson Street Park.

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OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations or Redemptions - cont'd</u>			
8. Brian N. Hershfeld	1816 E. Biddle Street	G/R	\$ 70.00
			\$120.00
			\$ 360.00

Funds are available in account no. 9910-910427-9588-900000-704044, EBDI.

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

UPON MOTION duly made and seconded, the Board approved the foregoing Options, Condemnations, and the Condemnations or Redemptions.

MINUTES

Mayor's Office of Employment (MOED) - Modification of Inter-governmental Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Modification #001 (Agency Control Number BCDSS/FIA 19-017-A1) to the initial Inter-governmental Agreement with the Maryland State Department of Human Resources for Professional Services. The period of the Inter-governmental Agreement is June 1, 2018 through June 30, 2021 unless terminated earlier in accordance with this Agreement.

AMOUNT OF MONEY AND SOURCE:

\$5,623,869.09 - 4000-808219-6392-456000-404001 (FY19)
2,960,200.54 - 4000-808220-6392-456000-404001 (FY20)
\$8,584,069.63 - 4000-808221-6392-487105-404001 (FY21)

BACKGROUND/EXPLANATION:

On September 26, 2018, the Board approved acceptance of the initial Inter-governmental Agreement from the Maryland State Department of Human Resources in the amount of \$5,623,869.09.

The purpose of this Modification #001 is to extend the Agreement period by 12 months and to increase the initial amount by \$2,960,200.54. The new total amount payable to the Mayor's Office of Employment Development is \$8,584,069.63 of Federal Funds.

MBE/WBE PARTICIPATION:

N/A

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

MINUTES

MOED - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Modification #001, (Agency Control Number BCDSS/FIA 19-017-A1) to the initial Intergovernmental Agreement with the Maryland State Department of Human Resources for Professional Services.

MINUTES

Mayor's Office of Employment - Ratification to Amend
Development (MOED) Grant Modification

ACTION REQUESTED OF B/E:

The Board is requested to ratify and approve acceptance of a Modification to Amend Grant Award from the Maryland Department of Labor for professional services. The period of the Ratification is April 1, 2019 through June 30, 2020. The Modification also extends the period of the grant award through December 31, 2020 to allow supplementary time to expend Grant Funds.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 5000-512619-6312-4560000-405001

BACKGROUND/EXPLANATION:

On July 10, 2019, the Board approved acceptance of the Grant Award from the Maryland Department of Labor (formerly known as the Maryland State Department of Labor, Licensing and Regulation, DLLR) funded through December 31, 2019 by FY 19 SHA-HCCT Funds. On February 26, 2020, the Board approved Modification #001 to increase the Grant Award funding level by \$88,574.00 to better meet deliverables. The new total amount payable to the MOED under this Grant Award is \$373,280.00.

The purpose of Modification #002 is to extend the term of the Grant Award only. The Modification to this Grant Award was delayed because of additional time necessary for clarification of amended terms.

MBE/WBE PARTICIPATION:

N/A

AUDITS NOTED THE NO COST TIME EXTENSION.

MINUTES

MOED - cont'd

UPON MOTION duly made and seconded, the Board ratified and approved acceptance of the Modification to Amend the Grant Award from the Maryland Department of Labor for professional services.

MINUTES

Mayor's Office of Homeless Services - Agreements

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

1. **COMMUNITY HOUSING ASSOCIATES, INC.** **\$ 26,440.00**

Account: 5000-529121-3572-818600-603051

The City has received a Maryland Department of Housing and Community Development grant to undertake the Homelessness Solutions Program. As a sub-recipient, Community Housing Associates, Inc. will provide supportive services to 122 individuals and/or families experiencing homelessness in the City. The Provider will offer service(s) under their Resident Advocate Program. The period of the agreement is July 1, 2020 through June 30, 2021.

The agreement is late because of a delay at the administrative level.

AUDITS REVIEWED AND HAS NO OBJECTION.

2. **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** **\$ 1,466,168.00**

Account: 4000-407019-3573-757001-404001

The Department submitted renewal applications for existing Continuum of Care grants in response to the 2019 Notice of Funding Availability. The U.S. Department of Housing and Urban Development announced on January 15, 2020, the renewal applications for programs. Under the terms of the grant renewals, the related sub-contracts will be renewed with various organizations throughout the City that carry out

MINUTESHealth Department - cont'd

Homeless Service activities, which include rental assistance and supportive services. The grant awards have different start dates, the earliest start date being February 1, 2020 and the latest start date being January 1, 2021. Each grant has a performance period of 12 months beginning from its start date.

The agreement is late because of a delay in receiving the grant agreement from the U.S. Department of Housing and Urban Development.

APPROVED FOR FUNDS BY FINANCE

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

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

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 for the sale of three City-owned properties at 407, 508, and 510 N. Glover Street, located in the McElderry Park neighborhood to Mohammed Khan.

AMOUNT OF MONEY AND SOURCE:

\$19,800.00 - total purchase price
Private funds will be used for this project.

BACKGROUND/EXPLANATION:

The Developer proposes to purchase the three vacant at 407, 508, and 510 N. Glover Street for complete rehab as single-family homes, to be sold at market rate.

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

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE WAIVER VALUATION:

In accordance with the Appraisal policy of Baltimore City, a Waiver Valuation determined the three vacant buildings at 407, 508, & 510 N. Glover Street to be valued at \$13,000.00 each and will be sold for \$6,600.00 each (\$19,800.00 total).

Sale of the vacant properties at a price below the waiver valuation amount will be a specific benefit to the immediate community, eliminate blight, facilitate owner-occupied homeownership, create jobs during reconstruction and the properties will be returned to the tax rolls.

MINUTES

Department of Housing and - cont'd
Community Development

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement for the sale of three City-owned properties at 407, 508, and 510 N. Glover Street, located in the McElderry Park neighborhood to Mohammed Khan.

MINUTES

Department of Housing and - Mitigation Measures Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Mitigation Measures Agreement with the Maryland Department of Housing and Community Development (DHCD) and the Maryland Historical Trust (Trust). The period of the agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

This action does not entail any expenditures or commitment of funds.

BACKGROUND/EXPLANATION:

This Agreement is submitted to the Board in conjunction with Amendment No. 1 to the Programmatic Agreement regarding Project C.O.R.E. - Demolition and Stabilization Actions among the same parties. Amendment No. 1 provides for the fifth phase of Project C.O.R.E. and becomes effective upon execution by the Board, and extends the expiration date of the Programmatic Agreement from September 8, 2021 to September 8, 2022.

Project Creating Opportunities for Renewal and Enterprise (C.O.R.E.) is a state-funded program which began in 2016 that undertakes, among other things, to demolish thousands of blighted properties in Baltimore City. The Maryland Historical Trust Act of 1985, as amended (the Act), requires that the State or any entity acting with state funding, consider the impact of the undertaking on historic resources, and act to avoid, minimize or mitigate any adverse effect the undertaking may have. Much of the demolition activity under Project C.O.R.E. is occurring in historic areas of Baltimore, and the demolition has been determined by the Trust to be an adverse effect on the historic resources.

MINUTES

DHCD - cont'd

On September 8, 2016, the Board approved a Programmatic Agreement among the Department, the Trust and the City governing the compliance of Project C.O.R.E. with the Act. That original Programmatic Agreement provided for four phases of Project C.O.R.E. and became effective on September 8, 2016.

This Mitigation Measures Agreement among the same parties specifically stipulates measures to be undertaken by the parties to mitigate the adverse effect that the demolition will have on historic resources. These mitigating measures include:

The production of new entries or addenda to the Maryland inventory of Historic Properties files at the Maryland Historical Trust to document the properties being demolished; and the production of archival quality photographs of the properties to be demolished.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Mitigation Measures Agreement with the Maryland Department of Housing and Community Development and the Maryland Historical Trust.

MINUTES

Department of Housing and - Amendment No. 1 to
Community Development Programmatic Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to the Programmatic Agreement (PA) with the Maryland Department of Housing and Community Development and Maryland Historical Trust regarding Project C.O.R.E. - Demolition and Stabilization Actions. Amendment No. 1 provides for the fifth phase of Project C.O.R.E. The period of the Amendment is effective upon Board approval and extends the expiration date of the PA from September 2021 through September 8, 2022.

AMOUNT OF MONEY AND SOURCE:

There are no funds involved.

BACKGROUND/EXPLANATION:

Project C.O.R.E - Creating Opportunities for Renewal and Enterprise - is a state-funded program begun in 2016 that undertakes, among other things, to demolish thousands of blighted properties in Baltimore City. The Maryland Historical Trust Act of 1985, as amended (the Act), requires that the State, or any entity acting with state funding, consider the impact of the undertaking on historic resources and act to avoid, minimize or mitigate any adverse effect the undertaking may have. Much of the demolition activity under Project C.O.R.E. is occurring in historic areas of Baltimore, and that demolition has been determined by the Trust to be an adverse effect on historic resources.

Accordingly, on September 8, 2016, the Board approved a PA among DHCD, the Trust and the City governing the compliance of Project C.O.R.E with the Act. That original PA projected for four phases

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DHCD - cont'd

of Project C.O.R.E. became effective on September 8, 2016 and is set to expire five years after its effective date on September 8, 2021. Amendment No.1 provides for the fifth phase of Project C.O.R.E., becomes effective upon Board approval and extends the expiration date of the PA to September 8, 2022. Simultaneously and in conjunction with the Amendment, the Department is submitting a separate Mitigation Measures Agreement among the same parties, which specifically stipulates measures to be undertaken by the parties to mitigate the adverse effect that the demolition will have on historic resources.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to the Programmatic Agreement with the Maryland Department of Housing and Community Development and Maryland Historical Trust regarding Project C.O.R.E. - Demolition and Stabilization Actions.

MINUTES

Baltimore Police Department - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Grant Adjustment Notice from the U.S. Department of Justice (USDOJ), Smart Supervision: Reducing Prison Populations, Saving Money and Creating Safer Communities Initiative, Award #2017-MU-BX-0007. The original award was for the period October 1, 2017 through September 30, 2020, and USDOJ, the City and BPD have revised the award to extend the award period by one year, from October 1, 2017 through September 30, 2021.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On January 31, 2017, the Board approved and accepted a grant from the USDOJ in the amount of \$750,000.00 for October 1, 2017 through September 30, 2020. The primary goal of the Smart Supervision Initiative is to help returning citizens become productive members of the community and reduce recidivism. Smart Supervision has three primary components: (i) pre-release case management referral and follow-up, (ii) mentoring, and (iii) post-release case management referral and follow-up.

On February 6, 2020, the USDOJ approved a Grant Adjustment to change the end date from September 30, 2020 to September 30, 2021. The Grant Adjustment is to ensure that the work related to the grant is completed. There is no change to the budget.

The grant adjustment is late because of administrative delays.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Baltimore Police Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Adjustment Notice from the U.S. Department of Justice, Smart Supervision: Reducing Prison Populations, Saving Money and Creating Safer Communities Initiative, Award #2017-MU-BX-0007.

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Baltimore Police Department (BPD) - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) with the Mayor's Office of Criminal Justice and the University of Maryland, College Park. The period of the MOU is November 1, 2019 through September 30, 2021.

AMOUNT OF MONEY AND SOURCE:

\$197,731.00 - 4000-408418-2042-223700-600000

BACKGROUND/EXPLANATION:

On January 31, 2017, the Board approved and accepted a grant from the U.S. Department of Justice in the amount of \$750,000.00 for October 1, 2017 through September 30, 2020. In addition, there is a request concurrently submitted to the Board for a no-cost extension through September 30, 2021. The primary goal of the Smart Supervision Initiative is to help returning citizens become productive members of the community and reduce recidivism. Smart Supervision has three primary components:(i) pre-release case management referral and follow-up, (ii) mentoring, and (iii) post-release case management referral and follow-up. Funded through this grant is the University of Maryland, College Park, who will be responsible for evaluating the effectiveness of BPD's Smart Supervision Initiative. The budget in the approved award is for \$197,731.00. The funding for this MOU comes from the U.S. Department of Justice, Smart Supervision: Reducing Prison Populations, Saving Money and Creating Safer Communities Initiative, Award #2017-MU-BX-007.

The MOU is late because of administrative delays.

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Baltimore Police Department - cont'd

MBE/WBE PARTICIPATION:

N/A

AUDIT REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding with the Mayor's Office of Criminal Justice and the University of Maryland, College Park.

MINUTES

Baltimore Development Corporation - Governmental/Charitable
Solicitation Application

ACTION REQUESTED OF B/E:

The Board is requested to endorse a Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City to allow Mr. Colin Tarbert and members of the senior staff including Ms. Kimberly Clark, Mr. Jeffrey Pillas, Ms. Nancy Jordan-Howard, Ms. Larysa Salamacha, Mr. William Beckford, Ms. Susan Yum, Mr. Daniel Taylor, Ms. Kristin Dawson and Ms. Stephanie Hsu to solicit sponsorships and donations for the purpose of supplementing and enhancing the City's economic development initiatives. The period of the campaign will be from September 1, 2020 through August 31, 2021.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

BACKGROUND/EXPLANATION:

The sponsorships and donations will be used for funding service providers to provide hands-on business assistance to entrepreneurs in a variety of tracks, sponsorship dollars for tours of City projects, trade shows, special events, seminars, educational workshops, marketing material, and research.

A potential donor list will be comprised of individuals and corporate entities that have demonstrated a history of providing financial and in-kind contributions to the small business community and Baltimore's economic revitalization. Criteria for targeting a corporate entity for the solicitation will include a commitment to the overall community, value to the overall community, interest in entrepreneurship, and a history of providing financial and in-kind contributions to growing the business community and Baltimore's economic revitalization.

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Baltimore Development Corporation - cont'd

Most of the corporate entities or private foundations may or may not be controlled donors. However, those potential donors, who are controlled donors with respect to the Baltimore Development Corporation, the City Council, or the Board of Estimates will not be targeted or singled out in any way and will be solicited, if at all, in the same manner as all other potential donors. Solicitations will be made in the context of a scheduled formal meeting, with presentation materials, detailed budgets and follow-up as required. BDC will not provide exclusive access to BDC clients to any sponsors.

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity. Ethics Regulation 96.26B sets out the standards for approval, which include the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designee.

UPON MOTION duly made and seconded, the Board endorsed the Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City to allow Mr. Colin Tarbert and members of the senior staff including Ms. Kimberly Clark, Mr. Jeffrey Pillas, Ms. Nancy Jordan-Howard, Ms. Larysa Salamacha,

MINUTES

Baltimore Development Corporation - cont'd

Mr. William Beckford, Ms. Susan Yum, Mr. Daniel Taylor, Ms. Kristin Dawson, and Ms. Stephanie Hsu to solicit sponsorships and donations for the purpose of supplementing and enhancing the City's economic development initiatives.

MINUTES

Fire Department - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Award Agreement with the Department of Justice, Bureau of Justice Assistance for the Coronavirus Emergency Supplemental Funding Program, Award #2020-VD-BX-1169. The period for this award is January 20, 2020 through January 3, 2022.

AMOUNT OF MONEY AND SOURCE:

\$2,770,154.00 - 4000-438920-2131-228200-600000

BACKGROUND/EXPLANATION:

This grant is being provided to the local level to assist with COVID-19 response activities and will be used to purchase personal protective equipment and other response-related equipment for the COVID-19 pandemic. This federal grant does not require a match in funds.

The Grant Award Agreement is late because of the delayed receipt of documents.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Award Agreement from the Department of Justice, Bureau of Justice Assistance for the Coronavirus Emergency Supplemental Funding Program, Award #2020-VD-BX-1169.

MINUTES

Mayor's Office of Criminal Justice - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Grant Adjustment Notice with the Office of Violence Against Women (OVW). The period of the Grant Adjustment Notice is September 30, 2020 through December 31, 2020.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On October 11, 2017, the Board approved and authorized acceptance of a grant award from the U.S. Department of Justice, through the OVW, for the Baltimore City's Visitation Center Continuation and Civil Legal Services Expansion Project, Award #3017-FJ-AX-0017. The period of performance for the award is from October 1, 2017 through September 30, 2020. On May 22, 2020, OVW approved a no-cost extension, extending the project period through December 31, 2020, based upon the OMB memorandum M-20-15, Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to loss of operation.

The Baltimore City's Visitation Center Continuation and Civil Legal Services Expansion Project is intended to improve the response of all aspects of the civil and criminal justice systems to families with a history of domestic violence, dating violence, sexual assault, stalking, or cases involving an allegation of child sex abuse.

The request is late because of the administrative process.

MINUTES

MOCJ - cont'd

MBE/WBE PARTICIPATION:

N/A

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Adjustment Notice with the Office of Violence Against Women.

MINUTES

Mayor's Office of Criminal Justice (MOCJ) - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Award Agreement with the Governor's Office of Crime Control and Prevention (GOCCP). The period of the Agreement is July 1, 2020 through June 30, 2021.

AMOUNT OF MONEY AND SOURCE:

\$3,600,000.00 - 5000-511021-2255-702300-405001

BACKGROUND/EXPLANATION:

On July 20, 2020, GOCCP informed the Department of a grant award for the Baltimore City Safe Streets Program. The Department's FY21 Safe Streets Baltimore project helps to reduce shootings and homicides within targeted communities in Baltimore City using an evidence-based public health approach-Cure Violence model.

This program uses outreach as an integral component of programming and includes high-risk conflict mediation, relies on outreach workers with "street" credibility to engage high-risk youth aged 14-25 years in order to intervene in conflicts, or potential conflicts, and promote alternatives to violence.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

MOCJ - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Award Agreement with the Governor's Office of Crime Control and Prevention.

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

The Board is requested to approve an Expenditure of Funds to purchase client incentives gift cards from Giant Food Store (Giant) for the STD/HIV Prevention Program.

AMOUNT OF MONEY AND SOURCE:

<u>Amount</u>	<u>Company</u>	<u>Denomination/Card</u>	<u># of Cards</u>
\$1,040.00	Giant	\$20.00 each	52
<u>10.00</u>	Giant	\$10.00 each	<u>1</u>
\$1,050.00			53
<u>50.00</u>	Discount		

\$1,000.00 - 4000-436720-3023-513200-603026

BACKGROUND/EXPLANATION:

The incentive cards will be distributed to help reduce the number of new HIV infections and improve the health of persons living with HIV/AIDS. Also, to enhance the staff's ability to attract those encountered to receive counseling and testing on the STD/HIV testing van.

The STD/HIV Prevention Program adheres to all policies associated with the usage of incentives and has sufficient procedures in place to address the safeguarding and accountability of the incentives purchased.

The Department adopted a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy account for 1) a single means of

MINUTES

Health Department - cont'd

procuring all incentive cards through the Board of Estimates, 2) the documentation of each incentive card and its recipient, 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards, and 4) periodic internal reviews of programs' activity vis-à-vis the internal policy, which are to be shared with the Department of Audits.

This policy has been reviewed by both the Solicitor's Office and the Department of Audits. Consistent with the original Board of Estimates approval, all requests for payment for the listed incentive cards will be subject to the Department of Audits' approval.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds to purchase client incentives gift cards from Giant Food Store for the STD/HIV Prevention Program.

MINUTES

Health Department - Revised Notice of Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the revised Notice of Award (NoA) from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA).

The Board is also requested to approve another two-month advance of funds to the Fiscal Agent, Associated Black Charities, Inc. The period of the advance of funds is May 1, 2020 through June 30, 2020.

AMOUNT OF MONEY AND SOURCE:

Additional grant funds:

\$11,752,396.00 - 4000-427720-3023-273301-404001

1,285,603.00 - 4000-498720-3023-273301-404001

Two-month advance to Associated Black Charities, Inc.

\$ 246,386.00 - 4000-427720-3023-273302-603051

2,217,480.00 - 4000-427720-3023-273303-603051

26,696.00 - 4000-498720-3023-273302-603051

240,266.00 - 4000-498720-3023-273303-603051

\$2,730,828.00

BACKGROUND/EXPLANATION:

On March 11, 2020, the Board approved the initial award in the amount of \$3,346,978.00 for the period of March 1, 2020 through February 28, 2021. The Board also approved a two-month advance for ABC in the amount of \$557,830.00 for the period of March 1, 2020 through April 30, 2020.

MINUTESHealth Department - cont'd

The revised NOA provides the balance of Ryan White Part A Formula and Minority AIDS funding in the amount of \$13,037,999.00. This makes the total award of \$16,384,977.00. All prior terms and conditions remain in effect unless specifically removed.

On April 6, 2020, during the COVID-19 pandemic and because of the Governor's stay at home mandate and resulting telework, administrative delays extended the Fiscal Agent's budget review process. The advance of funds to ABC will allow for continuity of Ryan White Part A formula and Minority AIDS initiative services while budgets are being reviewed and approved for the current program year. Any funds advanced to ABC prior to the execution of an agreement are subject to the terms and conditions of said agreement. The subgrantee agrees that all expenditures are to be made in accordance with the terms and conditions of the funding source.

The revised NOA is late because of the administrative process.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the revised Notice of Award from the U.S. Department of Health and Human Services, Health Resources and Services Administration. The Board further approved another two-month advance of funds to the Fiscal Agent, Associated Black Charities, Inc.

MINUTES

Health Department - Ratification of Notification of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to ratify the Notification of Grant Award (NGA) from the Maryland Department of Aging (MDoA). The period of the NGA was July 1, 2019 through June 30, 2020.

AMOUNT OF MONEY AND SOURCE:

\$529,572.00 - 5000-534020-3254-767800-607001

BACKGROUND/EXPLANATION:

The approval of this NGA will allow the Department to accept and utilize funds received from MDoA for State-funded programs. These funds will provide a variety of services for older adults residing in Baltimore City.

The NGA 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.

UPON MOTION duly made and seconded, the Board ratified the Notification of Grant Award from the Maryland Department of Aging.

MINUTESHealth Department - Ratification of Agreements

The Board is requested to ratify the various agreements. The period of the agreements was July 1, 2018 through June 30, 2019 unless otherwise indicated.

1. **MOSAIC COMMUNITY SERVICES, INC.** **\$50,000.00**

Account: 5000-530319-3041-605800-603051

Under the terms of this agreement, Mosaic Community Services, Inc., will work with the Department on tobacco cessation issues that relate to significant health disparities harming underserved populations.

MWBOO GRANTED A WAIVER ON AUGUST 12, 2019.

2. **BRIGHT FUTURE MENTORING SCHOOL SERVICES INC.** **\$ 4,000.00**

Account: 4000-431120-3080-292300-603051

On October 30, 2019, the Board approved the original agreement with Bright Future Mentoring School Services Inc., in the amount of \$18,000.00. The Department is increasing the agreement by \$4,000.00 for additional services. This will make the total agreement amount of \$22,000.00. The period of the agreement was July 1, 2019 through June 30, 2020.

The agreements are late because of delays at the administrative level.

MINUTES

Health Department - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the foregoing agreements.

MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is January 1, 2020 through December 31, 2020, unless otherwise indicated.

1. **CHASE BREXTON HEALTH SERVICES, INC.** **\$110,000.00**

Account: 4000-499020-3023-718000-603051

Chase Brexton Health Services, Inc. will utilize the funds to develop promotional materials for the Undetectable untransmittable Campaign, such as print, social media and dating application advertisements as well as outreach swag.

MWBOO GRANTED A WAIVER ON JUNE 17, 2020.

2. **TOTAL HEALTH CARE, INC.** **\$155,078.00**

Account: 4000-499020-3023-718000-603051

Total Health Care, Inc. will utilize the funds to screen and refer all patients who are identified as HIV negative and at an increased risk for exposure or partners of HIV positive persons to Pre-Exposure Prophylaxis (PrEP).

In addition, Total Health Care, Inc. will conduct free HIV testing for all patients ages 13 years old and up, monitor adherence for all patients to which PrEP is prescribed and provide necessary required sexually transmitted infections screening and laboratory screening tests associated with PrEP adherence.

MWBOO GRANTED A WAIVER ON MAY 14, 2020.

MINUTES

Health Department - cont'd

3. **HEALTH CARE FOR THE HOMELESS, INC.** **\$ 83,760.00**

Account: 4000-499020-3023-718000-603051

Health Care for the Homeless, Inc. will conduct HIV tests to individuals experiencing homelessness, identify new HIV positive clients and link them to care and refer HIV negative clients to Pre-Exposure Prophylaxis.

MWBOO GRANTED A WAIVER ON JUNE 17, 2020.

4. **BRUCE SHAPIRO** **\$ 11,132.00**

Account: 6000-622121-3080-292300-603051

Mr. Shapiro will provide consultant services for the Baltimore Infants & Toddlers Program. He will coordinate and lead the evaluation team of professionals from varied backgrounds, provide medical input, provide family debriefing, identify children at risk for developmental delays, review health status of referred children and serve as the official signatory for children that present with medical concerns at birth, and assist in developing goals, outcomes and completion of the Individualized Family Service Plan. The period of the agreement is July 1, 2020 through June 30, 2021.

The agreements are late because of administrative delays.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Department of Recreation & Parks - On-Call Architectural
Design Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Architectural Design Services Agreement with Cannon Washington, Inc. (DBA Cannon Design) under Project 1314. The period of the agreement is effective upon Board approval for three years or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

To be determined with each individual project. The upset fee is \$4,000,000.00. No funds are required at this time.

BACKGROUND/EXPLANATION:

The Consultant will provide architectural design services for renovation and improvement of various Parks and Recreation facilities.

MBE/WBE PARTICIPATION:

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

MBE: 28%

WBE: 20%

MBE: Min Engineering, Inc.	\$0-1,120,000.00	0-28%
Soil and Land Use Technology, Inc.	0-1,120,000.00	0-28%
Columbia Engineering, Inc.	0-1,120,000.00	0-28%
Faisant Associates, Inc.	0-1,120,000.00	0-28%
Daniel Consultants, Inc.	0-1,120,000.00	0-28%
C.C. Johnson & Malhotra, P.C.	0-1,120,000.00	0-28%
Total MBE:	\$0-1,120,000.00	0-28%

MINUTES

Department of Recreation and Parks - cont'd

WBE: Site Resources, Inc.	\$0-800,000.00	0-20%
Floura Teeter Landscape Architects, Inc.	0-800,000.00	0-20%
The Robert B. Balter Company	0-800,000.00	0-20%
MK Consulting Engineers, LLC	<u>0-800,000.00</u>	<u>0-20%</u>
Total WBE:	\$0-800,000.00	0-20%

AUDITS NOTED THE ON-CALL AGREEMENT AND WILL REVIEW THE TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the On-Call Architectural Design Services Agreement with Cannon Washington, Inc. (DBA Cannon Design) under Project 1314.

MINUTES

Department of Transportation - Alley Gating Lease
Agreement No. 161

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Alley Gating Lease Agreement No. 161 with The Urban Oasis, Inc. The Alley Gating Lease Agreement No. 161 is effective upon Board approval for a term of 25 years.

AMOUNT OF MONEY AND SOURCE:

The Urban Oasis, Inc. will be solely responsible for all costs and fees for this project.

BACKGROUND/EXPLANATION:

The Urban Oasis, Inc. wishes to gate in three Alleys in Block 3024, in the rear of the properties known as No. 2800 through 2836 Clifton Avenue and the rear of the properties known as 2811 through 2831 Windsor Avenue.

MBE/WBE PARTICIPATION:

This item is not the result of a City procurement; MBW/WBE goals do not apply.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Alley Gating Lease Agreement No. 161 with The Urban Oasis, Inc.

MINUTES

Department of Transportation - Alley Gating Lease
Agreement No. 187

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Alley Gating Lease Agreement No. 187 with The Southwest Partnership, Inc. The Alley Gating Lease Agreement is effective upon Board approval for a term of 25 years.

AMOUNT OF MONEY AND SOURCE:

The Southwest Partnership, Inc. will be solely responsible for all costs and fees for this project.

BACKGROUND/EXPLANATION:

The Southwest Partnership, Inc. wishes to gate in two 10 Foot Alleys in Block 233, in the rear of the properties known as No. 42 through No. 72 S. Carrollton Avenue and in the rear of the properties known as 1209 through 1215 Hollins Street.

MBE/WBE PARTICIPATION:

This item is not the result of a City procurement; MBW/WBE goals do not apply.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Alley Gating Lease Agreement No. 187 with The Southwest Partnership, Inc. The Mayor **ABSTAINED**.

MINUTESDepartment of Transportation - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	3819 Bank Street	3905 Bank Street, LLC	Three bike racks 4' x 2' each
	Flat charge: \$ 25.00		
2.	1624 Aliceanna Street	Cory Stevens	One bracket sign 4.16 sf.
	Flat charge: \$158.60		
3.	201 W. Monument Street	Maryland Historical Society	One flat sign 9 sf.
	Flat charge: \$ 52.80		
4.	1923 Ashland Avenue	KC Ashland, LLC	Three metal canopies two @ 24 sf. each, one @ 34.5 sf.
	Flat charge: \$171.62		
5.	524 E. 21 st Street	Maryland Custom Builders, Inc.	One set of steps 14'5" x 4'
	526 E. 21 st Street	Maryland Custom Builders, Inc.	One set of steps 14'5" x 4'
	Flat charge: \$ 70.40		

MINUTES

Department of Transportation - cont'd

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

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. K.L. LEMMON & SON
HAY & STRAW, LLC | \$ 10,000.00 | Renewal |
| Contract No. B50004714 - Timothy Hay - Baltimore Police
Department - P.O. No.: P536929 | | |

On September 14, 2016, the Board approved the initial award in the amount of \$30,000.00. The award contained four renewal options. Three renewals have been exercised. This final renewal in the amount of \$10,000.00 is for the period September 13, 2020 through September 12, 2021. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. The initial award was below the MWBOO subcontracting threshold of \$50,000.00.

- | | | |
|--|--------------|---------|
| 2. SMITH-BLAIR, INC. | \$100,000.00 | 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 \$200,000.00. The award contained two renewal options. Subsequent actions have been approved. This final renewal in the amount of \$100,000.00 is for the period September 23, 2020 through September 22, 2021. 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 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.

3. VEOLIA ENERGY BALTIMORE COOLING LLP	\$ 0.00	Renewal
Contract No. 06000 - Chilled Water Services - Department of General Services - Building Maintenance - P.O. No.: P545816		

On October 24, 2018, the Board approved the initial award in the amount of \$4,000,000.00. The award contained one renewal option. This sole renewal in the amount of \$0.00 is for the period September 1, 2020 through August 31, 2022. 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. The contract is for providing public utility services.

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

- | | | |
|---|---------|---------|
| 4. EAST COAST EMERGENCY
LIGHTING, INC. | \$ 0.00 | Renewal |
| Contract No. B50004602 - Emergency Vehicle Lighting and Accessories - Department of General Services, Fleet - P.O. No.: P537056 | | |

On September 14, 2016, the Board approved the initial award in the amount of \$3,000,000.00. The award contained two renewal options. On September 11, 2019, the Board approved the first renewal in the amount of \$3,000,000.00. This final renewal in the amount of \$0.00 is for the period October 1, 2020 through September 30, 2021. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On March 16, 2016, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON JUNE 13, 2016.

- | | | |
|---|---------|---------|
| 5. A TASTE OF HEAVEN
CATERERS, LLC | \$ 0.00 | Renewal |
| Contract No. B50005506 - Catering Service - Health Department - P.O. No.: P545166 | | |

On August 30, 2018, the City Purchasing Agent approved the initial award in the amount of \$24,000.00. The award contained two renewal options. On July 10, 2019, 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 September 10, 2020 through September 9, 2021. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

7. TANGO HEALTH, INC.	\$ 230,000.00	Renewal
Contract No. 06000 - Affordable Care Act (ACA) Compliance and IRS Reporting - Department of Human Resources - P.O. No.: P532543		

On August 26, 2015, the Board approved the initial award in the amount of \$275,000.00. The award contained five renewal options. Four renewals have been exercised. The Patient Protection and Affordable Care Act (ACA, P.L. 111-148, as amended) is a Federal law that requires the City to offer health and prescription drug coverage to its full-time eligible employees. The Vendor provides services to ensure the City's continued compliance with the ACA through continued monitoring of the City's approximately 15,000 employees, ongoing determinations regarding employee eligibility in accordance with the evolving ACA legal landscape, and preparation of required and necessary IRS reports consistent with current and future regulatory requirements.

This final renewal in the amount of \$230,000.00 is for the period August 26, 2020 through August 25, 2021. 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 August 3, 2015, MWBOO granted a waiver because of no opportunity to segment the contract. The software is hosted by the Vendor Tango Health, and all data transmission is done remotely.

MWBOO GRANTED A WAIVER ON AUGUST 3, 2015.8. **FIRST CALL**

EASTER'S LOCK AND
ACCESS SYSTEMS, INC.

SECOND CALL

BALTIMORE LOCK AND HARDWARE,
INC.

\$ 0.00	Renewal
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Contract No. B50004654 - Locksmith Services for Various City Agencies - Department of General Services, Recreation and Parks, etc. P.O. Nos.: P536960 and P536961

On September 14, 2016, the Board approved the initial award in the amount of \$349,000.00. The award contained three one 1-year renewal options. Subsequent actions have been approved. This second renewal in the amount of \$0.00 is for the period October 1, 2020 through September 30, 2021, 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 25, 2016, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON MAY 25, 2016.

9. FIRST POTOMAC ENVIRONMENTAL
CORP., INC.
JB CONTRACTING, INC.
C & W CONSTRUCTION COMPANY,
INC.

\$2,000,000.00

Renewal

Contract No. B50004813 - Interior Renovation, Carpentry and Associated Trades - Department of General Services - P.O. Nos.: P538421, P538420 and P538422

On February 1, 2017, the Board approved the initial award in the amount of \$2,000,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This first renewal in the amount of \$2,000,000.00 is for the period February 5, 2020 through February 4, 2021, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On October 20, 2016, MWBOO set goals of 27% MBE and 10% WBE. On June 17, 2020 First Potomac Environmental Corp., Inc. was found in compliance. C & W Contracting Company, Inc., and JB Contracting, Inc. were both found in non-compliance with an approved plan and agreement with MBE/WBE's.

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 Potomac Environmental Corporation

	<u>Commitment</u>	<u>Performed</u>	
MBE: First Potomac Environmental Corp.	25% (\$500,000.00)	\$364,909.88	18.24%*
UK Construction & Management LLC	27% (\$540,000.00)	\$ 87,728.75	16.2%
WBE: Baltimore Window Factory	10% (\$36,490.00)	\$ 12,376.92	3.39%**
NR2G, LLC.			10%***

* Indicates self-performance. The Prime who is a certified MBE was only awarded \$364,909.88 of work while on this contract. Another Prime (C & W) was awarded \$2,922,520.80 on the same contract. The Prime was non-compliant based on lack of work issued by the City which prevented the Vendor from planning the use of the MBE. The Prime was rarely called for work. MWBOO met with the agency and discussed the disparity.

** Baltimore Window Factory filed Articles of Dissolution with the State on September 11, 2018 and is no longer in business. The paid amount to the Baltimore Window Factory was previously reported to the City in October of 2018.

*** NR2G LLC was added to the contract to fulfill remaining WBE goals and executed a new Statement of Intent form on June 16, 2020.

MWBOO FOUND VENDOR IN COMPLIANCE BASED ON A GOOD FAITH EFFORT ON JUNE 17, 2020.

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

JB Contracting, Inc.

	<u>Commitment</u>	<u>Performed</u>	
MBE: MD Partitions	27%	\$0.00	0.00%
WBE: CDS Construction	10%	\$0.00	0.00%

MWBOO has found that on this particular contract, 3 vendors were awarded as primes and most of the work went only to C & W Construction Company, Inc. This prevented JB Contracting, Inc. from planning work to include MBEs and WBEs. The WBE informed the prime that they were not available to perform any work when the contract was started. Despite the lack of work issued by the City, MWBOO did not find grounds for considering this a good-faith effort because the MBE subcontractor could have been utilized. There is an agreed plan in place to use the WBE. Conciliation meetings were held with both subcontractors. The MBE subcontractor has been asked to be removed from the contract.

MWBOO FOUND VENDOR IN NON-COMPLIANCE WITH AN APPROVED PLAN AND AGREEMENT WITH IMPACTED M/WBES ON JULY 20, 2020.

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 in the amount of \$4,000,000.00 is for the period October 1, 2020 through September 30, 2021, with one 1-year renewal option 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.

11. GARDEN STATE HIGHWAY		Non-competitive/
PRODUCTS, INC.	\$ 0.00	Procurement/Renewal
Contract No. B50005049 - Aluminum Sheets - Department of Transportation - P.O. No.: P541919		

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

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT:

On August 9, 2017, the Board approved the initial award in the amount of \$59,878.00. The award contained four renewal options. Subsequent actions have been approved. This third renewal in the amount of \$0.00 is for the period August 9, 2020 through August 8, 2021, 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

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:

On May 31, 2017, MWBOO granted a waiver due to no opportunity to segment the contract.

MWBOO GRANTED A WAIVER ON MAY 31, 2017.

12. POTTERS INDUSTRIES, INC.	\$ 0.00	Non-competitive/ Procurement/Renewal
Contract No. B50005500 - Supply Glass Beads - Department of Transportation - P.O. No.: P545546		

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

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT:

On August 29, 2018, the Board approved the initial award in the amount of \$49,000.00. The award contained two renewal options. On September 18, 2019, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period September 1, 2020 through August 31, 2021. 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:

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

13. FIRSTWATCH SOLUTIONS, INC.	\$ 44,310.00	Non-competitive/ Procurement/Renewal
Contract No. 08000 - Firstwatch System Agreement - Baltimore Fire Department - P.O. No.: P540725		

On July 19, 2017, the Board approved the initial award in the amount of \$245,413.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$44,310.00 will provide the data monitoring and bio surveillance software necessary to consolidate and synthesize data enabling the Fire Department to provide a more effective deployment of resources and care required to efficiently perform duties. Also, FirstWatch has an exclusive agreement to extract data from the ProQA, which is the City's existing 911 triage system. The Vendor is the sole provider of FirstWatch software and related support services and provides this software to other Maryland jurisdictions, which allows for the consolidated data to be shared among multiple jurisdictions for regional monitoring. The period of the renewal is July 19, 2020 through July 18, 2021, 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

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 software and support is only available from this Vendor and is not available from subcontractors.

14. CORPORATE MAINTENANCE

<u>GROUP, LLC</u>	<u>\$2,000,000.00</u>	<u>Increase</u>
Contract No. B50005773 - Pavement Marking Services for Baltimore City - Department of Transportation - P.O. No.: P549840		

On December 11, 2019, the Board approved the initial award in the amount of \$421,500.00. The award contained three 1-year renewal options. This increase in the amount of \$2,000,000.00 will make the award amount \$2,421,500.00 and is for the period December 12, 2020 through December 11, 2021, with three 1-year renewal options 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:

MWBOO set goals of 2% MBE and 11% WBE. On July 29, 2020, Corporate Maintenance Group, LLC, was found in compliance.

	<u>Commitment</u>	<u>Performed</u>	
MBE: Priceless Industries, Inc.	11%	\$48,437.42	32.32%
WBE: Couser Supply Inc.	2%	\$12,073.34	8.05%

MWBOO FOUND VENDOR IN COMPLIANCE ON JULY 29, 2020.

15. GOTTLIEB & WERTZ, INC. Non-competitive/
Procurement/Sole Source
 \$ 30,000.00
 Contract No. 08000 - Provide Annual Maintenance and Support for Juvenile Case Management System - Circuit Court of Baltimore - Req. No.: R856006

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

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT:

The Vendor designed, implemented and is the sole proprietor of Quest Case Management System and the source code currently installed at Circuit Court of Baltimore City. The period of the award is July 1, 2020 through June 30, 2021, with two 1-year renewal options at the City's option. 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. This meets the requirement for certification as a sole source procurement as these commodities are only available from the distributor and are not available from subcontractors.

16. ATLANTIC EMERGENCY SOLUTIONS, INC.	\$279,304.00	Non-competitive/ Procurement/ Cooperative Agreement
Houston-Galveston Area Council Contract Number AM10-18 - Ambulances, EMS & Other Special Service Vehicles - Department of General Services - Fleet - Req. No.: R839780		

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

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT:

The Board is requested to approve and authorize execution of a Cooperative Agreement with Atlantic Emergency Solutions, Inc. The contract expires on September 30, 2020.

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

One road medic unit will be purchased from a competitively bid, cooperative contract agreement between Houston-Galveston Area Council and Atlantic Emergency Solutions, Inc. This medic unit will replace an older medic unit in the City's fleet, as part of Fleet Management's planned replacement program. This contract is used by several government agencies, including the Baltimore Regional Cooperative Purchasing Committee.

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 goods, equipment and/or service is recommended.

MBE/WBE PARTICIPATION:

On February 1, 2019, MWBOO determined no goals would be set because of no opportunity to segment the contract. This is for the purchase of commodities from an authorized heavy equipment dealer who is required to provide associated pre-delivery inspection and warranty parts.

MWBOO GRANTED A WAIVER ON FEBRUARY 1, 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

UPON MOTION duly made and seconded, the Board approved the foregoing Informal Awards, Renewals, Increases to Contracts and Extensions. UPON FURTHER MOTION, Board approved and authorized execution of the Non-competitive/Procurement/Cooperative Agreement with Atlantic Emergency Solutions, Inc. (item no. 16) and the Ratification and Extension to Sixth Amendment to Agreement with IPT LLC d/b/a/ Paylock (item no. 17). The request to renew the contract with SB and Company, LLC (item no. 6) was **WITHDRAWN**.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

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

3017 - 3023

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 City Charter.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Recreation and Parks

- 1. RP 19808, Middle The Whiting-Turner \$23,134,000.00
Branch Fitness and Contracting Co., Inc.
Wellness Center

MWBOO SET GOALS OF 11% MBE AND 7% WBE.

MBE: Horton Mechanical Contractors, Inc.	\$1,850,000.00	8.00%
Ironshore Contracting, LLC	750,000.00	3.24%
Total	\$2,600,000.00	11.24%

WBE: The American Asphalt Paving Co., Inc.	\$ 225,000.00	0.97%
Comer Construction, Inc.	1,200,000.00	5.19%
Superior Painting & Contracting Co., Inc.	215,000.00	0.93%
Total	\$1,640,000.00	7.09%

MWBOO FOUND VENDOR IN COMPLIANCE ON MARCH 3, 2020.

2. TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
\$ 1,500,000.00	9938-906784-9475	
General Funds	Cherry Hill Rec. Center (Reserve)	
215,000.00	" " "	
3 rd Public Bldg.		

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSTRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
2,300,000.00	"	"
2 nd Parks & Public Facilities	"	"
2,159,000.00	"	"
25 th Series Rec. & Parks	"	"
425,000.00	"	"
26 th Series Rec. & Parks	"	"
1,000,000.00	"	"
Casino LIA	"	"
400,000.00	"	"
State Bond (MD Dept. GS)	"	"
860,000.00	"	"
M&CC Revenue	"	"
2,200,000.00	"	"
Other Funds (SBGP)	"	"
2,000,000.00	"	"
Table Games	"	"

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS****TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
3,000,000.00 General Funds	9938-919015-9475 Recreation Center Expansion (Reserve)	
15,000.00 1 st Parks & Public Facilities	9938-906165-9474 Rawlings Conserva- tory Garden (Active)	
285,000.00 1 st Parks & Public Facilities	9938-910065-9475 Rawlings Conserva- tory Garden (Reserve)	
250,000.00 3 rd Parks & Public Facilities	9938-908105-9475 Greenmount Recrea- tion Center (Reserve)	
180,000.00 1 st Parks & Public Facilities	9938-912057-9475 FY16 Court Resurfacing (Reserve)	
266,000.00 2 nd Parks & Public Facilities	9938-904119-9475 Park Building Reno- vations (Reserve)	
250,000.00 27 th Series Rec. & Parks	9938-908046-9475 Neighborhood Pool Renovation (Reserve)	
400,000.00 1 st Parks & Public Facilities	" " "	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
\$ 29,000.00	9938-910046-9474	
27 th Series Rec	Pool & Bathhouse	
& Parks	Renovation (Active)	
\$17,734,000.00	-----	9938-908784-9474
		Middle Branch
		Fitness & Wellness
		Center at Cherry
		Hill (Active)

This transfer will provide funds to cover the costs associated with the award of Contract No. RP 19808, Middle Branch Fitness & Wellness Center to The Whiting-Turner Contracting Company.

3. \$ 100,000.00	9938-902121-9475	
General Funds	Athletic Field for	
	Middle Branch Fitness	
	& Wellness Center	
	(Reserve)	
2,150,000.00	9938-907131-9475	
General Funds	Reedbird Park	
	Improvements (Reserve)	
900,000.00	" " "	
State (Program		
Open Space)		

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
1,050,000.00	" " "	
		3 rd Parks & Public Facilities
\$ 4,200,000.00	-----	9938-908131-9474 Reedbird Park Improvements (Active)

This transfer will provide funds to cover the costs associated with the award of Contract No. RP 19808, Middle Branch Fitness & Wellness Center to The Whiting-Turner Contracting Company.

4.	\$ 500,000.00	9938-907047-9475	
	State (Program Open Space)	Cherry Hill Indoor Pool (Reserve)	
	700,000.00	" " "	
	27 th Series Rec. & Parks		
	\$ 1,200,000.00	-----	9938-908047-9474 Cherry Hill Indoor Pool (Active)

This transfer will provide funds to cover the costs associated with the award of Contract No. RP 19808, Middle Branch Fitness & Wellness Center to The Whiting-Turner Contracting Company.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Department of Recreation and Parks - cont'd

5. RP18824, Renovations Bensky Construction \$570,000.00
to the Towanda Co., LLC
Recreation Center

MBE/WBE PARTICIPATION:

On June 17, 2020, the Board opened six bids for the subject project. Bids ranged in a low of \$445,200.00 to a high of \$618,400.00. A Tabulation was submitted. The Department finds the bid acceptable and recommends the award of this contract to Bensky Construction Co, LLC.

MBE: Cinch Mechanical, LLC	\$ 52,000.00	9.12%
Walker Drywall & Co., LLC	39,760.00	6.98%
Eastwood Painting & Contracting	35,250.00	6.18%
Total	\$127,010.00	22.2%

WBE: Mid-Atlantic Electrical \$ 69,000.00 12.10%

MWBOO FOUND THE VENDOR IN COMPLIANCE ON JULY 13, 2020.

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
6. \$350,000.00	9938-910127-9475	
State	Park Building	
(Program Open	Renovation (Reserve)	
Space)		

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
220,000.00	9938-910127-9475	
<u>3rd Parks &</u>	Park Building	
<u>Public Facilities</u>	Renovation (Reserve)	
\$570,000.00	-----	
		9938-911127-9474
		Park Building
		Renovation
		(Active)

This transfer will provide funds to cover the costs associated with the award of contract no. RP18824 Renovations to the Towanda Recreation Center to Bensky Construction Company, LLC.

MINUTES

Department of Transportation (DOT) - Increase to Award TR 16020

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an increase to the award of Contract No. TR 16020, Comprehensive Conduit Facilities Management Services with KCI-CG Tri-Venture.

AMOUNT OF MONEY AND SOURCE:

\$26,000,000.00 - 9962-906072-9562-900000-706063

BACKGROUND/EXPLANATION:

On August 10, 2016, the Board approved the award of TR 16020, Comprehensive Conduit Facilities Management Services in the amount of \$26,108,286.00 to fund the first year of this five-year contract. The contract has since been funded incrementally to cover pending tasks through mid FY 2020. On December 19, 2018, the Board approved an additional \$24,000,000.00 of incremental funding to cover tasks in FY 2018 and FY 2019. Lastly, on January 8, 2020, the Board approved an additional \$12,000,000.00 of incremental funding to cover tasks in FY-20.

This modification is in accordance with the Board approved BGE settlement agreement on November 30, 2016, which provides for the use of emergency reserve in the Conduit System enterprise accounting fund for use in connection with unexpected, extraordinary and emergency reactive maintenance work related to the Conduit System.

The Emergency Reserve Fund goes towards the sustainability of continued and supplemental services to support the essential scope of the Conduit Program during the COVID-19 pandemic and other emergency conduit repair work.

It is, still, the Department's intent to request incremental funding, annually, until the contract expiration. This modification will enable the Department to continue its efforts to revitalize the City's conduit system, a vital and important piece of the City infrastructure that is integral to several current and future City programs.

MINUTESDepartment of Transportation - cont'd

Based on the estimated work to be performed for the Department, under this contract DOT is requesting the award be increased pursuant to the terms of the contract to add an additional \$26,000,000.00 to cover cost associated with emergency conduit repairs.

MBE/WBE PARTICIPATION:

Contract TR 16020 is still on-going and invoices that include minority participation are slated to increase the percentages of participation. Consequently, there is enough money left in the contract to allow the Contractor to meet the goals.

MWBOO FOUND THE VENDOR NON-COMPLIANT ON JULY 30, 2020 WITH AN APPROVED PLAN TO MEET THE GOALS WITHIN THE NEXT 12 MONTHS.

PROFESSIONAL SERVICES PORTION OF THE CONTRACT

MBE: Sabra, Wang & Associates, Inc.	9.59%	\$ 217,153.11	0.45%
SAMMS Engineering, LLC.	9.59%	1,361,508.55	2.74%
Baker Engineering Services, Inc.	3.19%	1,214,072.88	2.54%
AB Consultants, Inc.	2.40%	161,604.47	0.33%
CST Engineering, Inc.	4.93%	1,307,519.59	2.74%
Sue Ann's Office Supply, Inc.	5.20%	<u>0.00</u>	0.00%
		\$4,261,858.03	
MBE: iCivil, Inc.	1.20%	\$ 90,952.48	0.59%
Infrastructure Technologies, LLC.	1.20%	14,497.94	0.09%
Ross Technical Services, Inc.	3.84%	612,874.24	3.97%
Constellation Design Group, Inc.	4.80%	5,968.48	0.03%
Itenology Corporation	3.4%	<u>215,279.94</u>	1.39%
		\$ 939,573.08	

MINUTESDepartment of Transportation - cont'dCONSTRUCTION SERVICES PORTION OF THE CONTRACT

MBE: Couser Supply, Inc.	6.75%	\$2,361,273.72	7.32%
Machado Construction Company, Inc.	4%	1,324,481.45	4.11%
Paniagua Enterprises, Inc.	3.5%	267,635.50	0.83%
Baker Engineering Services, Inc.	1.5%	461,901.85	1.43%
RE Harrington Plumbing and Heating	8.0%	0.00	0.00%
WSI, Inc.	7.0%	0.00	0.00%
		\$4,415,292.52	
WBE: Sunrise Safety Services, Inc.	1.00%	\$ 290,247.15	0.90%
Cuddy and Associates, LLC	6.00%	6,541,647.05	20.28%
Priceless Industries, Inc.	1.00%	35,176.20	0.11%
Priority Construction Corp.	2.09%	486,115.58	1.50%
Bryant Concrete Construction	3.05%	196,615.60	0.61%
Paniagua Enterprises, Inc.			
		\$7,549,801.58	

The Vendor is noncompliant and has developed a plan to meet the MBE and WBE goals on the project. The office will monitor the progress each month. Additional payments to the subcontractors were made since the compliance review was conducted and the prime is already making progress to meet the goals.

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 4,000,000.00	9962-937004-9563	
Other -Inter	Construction Reserve	
Agency Funds	Conduit New Construction	
5,000,000.00	9962-937004-9563	
Others	Construction Reserve	
	Conduit New Construction	

MINUTES

Department of Transportation - cont'd

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
2,000,000.00	9962-937006-9563	
Other -Inter	Reconstruct Manholes	
Agency Funds	- Various	
3,000,000.00	9962-937006-9563	
Others	Reconstruct Manholes	
	- Various	
12,000,000.00	9962-932007-9563	
Other -Inter	Conduit Construction	
<u>Agency Funds</u>		
\$26,000,000.00	-----	9962-906072-9562
		Conduit Facilities Mgmt.
		Svcs.

This transfer will cover the costs associated with revitalizing the City's conduit system being done through Project TR 16020 Comprehensive Conduit Facilities Management Services with KCI-CG Tri-Venture in the amount of \$26,000,000.00.

UPON MOTION duly made and seconded, the Board approved and authorized an increase to the award of Contract No. TR 16020, Comprehensive Conduit Facilities Management Services with KCI-CG Tri-Venture. The Board approved the Transfers of Funds SUBJECT to receipt of a favorable report, as required by the provisions of the City Charter.

MINUTES

Department of Public Works/Office - Partial Release of Retainage of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement for the Partial Release of Retainage to Monumental Paving & Excavating for Water Contract No. 1286 - Guilford Avenue and Vicinity Water Main Replacement.

AMOUNT OF MONEY AND SOURCE:

\$361,121.44 - 9960-915617-9557-000000-200001

BACKGROUND/EXPLANATION:

As of January 17, 2020, Monumental Paving & Excavating has completed 100% of all work for Water Contract No. 1286 - Guilford Avenue and Vicinity Water Main Replacement. The Contractor has requested a Partial Release of Retainage. Currently, the City is holding \$515,887.77 in retainage for the referenced project. The Contractor is requesting to reduce the amount of the retainage to \$154,766.33. The remaining amount of \$154,766.33 is enough to protect the interest of the City.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for the Partial Release of Retainage to Monumental Paving & Excavating for Water Contract No. 1286 - Guilford Avenue and Vicinity Water Main Replacement.

MINUTES

Department of Real Estate - Inter-departmental Lease Agreement Renewal

ACTION REQUESTED OF B/E:

The Board is requested to approve the 1st renewal option of an Inter-departmental Lease Agreement by and between the Department of General Services, Landlord, and the Baltimore City Office of Information and Technology, Tenant, for the rental of the portion of the property known as 401 E. Fayette Street, consisting of 11,149 square feet.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$230,935.53	\$57,733.88

Account: 1001-000000-1471-165700-603096

BACKGROUND/EXPLANATION:

On March 4, 2020, the Board approved an Inter-departmental Lease Agreement between the Department of General Services, Landlord and the Baltimore City Office of Information and Technology for one year, July 1, 2019 through June 30, 2020, with five 1-year renewal periods.

The Baltimore Office of Information and Technology has exercised its 1st renewal option, from July 1, 2020 through June 30, 2021. The Landlord's responsibilities will include maintaining the interior common areas and exterior of the building, providing janitorial and pest control services, and providing and paying for all utilities.

MINUTES

Department of Real Estate - cont'd

The Tenant's responsibilities will include the cost of improvements, providing equipment for tenant operations, telephone and computer services, and providing security to the leased premises. All other rentals, conditions and provisions of the Lease Agreement dated March 4, 2020, will remain in full force and effect.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the 1st renewal option of an Inter-departmental Lease Agreement by and between the Department of General Services, Landlord, and the Baltimore City Office of Information and Technology, Tenant, for the rental of the portion of the property known as 401 E. Fayette Street, consisting of 11,149 square feet.

MINUTES

Department of Real Estate - Inter-departmental Lease
Agreement Renewal

ACTION REQUESTED OF B/E:

The Board is requested to approve the 1st renewal option of an Inter-departmental Lease Agreement by and between the Department of General Services, Landlord, and the Department of Transportation, Tenant, for the rental of a portion of the property known as 401 E. Fayette Street, consisting of 8,549 square feet.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$96,371.56	\$24,092.89

Account: 1001-000000-2301-248700-603096

BACKGROUND/EXPLANATION:

On January 8, 2020 the Board approved an Interdepartmental Lease Agreement between the Department of General Services, Landlord and the Department of Transportation, Tenant, for one year, from July 1, 2019 through June 30, 2020, with five one-year renewal periods.

The Department of Transportation has exercised its 1st renewal option, commencing July 1, 2020 and terminating June 30, 2021. The Landlord's responsibilities will include maintaining the interior common areas and exterior of the building, providing janitorial and pest control services, and providing and paying for all utilities.

MINUTES

Department of Real Estate - cont'd

The Tenant's responsibilities will include the cost of improvements, providing equipment for tenant operations, telephone and computer services, and providing security to the leased premises. All other rentals, conditions and provisions of the lease agreement dated January 8, 2020, will remain in full force and effect.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the 1st renewal of the Inter-departmental Lease Agreement between the Department of General Services, Landlord, and the Department of Transportation, Tenant, for the rental of a portion of the property known as 401 E. Fayette Street, consisting of 8,549 square feet.

MINUTES

Department of Law - Recommendations for Vendor
Suspension and Debarment Proceeding

ACTION REQUESTED OF B/E:

The Board is recommended to take the following actions with regard to the Debarment Proceedings instituted by the Board on April 1, 2020, against Holabird Enterprises of Maryland, Inc. t/a Holabird Fleet Service; Trans-Tech Transmission Center, its President, Lawrence Ward; and officer Daniel Foy (Vendor): (a) deny Vendor's request for a hearing on the petition to terminate suspension; (b) deny Vendor's petition to terminate suspension; (c) extend the time to hold the Debarment Hearing requested by the Vendor for another 90 days for the Catastrophic Health Emergency in the State of Maryland; and (d) schedule the Debarment Hearing for September 9, 2020.

AMOUNT OF MONEY AND SOURCE:

No funds are requested or required.

BACKGROUND/EXPLANATION:

On April 1, 2020, the Board instituted Debarment Proceedings against the Vendor pursuant to Baltimore City Code Article 5, § 40-17 and suspended the Vendor's performance under Solicitation Nos. B50004770, B50004990, B50005058, B50005285, B500005755, and B50005812 pursuant to Article 5, § 40-18.

On April 27, 2020, the Vendor petitioned the Board to terminate the suspension and requested a hearing. The City opposed the Vendor's petition. After consideration of the parties' filings and no hearing being necessary, the Board found that the integrity of the City's contracting process and the City's best interests are served by denying the petition.

On April 27, 2020, the Vendor requested a hearing before the Board in response to the Board's notice of proposed Debarment. The Board has 90 days after receipt of the request to conduct a hearing, but the time may be extended for good cause shown, pursuant to Board's

MINUTES

Department of Law - cont'd

Reg. IV.G.4.a. The Catastrophic Health Emergency in the State of Maryland declared and renewed by Governor Hogan is good cause to extend the time to conduct the Debarment Hearing for another 90 days. See Proclamation, "Declaration of State of Emergency and Existence of Catastrophic Health Emergency - COVID-19" (March 5, 2020); see also Proclamation, "Renewal of Declaration of State of Emergency and Existence of Catastrophic Health Emergency - COVID-19" (June 3, 2020).

The hearing for the Debarment Proceedings requested by the Vendor will be held during a meeting on September 9, 2020, subject to the Vendor's compliance with the Boards' Regs. IV.G. 2 & 3.

MBE/WBE PARTICIPATION

N/A

A PROTEST WAS RECEIVED FROM HARRIS, JONES AND MALONE, LLC.

The recommendations for Vendor Suspension and Debarment Proceeding against Holabird Enterprises of Maryland, Inc. have been deferred to August 26, 2020.

UPON MOTION duly made and seconded, the Board **DEFERRED** this item until August 26, 2020.

LISA HARRIS JONES
DIRECT DIAL: (410) 366-1500
FAX NUMBER: (410) 366-1501
lisa.jones@mdlobbyist.com

July 21, 2020

Honorable Members of Baltimore City Board of Estimates
100 Holliday, Suite 204
Baltimore, Maryland 21202

Bernard "Jack" Young, Mayor
Joan M. Pratt, Comptroller
Brandon M. Scott, President City Council
Dana P. Moore, Acting City Solicitor
Matthew W. Garbark, Acting Director, Department of Public Works

Re: ***Department of Law – Recommendations for Vendor Suspension and
Debarment Proceeding, Page 70 Board of Estimates Agenda***

To the Honorable Members of the Board of Estimates:

On behalf of Holabird Enterprises t/a Fleet Management Service & Trans-Tech Transmission Center, Lawrence Ward, and Daniel Foy (collectively, the "Respondents"), please accept this email as a formal request in writing to protest the proposed action of the Board of Estimates (hereinafter, the "Board") in relation to the Respondent's Debarment/Suspension as the action and any decision by the Board directly and specifically affect them.

According to Section II. Protest Regulations, please note the following about the Respondent's protest:

a. Name of the Person Protesting and Counsel

Robert Fulton Dashiell, Esq. and Lisa Harris Jones, Esq., both of Harris Jones & Malone, LLC, will advance the protest on behalf of the Respondents: Holabird Enterprises of Maryland, Trans-Tech Transmission Centers, its President Lawrence Ward, and Officer Daniel Foy. We request to be heard on the record in response to the Office of Law's requests and recommendations in this matter.

b. and c. Narrative of the Issues and Facts Supporting the Protest, and Harm to Protestant if the Board Acts.

Respondents oppose The Department of Law's request and recommendation that the Board of Estimates (Board) take the following actions concerning the continued suspension of contracts B50005755, B50005812, B50005275, B50005058 and B50004990 (hereinafter, the "Suspended Contracts") as well as the Debarment Proceedings instituted against the Respondents by the Board on April 1, 2020, to:

1. Deny Respondent's request for a hearing on the petition to terminate the suspension
2. Deny Respondent's petition to terminate the suspension
3. Extend the time to hold the Debarment Hearing requested by the Respondent for another 90 days for the Catastrophic Health Emergency in the State of Maryland
4. Schedule the Debarment Hearing for September 9, 2020

Law Department Request (1) and (2)

The Respondents incorporate their arguments presented in their two (2) filings on April 27, 2020, with the Board entitled 1. Petition to Termination Suspension and 2. Response to Notice of Disbarment & Request for Disbarment Hearing and request to be heard.

Respondents operate a locally owned small business that has served the City without incident for many years. In January 2020, Acting City Purchasing Agent Keisha Brown, contrary to law, instituted a suspension of contracts without providing any notice to Respondents. On March 5, 2020, Ms. Brown formalized her decision in writing and notified Respondents that she was suspending six City contracts being performed by Respondents based on serious allegations. As operators of a small, local business, this decision's impact has had a significant detrimental effect on the sustainability and the reputation of Respondents. Employees have been laid off and MBE subcontractors to the Suspended Contracts have been denied work.

Respondents have been on summary suspension formally for over 120 days. However, due to Ms. Brown's unilateral actions in January, lawfully procured business from the City has been suspended for over 200 days, without the benefit of even a suspension hearing. In light of the Department of Law's request to delay a hearing on the merits, the ongoing denial of a hearing on the petition regarding the basis for the suspension denies the Respondents the opportunity to refute the underlying evidence and prevents a finder of fact the ability to review the merits of the initial suspension. We respectfully request a suspension hearing be scheduled and the suspension be lifted until this matter can be fully adjudicated.

Law Department Request (3) and (4)

On April 3, 2020, the Department of Law notified Respondents of their intent to also seek debarment. Respondents, in a timely fashion, requested a hearing per the Baltimore City Code on April 27, 2020.

Under the City Code, the Board was required to hold a hearing and issue a decision within 90 days of the request for a hearing. Art. 5 sec. 40-19 (a). The Board may extend the time for a hearing and decision for good cause shown by a party to the action, in this matter the Department of Law or the Respondents. Art. 5 sec. 40-19 (b).

To ascertain and effectuate the actual legislative intention in enacting any statute is, of course, the cardinal rule of statutory interpretation. In this regard, the primary source of legislative intent is the language of the statute itself. Where the statutory provisions are unambiguous, no construction is required. A plainly worded statute must be construed without forced or subtle interpretations designed to extend or limit the scope of its operation. *State v. Intercontinental, Ltd.*, 302 Md. 132, 137, 486 A.2d 174 (1985).

Determining whether there is good cause for a postponement is at the discretion of the Board, acting in a quasi-judicial capacity. However, the moving party must demonstrate good cause for the delay and justify its request as to how their ability to present their case is compromised by factors beyond their control. Mere procrastination of duties does not suffice. As the American Bar Association standard on continuances recommends:

The court should grant a continuance only upon a showing of good cause and only for so long as is necessary, taking into account not only the request or consent of the prosecution or defense, but also the public interest in prompt disposition of the case. *Carter v. State*, 54 Md. App. 220 (1983).

On day 84 of the 90 days allowed to set and complete a debarment hearing, the Department of Law seeks an extension as the Board has failed to set a hearing date and resolve this matter. The Department of Law has made no effort for the hearing to be scheduled, puts forth no facts as to why a request is needed or how the preparation of their case has been obstructed by factors beyond their control. No advance notice of this request for postponement was provided to Respondents, a common practice when a party is represented by Counsel. Furthermore, rather than make a request as a litigant to the presiding Board, the Department of Law improperly fashions its request for extension of the 90 day deadline as a "Recommendations for Vendor Suspension and Debarment Proceeding," assuming the role of Board Advisor, which is impermissible when it is actually the moving party in a contested Debarment matter.

To support their request, the Department of Law makes the bald assertion that due to the Governor's declaration of a Catastrophic Health Emergency in the State of Maryland ("Emergency Order") due to COVID-19, the time frame to provide due process should be extended. The request is devoid of any explanation of how this Emergency Order has hindered the scheduling of a hearing by the Board or assignment to a hearing officer. Examination of the Emergency Order fails to provide any direction as to why a hearing could not be scheduled, or the Department of Law's case prepared. Local government has not been closed; to the contrary, the Board of Estimates, City Council, and Executive Branch have done a commendable job of continuing operations. The Department of Law's request on such broad grounds thinly veils their true motivation to obtain delay not for just cause, but because they have not diligently performed their obligations to prepare their case.

Debarment is essentially the Death Penalty for contractors doing work with a public entity. It is a severe penalty rarely sought and must be taken seriously by the agency seeking it. The impacts on business are severe economically and reputationally and harm the goodwill a company has developed in the community. Due to the severity of the action, the City Code puts forth protections for the accused, including a time frame for the movant to present their evidence and a decision to be issued. To ignore the statutory timeline and cavalierly request an extension with no specificity as to how the scheduling of a hearing has been hindered denies the Respondent's substantive and procedural due process rights as outlined in the Code. The Department of Law has never reached out to the Respondents' counsel, indicating any difficulty in setting a hearing date, problems preparing their case or securing a witness, seeking dates for a hearing or requesting a postponement. The Department of Law impermissibly and smugly seeks to act as investigator, prosecutor, advisor to the trier of fact as opposed to a moving party with obligations to statutory timeframes.

Substantive and procedural due process rights are the backbone of the statutory scheme governing this matter. In fact, on March 20, 2019, the Board adopted the Regulations on Procurement, Protests, Minority, and Women-owned Business Enterprise and Debarment/Suspension (Regulations) effective July 1, 2019, which codify these rights.

The Board needs to recognize that the Department of Law has been operational since the Health Emergency was declared. In fact, the Department of Law filed a complaint in the Circuit Court for Baltimore City to begin a civil action against the same Respondents on April 24, 2020. Furthermore, on June 16, 2020, the Department of Law, in a motion, opposed court-ordered mediation in the Circuit Court case.

What the Department of Law has not done during the Emergency Order is respond to the repeated discovery requests of the Respondents in both the administrative actions before the Board and in the civil case before the Circuit Court of Baltimore City. Additionally, on March 30, 2020, Respondents filed an MPIA request for a copy of the investigation and documents supporting the allegation in this matter. Neither the Custodian of Records for the Department of Finance or Department of Law responded in accordance with the MPIA mandates. The Governor's Emergency Order does not provide refuge or excuse for delay and denial of due process. The Department of Law should not be allowed to pick and choose when and which parts of their debarment action they will perform in a timely fashion and refuse to do the things it does not want to do under the guise of a Pandemic, such as proving the merits of this case or providing documents essential to responding to the allegations of the City. Procrastination and dereliction of duty disguised as an impact of COVID-19 falls woefully short of demonstrating good cause.

In conclusion, good cause has not been pled or demonstrated in any specificity by the Department of Law and, therefore, grounds do not exist to grant the extension of debarment proceedings beyond the 90 days as codified. Absent a showing as to how the case preparation has been prevented, this case should not be postponed. Furthermore, the Department of Law should be ordered to immediately provide the underlying documents that support their allegations.

Respondent is facing potential debarment, and as a result a large percentage of their work has evaporated. When combined with the broad economic impacts of COVID-19, the Respondents are fighting to sustain their business and simply cannot withstand the Department of Law's unmerited and unsupported request for delay. If the Board grants the extension sought by the Department of Law, the Respondent will suffer irreparable economic harm as the suspension of work will be extended. We urge the Board to decline the request and recommendation.

In the event, that the Board chooses to grant the Department of Law's request, Respondents request the following relief in the interest of due process and fundamental fairness:

1. A hearing officer be appointed by the Board to preside over this matter by July 30, 2020. Petitioner is agreeable to an assignment by the Office of Administrative Hearings.
2. A mutually agreeable hearing date be selected by the parties, and not implemented by Office of Law without consultation with Petitioner.
3. The Board compel the Department of Law to produce to Respondents all underlying documents, to include any investigatory documents, witness names and evidence upon which it seeks to rely in pursuing Debarment by August 10, 2020.
4. The record reflects this is the last permissible postponement at the request of the Office of Law.

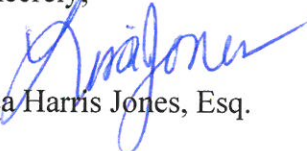
d. Notice to Appear


The Respondents will appear through counsel at the hearing on July 22, 2020. The Respondents will appear virtually or in-person at the preference of the Board.

e. Request for Recusal

Respectfully, the Respondents further request that the City Solicitor recuse herself from any deliberations or decisions regarding this matter. In an unusual set of circumstances, the Solicitor's office participated in the investigation and is charged with presenting their case for disbarment, it also sits as the trier of fact and advisor to the Board. In fact, even the Department of Law appears confused by their role as they seek to serve as an advisor to the Board in this action, recommending actions for the Board to take and not as litigant pursuing debarment. As the supervisor of the attorney's involved, the City Solicitor should not adjudicate or advise the Board or trier of fact on this matter. As counsel, we have tremendous respect for the integrity of the City Solicitor and seek to imply no misconduct or motive on her part. We make this request to simply ensure a tribunal above reproach and clarify the role of the Office of Law in this serious matter.

Sincerely,


Lisa Harris Jones, Esq.


Robert Fulton Dashiell, Esq.

MINUTES

Mayor's Office of Minority and Women-Owned Business Development - Eighth Amendment to Financial Assistance Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the Eighth Amendment to the Financial Assistance Award (Eighth Amendment) from the United States Department of Commerce Minority Business Development Agency (MBDA). The Eighth Amendment extends the period of the Grant Award through March 31, 2021.

AMOUNT OF MONEY AND SOURCE:

\$145,833.00 - 4000-437520-1250-775600-404001

BACKGROUND/EXPLANATION:

In September 2016, the U.S. Department of Commerce MBDA awarded a five-year, \$1,250,000.00 competitive grant to the City of Baltimore, Mayor's Office of Minority and Women-Owned Business Development (MWBD) to operate the Mid-Atlantic MBDA Advanced Manufacturing Project (AMP) Center in Baltimore. The full period of the grant award is September 1, 2016 through August 31, 2021.

In September 2019, the U.S. Department of Commerce MBDA awarded a six-month, \$300,000.00 competitive grant to the City of Baltimore, MWBD to operate the Baltimore initiative, Baltimore Manufacturing Innovation (Baltimore MIHUB) Project. The full period of the grant award is September 1, 2019 through March 31, 2020. The Baltimore MIHUB Project will utilize supplemental funding that will be separate from the funding for the Mid-Atlantic Region MBDA AMP Center.

This action is in support of the Mid-Atlantic Region MBDA AMP, to provide supplemental funding to the Baltimore MIHUB Project.

MINUTES

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

There are 41 MBDA Business and Project Centers throughout the country, and the City of Baltimore is one of only two municipalities awarded a grant to operate a Minority Project Center.

On November 30, 2016, the Board approved the original grant award for the period of September 1, 2016 through August 31, 2017 in the amount of \$250,000.00. On December 6, 2017, the Board approved the First Amendment to the grant award in the amount of \$125,000.00 for the period of September 1, 2017 through February 28, 2018. On April 25, 2018, the Board approved the Second Amendment to the grant award in the amount of \$125,000.00 for the period of March 1, 2018 through August 31, 2018. On October 17, 2018, the Board approved the Third Amendment to the grant award in the amount of \$145,833.00 for the period of September 1, 2018 through March 31, 2019. On June 12, 2019, the Board approved the Fourth Amendment to the grant award in the amount of \$250,000.00 for the period of April 1, 2019 through March 31, 2020. On December 18, 2019, the Board approved the Sixth Amendment to the grant award in the amount of \$300,000.00 for the period of September 1, 2019 through March 31, 2020. On May 27, 2020, the Board approved the Seventh Amendment to the grant in the amount of \$345,167.00 for the period of April 1, 2020 through March 31, 2021.

On November 30, 2016, the Board approved the in-kind recipient funds in the amount of \$267,693.00 for the period of September 1, 2016 through August 31, 2017. On December 6, 2017, the Board approved the First Amendment to the in-kind recipient services in the amount of \$133,846.00 for the period of September 1, 2017 through February 28, 2018. On April 25, 2018, the Board approved the Second Amendment to the in-kind recipient services in the amount of \$133,195.00 for the period of March 1, 2018 through August 31, 2018. On October 17, 2018, the Board approved the Third

MINUTES

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

Amendment to the in-kind recipient services in the amount of \$78,077.00 for the period of September 1, 2018 through March 31, 2019. On June 12, 2019, the Board approved the Fourth Amendment to the in-kind recipient services in the amount of \$267,215.00 for the period of April 1, 2019 through March 31, 2020. On March 27, 2020, the Board approved the in-kind recipient funds in the amount of \$456,430.00 for the period of April 1, 2020 through March 31, 2021.

On December 18, 2019, the Board approved the Fifth Amendment that revised the award end date per the MBDA Program Office memorandum dated March 6, 2019. The entire project period for the award is September 1, 2016 through March 31, 2021. The Fifth Amendment does not include a grant award amount or in-kind recipient funds.

The Eighth Amendment will increase the grant award amount by \$145,833.00 for the new award period of April 1, 2020 through March 31, 2021 and does not include in-kind recipient funds.

The Eighth Amendment is late because of delays in the administrative process.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Eighth Amendment to the Financial Assistance Award from the United States Department of Commerce Minority Business Development Agency.

MINUTES

Space Utilization Committee/ - Lease Agreement
Baltimore City Health Department

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Lease Agreement with TTV Wicomico, LLC, Landlord, for the rental of approximately 37,050 square feet of space located at 1100 Wicomico Street. The period of the agreement is effective upon Board approval for 12 months.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$753,510.00 - 1001-000000-3150-811500-603013

BACKGROUND/EXPLANATION:

The leased premises will be used for the purpose of Offices for Contact Tracing Services.

The Landlord will be responsible for all expenses incurred with operating and maintaining the premises, including janitorial services for the premises.

The Tenant will be responsible for keeping the premises clean and in an orderly condition.

The Tenant hereby rents from Landlord the following premises:

<u>Suite</u>	<u>SF</u>	<u>Price/SF/MO</u>	<u>Monthly Minimum Rental</u>
Suite 710-725	11,650	\$0.75	\$8,737.50
Suite 750	13,300	\$0.75	\$9,975.00
Suite 775	11,200	\$0.85	\$9,520.00
Suite 775A	900	\$1.00	\$900.00
Totals	37,050		\$29,132.50

MINUTES

Space Utilization Committee/ - cont'd
Baltimore City Health Department

The user's fee for office could increase or decrease depending on how many people the Health Department brings on. The Health Department is taking possession of the suites in phases, and they are not occupying them all at once. Tenant shall also pay a monthly fee (the "User Fee") for each user in each applicable suite, according to the chart set forth below.

<u>Suite</u>	<u>Max. Users</u>	<u>User Fee</u>	<u>Max. User Fee/Month</u>
Suite 710-725	122	\$110.00	\$13,420.00
Suite 750	124	\$110.00	\$13,640.00
Suite 775	60	\$110.00	\$6,600.00
Totals	306		\$33,660.00

The Space Utilization Committee approved this lease at its meeting on July 14, 2020.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with TTV Wicomico, LLC, Landlord, for the rental of approximately 37,050 square feet of space located at 1100 Wicomico Street.

MINUTES

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President: "As there are -- as there is no more business before the Board, we will recess until bid opening at 12:00 noon. We will reconvene August 12, 2020. Thank you."

MINUTES

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Comptroller: "The Board of Estimates is now in session for the receiving and opening of bids. As part of the overall effort to limit transmission of the COVID-19 virus, the Board of Estimates is conducting bid openings remotely. Members of the public can call in to listen to bid openings live by calling 443-984-1696 and entering access code 0817325. The Board of Estimates meetings are broadcast live on CHARM-TV, Channel 25 on Comcast cable in Baltimore City. Meetings are also streamed on the Internet at www.charmtvbaltimore.com/watch-live. The Board of Estimates will continue to conduct bid openings remotely while the state of emergency declared by the Mayor of Baltimore and the Governor of Maryland remains in effect."

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

* * * * *

MINUTES

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

Department of General Services - GS 19817, Baltimore Street
Garage Restoration

Mid-Atlantic General Contractors,
Inc.
Eastern Waterproofing & Restoration
of Virginia LLC
Bensky Construction, Co.,
LLC

Department of Recreation & Parks - RP 20801, Racheal Wilson
Memorial Park Playground

Allied Contractors, Inc.
DSM Properties, LLC

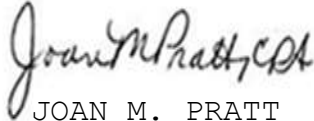
Department of Recreation & Parks - RP 17802, Dypski Park
Improvements

Bensky Construction, Co. LLC

MINUTES

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There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, August 12, 2020.



Handwritten signature of Joan M. Pratt, CPA in black ink.

JOAN M. PRATT
Secretary