

**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 September 2, 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 31, 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: "Mr. President, I move approval of all of the items on the routine agenda."

Acting Director of Public Works: "I second."

## MINUTES

President: "All those in favor say, Aye. All opposed say, Nay. The motion carries, the routine agenda items have been adopted. Ah -- Madame Comptroller, Mr. Mayor, do you guys have any comments you would like to make this morning? Madame Comptroller?"

Comptroller: "I do not. 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:

A & H Industries, LLC	\$ 440,000.00
Oakmont Contracting, LLC (MBE)	\$3,960,000.00

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:

Daft-McCune-Walker, Inc. (WBE)	Landscape Architect Engineer Land Survey
James Posey Associates, Inc.	Engineer
Navarro & Wright Consulting Engineers, Inc. (MBE)	Engineer Land Survey
Rivus Consulting, LLC (MBE)	Landscape Architect Engineer
Smolen - EMR - Ilkovitch Architects, Inc.	Architect

**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 page:

3398

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 Public Works/Office of Engineering and Construction</u>		
1. <b>\$ 75,000.00</b>	9948-912016-9516	9948-913035-9517-6
3 <sup>rd</sup> Parks and Public Facilities	QRLF E&S Control/ Wet Pond	Construction

The transfer will cover a current deficit in the account for SWC 16310R Northwest Transfer Station.

Department of Recreation and Parks

2. <b>\$ 40,000.00</b>	9938-906784-9475	9938-908784-9474
3 <sup>rd</sup> Parks and Public Facilities	Cherry Hill Recreation Center	Middle Branch Fitness and Wellness Center at Cherry Hill

This transfer will provide funds to cover the costs associated with the permit for Contract No. RP 19808, Middle Branch Fitness and Wellness Center.

Department of Housing & Community Development

3. <b>\$1,392,251.35</b>	9981-934989-9587	9981-927410-9593
CDBG 46	Loan Repayment	East Baltimore Development Initiative 108

This transfer will provide CDBG program 46 appropriation for repayment on HUD 108 loans for Fiscal Year 2021.

## MINUTES

Mayor's Office of Homeless Services - Provider Agreements

The Board is requested to approve and authorize execution of the various Provider Agreements. The period of the agreement is July 1, 2020 through June 30, 2021, unless otherwise indicated.

1. **GOVANS ECUMENICAL DEVELOPMENT CORPORATION** **\$100,000.00**

Account: 5000-529121-3572-764600-603051

The City has received a Maryland Department of Housing and Community Development grant to undertake the Homelessness Solutions Program. As a sub-recipient, Govans Ecumenical Development Corporation will provide supportive services to 59 individuals and/or families experiencing homelessness in the city of Baltimore. Services will be provided under the Harford and Micah House Program.

**MWBOO GRANTED A WAIVER ON AUGUST 19, 2020.**

2. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$113,500.00**

Account: 5000-529121-3572-767000-603051

The City has received a Maryland Department of Housing and Community Development grant to undertake the Homelessness Solutions Program. As a sub-recipient, Associated Catholic Charities, Inc. will operate a day center for 500 women in Baltimore City experiencing homelessness. Services will be provided under My Sister's Place Program.

**MWBOO GRANTED A WAIVER ON AUGUST 25, 2020.**

## MINUTES

Mayor's Office of Homeless Services - cont'd

3. **HOUSE OF RUTH MARYLAND, INC.** **\$103,806.00**

Account: 4000-407121-3572-755700-603051

The City has received a U.S. Department of Housing and Urban Development grant to undertake the Emergency Solutions Grant Program. As a sub-recipient, House of Ruth Maryland, Inc. will provide a rapid rehousing program to 20 women and/or families in Baltimore City experiencing homelessness resulting from intimate partner violence. Services will be provided under the Rapid Rehousing Program.

**MWBOO GRANTED A WAIVER ON AUGUST 19, 2020.**

4. **HEALTH CARE FOR THE HOMELESS, INC.** **\$195,000.00**

Account: 4000-407121-5940-760200-603051

The City has received a U.S. Department of Housing and Urban Development grant to undertake the Emergency Solutions Grant Program. As a sub-recipient, Health Care for the Homeless, Inc. will provide supportive services to 250 individuals and/or families experiencing homelessness in the city of Baltimore. Services will be provided under their Convalescent Care Program. The period of the agreement is July 1, 2020 through June 30, 2022.

**MWBOO GRANTED A WAIVER ON JUNE 29, 2020.**

The agreements are late because of a delay at the administrative level.



**MINUTES**

Mayor's Office of Homeless Services - cont'd

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**

Mayor's Office of Immigrant - Grant Agreement FY 2021 Vocational  
Affairs (MIMA) Training and Employment Services

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the execution of the Grant Agreement with the Maryland State Department of Human Services, Office of Refugee Asylees (DHS/MORA). The period of the agreement is October 1, 2020 until services are complete, but no later than September 30, 2021.

**AMOUNT OF MONEY AND SOURCE:**

\$359,444.00 - 5000-535921-1250-775700-603026

**BACKGROUND/EXPLANATION:**

In May 2020, the Mayor's Office of Immigrant Affairs (MIMA) responded to the RFP process for the Vocational Training and Employment Services Program issued by the Maryland State Department of Human Services, Office of Refugee and Asylees (DHS/MORA). As a result, the Mayor and City Council of Baltimore were selected as the Contractor and MIMA as the administrator. The employment and English Language training services required by the grant will be provided by the International Rescue Committee (IRC) in Baltimore as a Subcontractor.

The employment program is designed to enable employable Refugees in the Baltimore Metropolitan Region, to achieve economic self-sufficiency as soon as possible through job development and placement, removal of employment barriers, participation in vocational training, case management, and follow-up after job placement.

**MINUTES**

Mayor's Office of Immigrant Affairs - cont'd

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the Maryland State Department of Human Services, Office of Refugee Asylees.

**MINUTES**

Mayor's Office of Employment - First Amendment to Provider  
Development Agreement

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**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the First Amendment to Provider Agreement for a No-Cost Time Extension with the Job Opportunities Task Force, Inc. The amendment extends the period of the agreement through June 30, 2021.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On January 29, 2020, the Board approved the original Agreement between the Department and Job Opportunities Task Force, Inc. for the period of September 1, 2019 through August 31, 2020.

The purpose of the First Amendment is to extend the period by ten months only to allow additional time to meet deliverables. The total obligation level of the agreement shall remain the same, not to exceed \$60,000.00 of Federal Funds. All other terms and conditions shall remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE****AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Provider Agreement for a No-Cost Time Extension with the Job Opportunities Task Force, Inc.

**MINUTES**

Mayor's Office of Employment - Provider Agreement  
Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Provider Agreement with the Baltimore Alliance for Careers in Health (BACH). The period of the provider agreement is July 1, 2020 through October 31, 2021.

**AMOUNT OF MONEY AND SOURCE:**

\$50,000.00 - 4000-439020-6312-467205-603051

**BACKGROUND/EXPLANATION:**

As a part of the City's response to COVID-19, the City has formed the Baltimore Health Corps. Its mission is to efficiently connect people impacted by COVID-19 to the resources and social support they need while expanding the City's capacity to track the spread of the disease and keep residents employed. The Department's role in partnership with Baltimore City Health Department is to train 50 eligible participants as Community Health Workers in subsidized work in high demand tracks or disaster relief employment that will lead to meaningful immediate employment, connect impacted workers to Contact Tracker training provided by BACH to build skills.

**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 Provider Agreement with the Baltimore Alliance for Careers in Health.

**MINUTES**

Department of Housing and        - Contract of Sale  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Contract of Sale for the acquisition of the Fee Simple Interests of six properties located at 1113 Greenmount Avenue, 2217 Druid Hill Avenue, 2916 Oakley Avenue, 5332 Beaufort Avenue, 5358 Cordelia Avenue, and 4901 Queensberry Avenue from the Housing Authority of Baltimore City (HABC).

**AMOUNT OF MONEY AND SOURCE:**

Funds are available in the following amounts from the following account numbers for the following projects:

	<b>Address</b>	<b>Amount</b>	<b>Account Number</b>	<b>Account Name</b>	<b>Project Name</b>
1.	1113 Greenmount Avenue	\$10,000.00	9910-910715-9588-900000-704040	Johnston Square Housing	Johnston Square
2.	2217 Druid Hill Avenue	\$7,000.00	9910-904177-9588-900000-704040	Acquisition & Relocation	Druid Heights
3.	2916 Oakley Avenue	\$14,000.00	9910-904177-9588-900000-704040	Acquisition & Relocation	HABC Transfers
4.	5332 Beaufort Avenue	\$10,000.00	9910-904177-9588-900000-704040	Acquisition & Relocation	HABC Transfers
5.	5358 Cordelia Avenue	\$9,000.00	9910-904177-9588-900000-704040	Acquisition & Relocation	HABC Transfers
6.	4901 Queensberry Avenue	\$12,500.00	9910-904177-9588-900000-704040	Acquisition & Relocation	HABC Transfers

**Total \$62,500.00**

**MINUTES**

DHCD - cont'd

**BACKGROUND/EXPLANATION:**

Approval is requested of a Contract of Sale, between the Housing Authority of Baltimore City and the Mayor and City Council of Baltimore, by and through the Department of Housing and Community Development. This contract of sale enables the Mayor and City Council of Baltimore to acquire the interests in the above listed vacant property for redevelopment.

Pursuant to the provisions of Article 13, §2-7 of the Baltimore City Code and subject to the prior approval of the Board of Estimates, the Department of Housing and Community Development may acquire, for and on behalf of the Mayor and City Council of Baltimore, any single-family or multiple-family dwelling unit or other structure or lot within the City, for development and redevelopment. The Commissioner of Housing has made the required determination with regard to these properties. And these properties will be redeveloped.

The Board of Commissioners of the HABC and the U.S. Department of Housing and Urban Development have approved the disposition in accordance with 24 CFR, Part 970.

**MBE/WBE PARTICIPATION:**

N/A

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Contract of Sale for the acquisition of the Fee Simple Interests of six properties located at 1113 Greenmount Avenue, 2217 Druid Hill Avenue, 2916 Oakley Avenue, 5332 Beaufort Avenue, 5358 Cordelia Avenue, and 4901 Queensberry Avenue from the Housing Authority of Baltimore City.



**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Side Yard Land Disposition Agreement for the sale of the City-owned property located at 301 Gwynn Avenue to Mr. Charlie D. Strong.

**AMOUNT OF MONEY AND SOURCE:**

The lot will be sold for \$1,422.96, of which \$400.00 will be held in escrow by the City for the benefit of the Purchaser to be applied at settlement for closing costs, including transfer taxes, recordation fees, taxes, and associated title services.

**BACKGROUND/EXPLANATION:**

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

The City has agreed to convey the property known as 301 Gwynn Avenue to the adjacent property owner. As a condition of conveyance has agreed to the terms of the Side Yard Land Disposition Agreement, which prohibits the development of the parcel for a minimum of ten years. The Purchaser will be using private funds to pay for the acquisition and maintenance of the property.

**MINUTES**

DHCD - cont'd

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

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

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The property is being sold for \$1,422.96, as the Purchaser holds title on the adjacent property as owner-occupied. The rationale for the conveyance is:

- the sale will serve a specific benefit to the immediate community,
- the sale will eliminate blight, and
- the sale will return the property to the Baltimore City tax rolls.

**MBE/WBE PARTICIPATION:**

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

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Side Yard Land Disposition Agreement for the sale of the City-owned property located at 301 Gwynn Avenue to Mr. Charlie D. Strong.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement for the sale of the City-owned properties located at 504, 506, and 508 N. Gilmore Street located in the Harlem Park neighborhood to The T.I.M.E. Organization, Inc.

**AMOUNT OF MONEY AND SOURCE:**

The City will convey all of its rights, title and interest in 504, 506, and 508 N. Gilmore Street, three vacant buildings to The T.I.M.E. Organization, Inc. for the sum of \$8,250.00 each. The total price is \$24,750.00. The Developer will be using private funds for the project.

**BACKGROUND/EXPLANATION:**

The Developer proposes to purchase the three vacant buildings at 504, 506, and 508 N. Gilmore 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 PRICE DETERMINED BY THE WAIVER VALUATION:**

In accordance with the Appraisal Policy of Baltimore City, a Waiver Valuation done by DHCD has determined the three vacant buildings at 504, 506, and 508 N. Gilmore Street to be valued at \$16,500.00 each and will be sold for \$8,250.00 each. The total price is \$24,750.00.

**MINUTES**

DHCD - cont'd

Sale of the vacant properties at a price below the Waiver Valuation Value 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.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement for the sale of the City-owned properties located at 504, 506, and 508 N. Gilmore Street located in the Harlem Park neighborhood to The T.I.M.E. Organization, Inc.

**MINUTES**

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

**ACTION REQUESTED BY B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement for the sale of 27 City-owned properties to Heart's Place Services, Inc.

**AMOUNT OF MONEY AND SOURCE:**

The City will convey all its rights, title, and interest in the 27 properties listed below to Heart's Place Services, Inc. for the price of \$27,000.00, which will be paid to the City of Baltimore at the time of settlement.

Purchase price is as follows:

1.	1300 Holbrook Street	\$ 1,000.00	Vacant Lot
2.	1301 Holbrook Street	\$ 1,000.00	Vacant Lot
3.	1302 Holbrook Street	\$ 1,000.00	Vacant Lot
4.	1303 Holbrook Street	\$ 1,000.00	Vacant Lot
5.	1304 Holbrook Street	\$ 1,000.00	Vacant Lot
6.	1305 Holbrook Street	\$ 1,000.00	Vacant Lot
7.	1306 Holbrook Street	\$ 1,000.00	Vacant Lot
8.	1307 Holbrook Street	\$ 1,000.00	Vacant Lot
9.	1308 Holbrook Street	\$ 1,000.00	Vacant Lot
10.	1309 Holbrook Street	\$ 1,000.00	Vacant Lot
11.	1310 Holbrook Street	\$ 1,000.00	Vacant Lot
12.	1311 Holbrook Street	\$ 1,000.00	Vacant Lot
13.	1312 Holbrook Street	\$ 1,000.00	Vacant Lot
14.	1313 Holbrook Street	\$ 1,000.00	Vacant Lot
15.	1314 Holbrook Street	\$ 1,000.00	Vacant Lot
16.	1315 Holbrook Street	\$ 1,000.00	Vacant Lot
17.	1316 Holbrook Street	\$ 1,000.00	Vacant Lot

## MINUTES

DHCD - cont'd

18.	1317 Holbrook Street	\$ 1,000.00	Vacant Lot
19.	1318 Holbrook Street	\$ 1,000.00	Vacant Lot
20.	1319 Holbrook Street	\$ 1,000.00	Vacant Lot
21.	1320 Holbrook Street	\$ 1,000.00	Vacant Lot
22.	1321 Holbrook Street	\$ 1,000.00	Vacant Lot
23.	1322 Holbrook Street	\$ 1,000.00	Vacant Lot
24.	1323 Holbrook Street	\$ 1,000.00	Vacant Lot
25.	1325 Holbrook Street	\$ 1,000.00	Vacant Lot
26.	1327 Holbrook Street	\$ 1,000.00	Vacant Lot
27.	1329 Holbrook Street	\$ 1,000.00	Vacant Lot
	<b>Total</b>	<b>\$27,000.00</b>	

**BACKGROUND/EXPLANATION:**

Heart's Place Services, Inc. will purchase these 27 vacant lots from the City of Baltimore for construction of single-family homes for sale to low-income homebuyers.

The purchase price and improvements to the site will be financed through public and private sources.

The provisions of Article II, Section 15 of the Charter, Article 13 of the Baltimore City Code which established the Department of Housing and Community Development, and Article 28, Section 8-3 of the Baltimore City Code, and Article 13, Section 2-7(h)(2)(ii)(C) of the Baltimore City Code authorize the City to sell these properties.

**MINUTES**

DHCD - cont'd

**STATEMENT OF THE VALUE DETERMINED BY THE APPRAISAL PROCESS:**

In accordance with the City's Appraisal Policy, unimproved real property with an assessed value of \$2,500.00 or less does not require an appraisal. All 27 vacant lots are assessed at \$1,000.00 and will be sold at \$1,000.00 each. The conveyance will be a specific benefit to the immediate community, eliminate blight, and return the property to the tax rolls.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement for the sale of 27 City-owned properties to Heart's Place Services, Inc.



MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

3418 - 3419

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

**MINUTES****PERSONNEL**Department of Transportation1. Reclassify the following vacant position:

From: IT Division Manager BCIT  
Job Code: 10188  
Grade: 967 (\$108,870.00 - \$179,483.00)  
Position Nos.: 21067

To: Operations Director II  
Job Code: 00094  
Grade: 969 (\$118,927.00 - \$196,315.00)

Cost: \$12,106.00 - 1001-000000-2301-249800-601001

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

2. Reclassify the following filled position:

From: General Superintendent of Transit Maintenance  
Job Code: 53335  
Grade: 927 (\$67,771.00 - \$108,433.00)  
Position Nos.: 21067

To: Operations Manager I  
Job Code: 00090  
Grade: 939 (\$89,741.00 - \$147,892.00)

Cost: \$1,500.24 - 1001-000000-2301-249800-601001

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

**MINUTES****PERSONNEL**Department of Transportation - cont'dMayor's Office of Emergency Management

	<u>Hourly Rate</u>	<u>Amount</u>
3. <b>SEBASTIANA J. GIGNCI</b>	\$60.36	<b>\$115,000.00</b>

Account: 1001-000000-2131-228200-601009

Ms. Gignci will work as a Contract Services Specialist II. Her duties will include but are not limited to assisting the City's Health Commissioner and the Director of the Mayor's Office of Emergency Management in identifying key challenges and opportunities in developing and implementing effective responses to safety issues and preventive measures to ensure continuity of operations for City services during COVID-19. She will also be responsible for advising on setting clear and challenging goals for public and internal-facing departments and ensuring these functions collaborate and create efficient cross-functional processes and teams to work effectively, driving performance by actively leading and managing the culture change necessary for creating a best-in-class safety system. The period of the agreement is effective upon Board approval for one year.

**MINUTES**

Department of Transportation - Preliminary Engineering Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested is approve and authorize execution of a Preliminary Engineering Agreement with CSX Transportation, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$27,610.00 - 9950-907850-9514-900020-703032

**BACKGROUND/EXPLANATION:**

The Department would like to facilitate the development of the proposed replacement of the Russell Street and Monroe Street at Milepost BBP-1.73 & BBP-1.76 within the Baltimore Terminal Subdivision. CSXT will proceed with certain necessary engineering and/or design services for the Project.

The scope of work includes but is not limited to:

- i) preparation or review and approval of preliminary and final engineering and design plans, specifications, drawings, agreements and other documents pertaining to the Project,
- ii) preparation of cost estimates for CSXT's work in connection with the Project, and
- iii) the review of construction documents submitted to CSXT by DOT for the Project.

Engineering work may also include office reviews, attending hearings and meetings, and preparing correspondence, reports and other documentation in connection with the Project.

**MINUTES**

Department of Transportation - cont'd

**DBE PARTICIPATION:**

This Preliminary Engineering Agreement was established in the framework for roles and responsibilities in connection with TR 11316 Monroe Street Ramp over CSX, Russell Street over CSX Bridge, which has a DBE goal of 25%.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**TRANSFER OF FUNDS**

<b><u>AMOUNT</u></b>	<b><u>FROM ACCOUNT</u></b>	<b><u>TO ACCOUNT</u></b>
<b>\$30,000.00</b>	9950-934003-9507	9950-907850-9514-3
3 <sup>RD</sup> Parks and Public Facilities	Construction Reserve - Russell & Monroe Bridges	Design - Repl. Russell/Monroe Bridge Ramp

This transfer will fund the costs associated with certain necessary engineering and/or design services for the project Preliminary Engineering Agreement Russell Street and Monroe Street Ramp Bridges over CSX with CXST.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Preliminary Engineering Agreement with CSX Transportation, Inc. The Transfer of Funds was approved

**MINUTES**

Department of Transportation - cont'd

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**

Department of Transportation/DOT - Agreement  
Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement for Contract No. BC 245001 with Rummel, Klepper & Kahl, LLP for Replacement of Bridge No. 3212, under Project No. 1288. The period of the agreement is four years from the issuance of the Notice to Proceed with the option to extend for one year or until the limit has been reached, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000,000.00 - 9950-904097-9508-900010-705032

**BACKGROUND/EXPLANATION:**

The Department has negotiated and procured the consulting agreement approved by the Office of Boards and Commissions and Architectural and Engineering Awards Commissions and now desires to utilize the services of Rummel, Klepper & Kahl, LLP. The cost of services rendered will be on actual payroll rates, not including overhead and burdens times a set multiplier. The payroll rates and multipliers have been reviewed by the Department of Audits. This contract is for Bridge Construction Management Services for Contract No. TR 03319 Replacement of Bridge No. 3212 Bridge Over Herring Run. The project is for the replacement of Harford Road Bridge over Herring Run, adjacent to Herring Run Park. Included in this project is the approach roadway work on both north and south side of the bridge. The total length of the project is .33 miles with .05 miles of bridge construction. The scope of services will include but not be limited to construction and maintenance of traffic control with alternate routes for the total closure of the bridge, removal of the existing arch barrel of the bridge, adjacent retaining walls, and existing pedestrian bridge, construction of

MINUTES

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

new three spans prestressed concrete bulb-tee beam superstructure including new concrete bridge deck, sidewalks, parapets and ornamental fence and lighting, construction of new precast concrete arch pedestrian underpass.

**DBE PARTICIPATION:**

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

DBE: 25%

NMP Engineering Consultant, Inc.	\$140,000.00	14.00%
iCivil, Inc.	\$130,000.00	13.00%

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

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$800,000.00 FED	9950-944002-9507 Construction Reserve-Reserve for Closeouts	
200,000.00 GF (HUR)	9950-904087-9509 Harford Road Bridge Over Herring Run	
<u>\$1,000,000.00</u>	-----	9950-904097-9508 Harford Road Bridge Over Herring Run



**MINUTES**

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

This transfer will fund the consulting costs associated with project TR03319 F. A. P. No. No. NHPP-3033 (9) E; SHA No. BC450001 "Project 1288 Harford Road over Herring Run" with Rummel, Klepper & Kahl, LLP.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for Contract No. BC 245001 with Rummel, Klepper & Kahl, LLP for Replacement of Bridge No. 3212, under Project No. 1288. The Transfer of Funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the Provisions of the City Charter.

**MINUTES**

Department of Transportation - License Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a License Agreement between the Department of Transportation and the Maryland Transit Administration. The period of the agreement is effective upon Board approval for five years.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Maryland Transit Administration has requested permission from the Department to install bus bulb platforms ("Bus Boarding Platforms"), at no charge or expense to the City. The parties desire to jointly plan and implement the installation, ownership, and maintenance of the Bus Boarding Platforms as set forth in this License Agreement.

The parties agree to participate in community engagement and keep the public informed of changes affected by the Project as described within the License Agreement.

By the full execution of the License Agreement, the City agrees to provide MTA the right to access and use City-owned property or right-of-way to support the Project in accordance with the terms of this License Agreement.

**MINUTES**

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the License Agreement between the Department of Transportation and the Maryland Transit Administration.

**MINUTES**

Department of Transportation - Developer's Agreement No. 1712

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Developer's Agreement No. 1712 with CS 211 Saint Paul Place, LLC. The period of the agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

\$30,115.00 - Performance bond

**BACKGROUND/EXPLANATION:**

CS 211 Saint Paul Place, LLC, would like to install water services to its proposed new building located at 211 Saint Paul Place. This agreement will allow the organization to do its own installation in accordance with Baltimore City standards.

A Performance Bond in the amount of \$30,115.00 has been issued to CS 211 Saint Paul Place, LLC, which assumes 100% of the financial responsibility.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of Developer's Agreement No. 1712 with CS 211 Saint Paul Place, LLC.

**MINUTES**

Department of Transportation (DOT) - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Memorandum of Understanding (MOU) between the Department of Transportation and Historic Ships in Baltimore, Inc. (HSB). The period of the agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000,000.00 - 9950-912054-9527-000000-490358

**BACKGROUND/EXPLANATION:**

The parties desire to enter into this MOU to document and set forth the terms and conditions pursuant to which the City will receive payment from a Capital Grant to HSB for construction of the Pier One Building.

On Wednesday, December 19, 2007, the Board approved a Memorandum of Understanding for the Water Taxi Terminals that established the coordination of funding and project responsibilities as outlined in the Water Taxi MOU.

On Wednesday, April 15, 2009, the Board approved a Memorandum of Understanding for the USS Constellation Museum Funding Agreement in which the City would coordinate and supervise the design, engineering and construction activities including the advertisement, bid and contract award process associated with the rehabilitation or construction of a building on Pier One in the Inner Harbor to house both the Inner Harbor Terminal for the Water Taxi and the USS Constellation Museum.

**MINUTES**

DOT - cont'd

On November 20, 2019, the MDOT SHA approved Amendment One to the MOU for the Water Taxi Terminals to allow proposed improvements constituting the Pier One Building, plus outline terms and conditions for the Project. However, this Amendment One to the MOU for the Water Taxi Terminals was approved by the Board of Estimates on October 16, 2019.

The present MOU outlines both the City's and HSB's duties and obligations and provides that the City will receive payment from a state of Maryland Capital Grant to HSB, of which the City is the beneficiary. The MOU also sets forth requirements for the City's construction contract necessary for the City to receive reimbursement from the Capital Grant funds, general notification requirements to (HSB), and notification requirements regarding change orders.

The City will be reimbursed \$1,000,000.00 from the State Capital Grant through HSB for the Project. The City will pay up to \$225,000.00 for design and engineering costs upon the City's approval of invoices from HSB. The City has a local match in the amount of \$51,025.00 and then will seek the reimbursement of the local match from HSB as an offset to the design fee.

**MBE/WBE PARTICIPATION:**

A DBE goal of 25% has been established under Contract No. TR10309R, SHA No. BC44305, FAP No. HP4306 (3)E Inner Harbor Water Taxi Terminal in connection with this MOU.

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

DOT - cont'd

**AUDITS REVIEWED AND HAS NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding between the Department of Transportation and Historic Ships in Baltimore, Inc.

## MINUTES

Health Department - Agreements

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

1. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$ 66,298.60**

Account: 4000-432920-3255-761200-604014

The organization will provide nutritional meal services to elderly residents at the Basilica, DePaul House, and St. Joachim House. Lunch and dinner meals will be served to 15 elderly residents per day at the Basilica, in addition, dinner meals will be served to elderly residents at DePaul House and St. Joachim House, serving a total of 38 residents per day at \$4.78 per meal per day. All meals will be reviewed by a licensed dietitian or licensed nutritionist and/or the Maryland Department of Aging, allowing periodic menu conferences between a representative of the Provider and the Department is as requested by either party. The period of the agreement is October 1, 2019 through September 30, 2020.

The agreement is late because of administrative delays.

**MWBOO GRANTED A WAVIER ON AUGUST 20,2020.**

2. **THE JOHNS HOPKINS UNIVERSITY** **\$126,000.00**

Account: 5000-569721-3023-273300-603051

Johns Hopkins University Division of Infectious Diseases will work with clinical practices to increase HIV and HCV testing along with linkage to and engagement in care. Funds will be used to support the JHU developed HCV education program for primary care, HIV, and substance use providers known as Sharing the Cure. The period of the agreement is July 1, 2020 through June 30, 2021.

**MWBOO GRANTED A WAVIER ON AUGUST 11, 2020.**



## MINUTES

Health Department - cont'd

The agreement is late because the Department of Health and Mental Hygiene's Prevention and Health Promotion Administration programmatically manages State Special Services. The Provider is asked to submit a budget, budget narrative, and scope of services. The Health Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are often times revised because of inadequate information from the Providers. This review process is required to comply with the grant requirements.

3. **THE JOHNS HOPKINS UNIVERSITY** **\$507,326.00**

Account: 4000-427720-3023-273310-603051

The Johns Hopkins University School of Medicine will provide outpatient ambulatory services in the Department's Early Intervention (EII) Program Clinics. The services will be performed by nurse case managers, who are experienced and trained to provide HIV medical case management. This includes biopsychosocial assessments, care plan development, adherence counseling, and follow-up of identified needs. The period of the agreement is March 1, 2020 through February 28, 2021.

The agreement is late because of budget revisions delay processing.

**MWBOO GRANTED A WAIVER ON AUGUST 18, 2020.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

MINUTES

Health Department - cont'd

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

**MINUTES**

Health Department - Notice of Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a Notice of Award (NoA) for the project titled "STD Surveillance Network." Funding is provided by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC). The period is September 30, 2020 through September 29, 2021.

**AMOUNT OF MONEY AND SOURCE:**

\$280,000.00 - 4000-422621-3030-271500-404001

**BACKGROUND/EXPLANATION:**

The NoA provides funds to ensure that Sexually Transmitted Disease (STD) data collections in the Baltimore region meet nationally defined goals. The Project's director represents Baltimore City Health Department on national network conference calls, during the Centers for Disease Control visits, and at collaborators meetings throughout the year.

**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 Notice of Award for the project titled "STD Surveillance Network."

**MINUTES**

Health Department - Amendment to Non-Construction  
Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Amendment to the Non-Construction Consultant Agreement with the Johnson Leadership Group, LLC. The amendment extends the period of the agreement through February 5, 2021.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On March 18, 2020, the Board approved the initial agreement in the amount of \$12,893.00 for the period of March 18, 2020 through August 31, 2020. The Department is amending the agreement to extend the period of performance through February 5, 2021.

The amendment to the agreement is 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 Amendment to the Non-Construction Consultant Agreement with the Johnson Leadership Group, LLC.

**MINUTES**

Health Department - Update to the FY20 Unified  
Funding Document Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Update to the FY20 Unified Funding Document Grant Award for the period beginning July 1, 2019 through June 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

The funding is provided by the State of Maryland Department of Health and Mental Hygiene. The actions are as follows:

<b>Grant Description</b>	<b>Type of Action</b>	<b>Base Award</b>	<b>Amount of Action</b>	<b>Total Award</b>
AIDS Case Management	Correction	\$22,311,627.00	(\$990,893.00)	\$21,320,734.00
Clinical Programs				
COVID-19	New	\$ 0.00	\$ 17,924.00	\$ 17,924.00

**BACKGROUND/EXPLANATION:**

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

This update is late because of administrative delays.

**APPROVED FOR FUNDS BY FINANCE**

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

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved the Update to the FY20 Unified Funding Document Grant Award.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. Stanley Rochkind	4300 Pimlico Road	G/R \$90.00	\$ 825.00
Funds are available in account 9910-903183-9588-900000-704040, Park Heights Major Redevelopment.			
2. Lapidus Sister's Trust	2107, 2109, 2111, & 2113 Boyd Street & 143 S. Calverton Road	G/R \$100.00	\$ 916.00
Funds are available in account 9904-912058-9127-900000-704040, BGN Rachel Wilson Park/Green Network Acquisitions for Rachel Wilson Park.			
3. AN Ground Rents, LLC	1208 Argyle Avenue	G/R \$119.17	\$ 794.47
AN Ground Rents, LLC	645 W. Lafayette Avenue	G/R \$ 53.25	\$ 355.00
Funds are available in account no. 9910-905142-9588-900000-704040, Upton Future Dev. Site Assembly f/k/a Upton Ball Field.			

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/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Redemptions</u>			
4. Deceased/Unregis- tered Ground Rent	3305 Dupont Avenue	G/R \$85.00	\$ 325.00

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

5. Delphin E. Thebaud, Jr.	4662 Park Heights Avenue	G/R \$70.00	\$ 280.00
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Funds are available in account no. 9910-903183-9588-900000-704044, Park Heights Major Redevelopment/Park Heights

DHCD - Redemption or Extinguishment

6. Esther R. Cooper	641 W. Lafayette Avenue	G/R \$96.00	\$ 358.00
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Funds are available in account no. 9910-905142-9588-900000-704044, Upton Future Dev. Site Assembly f/k/a Upton Ball Field.

The Board is requested to approve the acquisition of the ground rent interests (item nos. 4 - 6) by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for these properties.



**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES: - cont'd**

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

**MINUTES**

Department of Public Works (DPW) - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Memorandum of Understanding (MOU) with Chesapeake Bay Trust. The period of the agreement is effective 30 months upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

\$200,000.00 - 2072-000000-5181-390700-607001

**BACKGROUND/EXPLANATION:**

FY21 will be the sixth year DPW has partnered with Chesapeake Bay Trust to provide funding to community-based education, outreach, and restoration projects that improve water quality, create greener neighborhoods and help the City meet its Municipal Separate Storm Sewer System (MS4) Permit.

The Department of Public Works will provide \$200,000.00 towards the Outreach and Restoration Grant Program for Baltimore City-specific projects that address awareness and behavior change to reduce storm water runoff as well as storm water retrofit projects. Chesapeake Bay Trust will match the City's funds with no less than \$100,000.00 of its own money for a total program amount of no less than \$300,000.00. The Department of Public Works' funding source is the Watershed Protection and Restoration Fund, also known as the storm water utility.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAS NO OBJECTION.**

**MINUTES**

DPW - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding with the Chesapeake Bay Trust.

**MINUTES**

Department of Public Works - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Memorandum of Understanding (MOU) between the Department of Public Works and Woodberry Station, LLC. The period of the memorandum of understanding is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Woodberry purchased property located at 3523 Clipper Road on or about March 6, 2018, as part of a project to redevelop two adjoining lots along Clipper Road. Shortly after purchasing the property, Woodberry discovered an eight-inch water main along the Northwest property line. The City does not have an easement to maintain the waterline, and thus, the presence of the water main, at its current location, severely limits Woodberry's development plans.

The water main located on the property is a necessary component of the City's potable water system. Thus, the City has agreed to move the water main to a location that will accommodate both the parties, in exchange for Woodberry's grant of an easement to the City to allow for the future maintenance of the waterline.

**MINUTES**

DPW - cont'd

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding between the Department of Public Works and Woodberry Station, LLC.

**MINUTES**

Department of Public Works/ - Maryland Mutual Aid and  
Bureau of Water & Wastewater Assistance Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the execution of the Maryland Mutual Aid and Assistance Agreement with the Department of Public Works and Maryland's Water/Wastewater Agency Response Network (MDWARN). The period of the agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Maryland Water/Wastewater Agency Response Network (MDWARN) is a network of public and private water and wastewater utilities established to coordinate response activities and share resources during emergencies. WARNs exist in 49 out of 50 states, and as a member of MDWARN, DPW would be able to receive personnel and material/equipment support from regional utilities to address any emergency that threatens our operations. Consequently, DPW could be called upon to lend support to other member utilities who are experiencing localized emergencies. Providing aid to member utilities is voluntary, and DPW can decline to provide aid for any reason. Similarly, receiving aid from member utilities is not guaranteed. When aid is provided to a member utility, the responding utility will be reimbursed for all costs. In addition to facilitating mutual aid, the "utilities helping utilities" model also symbolizes a gesture of goodwill with our regional

**MINUTES**

DPW/Bureau of Water & Wastewater - cont'd

partners that will benefit DPW and the City. DPW can elect to leave MDWARN at any time and for any reason without penalty or legal obligation with the understanding that all costs associated with any aid received have been paid.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Maryland Mutual Aid and Assistance Agreement with the Department of Public Works and Maryland's Water/Wastewater Agency Response Network.

**MINUTES**

Mayor's Office of Children - Interagency Agreement  
and Family Success

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Interagency Agreement with the Mayor's Office of Children and Family Success, the Mayor's Office of Homeless Services and the Department of Housing and Community Development. The agreement will provide coordinated planning and administration of three agencies: DHCD's one-time COVID-19 Temporary Rent Support program, DHCD's support for expanded legal services for low-income Baltimore renters facing eviction, MOCFS's Eviction Prevention program, and MOHS' Homeless Prevention Program. The period of the agreement is effective upon Board approval through June 30, 2021.

**AMOUNT OF MONEY AND SOURCE:**

\$2,750,000.00 - 2055-000000-0011-159401-403000 DHCD Account  
 2055-000000-1191-594700-403000 MOCFS Account

3,000,000.00 - 4000-438320-3572-327200-404001  
 Emergency Solutions Grant - CV

328,717.00 - 5000-529121-3571-765000-405001  
 Homeless Solutions Program

382,768.00 - 4000-407120-3571-765000-404001  
 Emergency Solutions Grant

8,751,766.00 - 2089-208921-5930-818302-607001  
 Community Development Block Grant - CV

1,000,000.00 - 5000-586220-1191-594700-405001  
 Community Services Block Grant - Cares

**\$16,213,251.00**



**MINUTES**

Mayor's Office of Children - cont'd  
and Family Success

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**BACKGROUND/EXPLANATION:**

COVID-19 has negatively impacted City residents in a variety of ways. However, the virus' negative affects are most severe for the City's low and very-low-income households, many of whom earn less than 50% of Area Median Income or \$50,500.00 for a household of four. COVID-19 has strained the financial resources and capacity on a variety of fronts, nowhere more noticeable than on housing costs. Since the advent of COVID-19, many of the City's residents have been unable to make rent payments and are consequently facing the threat of eviction. While resources have been made available from Federal sources, many of the City's residents who most need help do not meet federal requirements and are unable to take advantage of the assistance. These numbers are expected to increase as the Maryland District Courts reopen and begin to hear failure to pay rent cases on September 1.

The Mayor's Office of Children and Family Success has historically provided eviction prevention services and provided an integrated approach to support City families through access to benefits for which they are eligible. COVID-19 requires a more robust approach to stabilize the City's most vulnerable families that includes a combination of legal representation, eviction prevention, and relocation assistance where necessary.

In order to support the City's most vulnerable families, the Mayor's Office of Children and Family Success (MOCFS), the Mayor's Office of Homeless Services (MOHS), and the Department of Housing and Community Development (DHCD) are coordinating their respective funding sources and programs to establish a more robust homeless

## MINUTES

Mayor's Office of Children - cont'd  
and Family Success

prevention response to the housing crisis that includes eviction prevention for households that can stay in the same rental housing unit and relocation services for households that need to move to a different unit.

Under this Interagency Agreement, MOCFS will lead the implementation of the Homelessness Prevention program. MOHS will provide funding for payments to landlords, utility companies, and other financial assistance to stabilize vulnerable families in housing. MOHS will also undertake contracts with case management service providers. DHCD will lead the implementation of the Temporary Rent Support program and undertake contracts with legal services and case management service providers.

Funding for this agreement is being provided through several different revenue sources: DHCD is making available \$2,750,000.00 from the Affordable Housing Trust Fund to support relocation and late rent payments. In accordance with requirements established in Article I, Section 14 of the Charter, financial assistance will only be made available to households who earn 50 percent or less of the Area Median Income, with an emphasis on households earning 30 percent or less of the Area Median Income. Trust Funds will be used to primarily assist households who do not meet requirements associated with federal funds. DHCD is also using approximately \$8,751,766.00 in Community Development Block Grant funds to contract for legal and case management services.

MOHS is making \$3,000,000.00 in Emergency Solutions Grant funding and \$328,717.00 in Homelessness Solutions Program funding

**MINUTES**

Mayor's Office of Children - cont'd  
and Family Success

available for relocation and late rent payments. MOHS is also using \$382,768.00 to contract for case management services. MOCFS is making \$1,000,000.00 in Community Services Block Grant funding available for landlord payments and relocation.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS APPROVED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Interagency Agreement with the Mayor's Office of Children and Family Success, the Mayor's Office of Homeless Services, and the Department of Housing and Community Development.

**MINUTES**

Mayor's Office of Children - Amendment to Notice of Award  
and Family Success

**ACTION REQUESTED OF B/E:**

The Board is requested to accept and approve Amendment No. 1 to a Notice of Award for Head Start Services. Funding is provided by the United States Department of Health and Human Services Administration for Children and Families. The period of Amendment No. 1 to Notice of Award is July 1, 2020 through June 30, 2021.

**AMOUNT OF MONEY AND SOURCE:**

\$667,015.00 - 4000-486321-1772-180300-404001

**BACKGROUND/EXPLANATION:**

On June 10, 2020, the Department's Baltimore City Head Start program was awarded federal funding in the amount of \$7,751,224.00. This award, the second of a five-year project from the United States Department of Health and Human Services Administration for Children and Families, was accepted by the Board on July 22, 2020. This amendment brings an increase of the Award by \$667,015.00 to a total of \$8,418,239.00.

**MBE/WBE PARTICIPATION**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

MOCFS - cont'd

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

UPON MOTION duly made and seconded, the Board accepted and approved Amendment No. 1 to the Notice of Award for Head Start Services.

**MINUTES**

Mayor's Office of Children - Notice of Award  
and Family Success

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a Notice of Award for Head Start Services. Funding is provided by the Maryland Department of Education Division of Early Childhood Development. The period of the Notice of Award is October 1, 2019 through September 30, 2020.

**AMOUNT OF MONEY AND SOURCE:**

\$245,392.00 - 5000-586821-1772-180300-405001

**BACKGROUND/EXPLANATION:**

The Maryland State Department of Education has awarded the Mayor and City Council of Baltimore City Head Start program funding to support a Summer Head Start program for children and families enrolled in the Head Start program during the school year. The purpose of this program is to mitigate the impact of summer learning loss for children 3 to 4 years of age.

This item is late due to administrative delays.

**MBE/WBE PARTICIPATION**

N/A

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**

Mayor's Office of Children - cont'd  
and Family Success

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Notice of Award for Head Start Services.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Partial Release of Retainage Agreement to Spiniello Companies, Inc. for Sanitary Contract No. 956 - Improvements to Sanitary Sewers in the Herring Run Sewershed Pt. 1.

**AMOUNT OF MONEY AND SOURCE:**

\$274,515.85 - 9956-908658-9551-000000-200001

**BACKGROUND/EXPLANATION:**

As of June 1, 2020, Spiniello Companies, Inc. has completed 63% of all work for SC 956. The Contractor has requested a Partial Release of Retainage for \$274,515.85.00. Currently, the City is holding \$392,165.50 in retainage for the referenced project and the Contractor is requesting to reduce the amount of retainage to \$117,649.65.

**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 Partial Release of Retainage Agreement to Spiniello Companies Inc. for Sanitary Contract No. 956, Improvements to Sanitary Sewers in the Herring Run.



**MINUTES**

Department of Public Works/Office - Amendment No. 4 to Agreement of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Amendment No. 4 to Agreement with WSP USA Solutions, Inc. under Project 1405, On-Call Project and Construction Management Assistance Services. The amendment extends the period of the agreement through June 11, 2021.

**AMOUNT OF MONEY AND SOURCE:**

No funds are required at this time.

**BACKGROUND/EXPLANATION:**

The original contract was approved by the Board on June 11, 2014 through June 10, 2017. The First Amendment extended the term by one year through June 10, 2018. The Second Amendment extended the term by one year through June 11, 2019. The Third Amendment extended the term by one year through June 11, 2020. The Fourth Amendment is extending the term by one year through June 11, 2021. The Department is in need of continued assistance from WSP USA Solutions, Inc. to provide on-site inspection services on S.C 877-Enhanced Nutrient Removal Process at the Back River Wastewater Treatment Plant. The services provided will include rehabilitation of existing head chamber, mechanical room fire piping room changes, and various punch list items.

The services to be provided may include, but are not limited to, assisting the Construction Management Division with construction

**MINUTES**

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

monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review and processing of Contractor's application for payment, attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimating, scheduling, project engineering, constructability reviews, construction contract administration and MBE/WBE and wage regulation compliance reporting.

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with all terms and conditions of the MBE/WBE programs in accordance with Baltimore City Code, Article 5, Subtitle 28.

**MBE:** 27%

**WBE:** 10%

**AUDITS NOTED THE TIME EXTENSION AND WILL REVIEW TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 4 to Agreement with WSP USA Solutions, Inc. under Project 1405, On-Call Project and Construction Management Assistance Services.

**MINUTES**

Department of Public Works/Office - Second Amendment to Agreement of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Second Amendment to various On-Call Project and Construction Management Assistance Services Agreements with the following Consultants:

<u>Consultant</u>	<u>Project Number</u>	<u>Amount</u>
1. <b>RUMMEL, KLEPPER &amp; KAHL, LLP</b>	<b>PROJECT 1504</b>	<b>N/A</b>

On January 13, 2016 the original agreement was approved by the Board and expires January 13, 2021. The Department is requesting a Second Amendment consisting of a no-cost time extension for one year. This extends the contract duration to six years with a new expiration date of January 13, 2022.

2. <b>WHITMAN, REQUARDT &amp; ASSOCIATES, LLP</b>	<b>PROJECT 1505</b>	<b>N/A</b>
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On February 24, 2016 the original agreement was approved by the Board and expires February 24, 2021. The Department is requesting a Second Amendment consisting of a no-cost time extension for one year. This extends the contract duration to six years with a new expiration date of February 24, 2022.

These amendments are within the original scope of work and requested by the Agency.

**MINUTES**

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

**MBE/WBE PARTICIPATION:**

The Vendors will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE/WBE goals established in the original agreement which are MBE 27% and WBE 10%.

**APPROVED FOR FUNDS BY FINANCE****AUDITS NOTED THE NO COST TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to the foregoing On-Call Project and Construction Management Assistance Services Agreements.

**MINUTES**

Department of Recreation & Parks - Mutual Termination Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Mutual Termination Agreement between the Department of Recreation and Parks and Italian American Organizations United, Inc. (IAOU). The period of the agreement is effective upon Board approval and is retroactive as of July 6, 2020.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The City and IAOU entered into an agreement of Gift of the Columbus Statue (the "Donation Agreement"), whereby IAOU irrevocably gifted and donated a fourteen-foot, two-inch, seventeen ton, white Carrara marble statue of Christopher Columbus (the "Statue") to the City.

On July 6, 2020, following the destruction of the statue during a public protest, IAOU retrieved the statue from the Jones Falls and moved the statue to a private warehouse for safekeeping. The City Charter requires that the Department of Recreation and Parks protect all monuments belonging to the City, including the statue.

The City acting through the Department wishes to protect and preserve the statue for its artistic and historical significance, but recognizes that this public display on City property may not best serve those ends; to achieve this goal, the parties wish to mutually terminate the Donation Agreement whereby ownership of the

## MINUTES

Department of Recreation & Parks - cont'd

statue shall revert from the City back to IAOU. Approval of this Mutual Termination Agreement is requested by the BOE, in order for IAOU to secure its grant funding. This Mutual Termination Agreement has been signed electronically by all parties. IAOU releases the City, its officials, employees, and agents from any and all claims, known and unknown, arising under, or related to the statue.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board **DEFERRED** the Mutual Termination Agreement with Italian American Organizations United, Inc. until September 16, 2020.

**MINUTES**

Bureau of the Budget and Management Research (BBMR) - Correction to Account Number for Appropriation Adjustment Order No. 002

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the correction to the account number for Appropriation Adjustment Order (AAO) No. 002 for a grant transfer within the Health Department from Service 715: Administration - Health Department to Service 316: Youth and Trauma Services.

**AMOUNT OF MONEY AND SOURCE:**

\$117,693.00 - From Account: 7000-700021-3001-815000-607004  
Unallocated Federal Funds -  
Service 715 - Administration -  
Health Department

**Previously approved account number:**

To Account: 7000-714220-3160-797900-603050  
Service 316: Youth and Trauma  
Services

**Correct account number:**

To Account: 7000-714221-3160-795900-607004  
Service 316: Youth and Trauma  
Services

**MINUTES**

BBMR - cont'd

**BACKGROUND/EXPLANATION:**

On July 1, 2020, the Board approved a grant award agreement with the National Opinion Research Center which entered into a contract with the Centers for Disease Control and Prevention, Division of Violence Prevention. On August 12, 2020, the Board approved the AAO for this grant award. This submittal to the Board will correct the account number for the AAO.

The grant award will support the local implementation of the "Pilot Implementation for CDC of the Violence against Children and Youth Survey," a survey that measures physical, emotional, and sexual violence against girls and boys.

The AAO transfer is necessary to provide an appropriation for this grant. Due to budget formulation being completed prior to receipt of this grant, initially, funding was appropriated within an unallocated account in the Fiscal 2021 Ordinance of Estimates. With this AAO, funding will be moved from the unallocated grant source in accordance with the actual grant award.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the correction to the account number for Appropriation Adjustment



MINUTES

BBMR - cont'd

Order No. 002 for the grant transfer within the Health Department from Service 715: Administration - Health Department to Service 316: Youth and Trauma Services.

**MINUTES**

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

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**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Appropriation Adjustment Order (AAO) No. 008 for a State grant funds transfer within the Mayor's Office from Service 798: Youth Works Summer Jobs Program to Service 741: Community Action Partnership.

**AMOUNT OF MONEY AND SOURCE:**

\$2,000,000.00 - From Account: 5000-500021-6397-809900-607004  
 Unallocated State Grant Funds  
 Service 798 - Youth Works Summer  
 Jobs Program

To Account: 5000-586220-1191-594700-607004  
 Service 741: Community Action  
 Partnership

**BACKGROUND/EXPLANATION:**

On July 1, 2020, the Board approved the Amendment to the Grant Agreement with the Maryland Department of Housing and Community Development. This AAO is a requirement for that Grant Award. The funding will to be utilized to support CSBG eligible activities that prevent, prepare for, or respond to the Coronavirus. The grant funds must be expended no later than September 30, 2022.

Initially, the funding was appropriated within an unallocated account in the Fiscal 2021 Ordinance of Estimates. With this appropriation adjustment order, funding will be moved from the unallocated grant source in accordance with the actual grant award.

## MINUTES

BBMR - cont'd

The requested amount of \$2,000,000.00 is the anticipated spending during Fiscal 2021. Additional spending will be included in the Fiscal 2022 Budget.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board **DEFERRED** Appropriation Adjustment Order No. 008 until September 16, 2020.

**MINUTES**

Department of Real Estate - Lease Agreement Renewal

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the second renewal option of a Lease Agreement between the City, Landlord and the Oliver Community Association, Inc., Tenant for the rental of a portion of the property known as 1400 E. Federal Street, known as 109, 109A, 109B and 111, being on the 1<sup>st</sup> floor consisting of approximately 793 square feet. The period of the agreement is one-year from July 1, 2020 through June 30, 2021.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$6,269.85	\$522.49

**BACKGROUND/EXPLANATION:**

On October 3, 2018, the Board approved the Lease Agreement for one year and three months, from April 1, 2018 through June 30, 2019 with the right to renew for two, one-year periods. On September 25, 2019 the Board approved the 1<sup>st</sup> renewal option for one year from July 1, 2019 through June 30, 2020.

Oliver Community Association, Inc. has exercised their 2<sup>nd</sup> renewal option for one year from July 1, 2020 through June 30, 2021.

All other rentals, conditions and provisions of the Lease Agreement dated October 3, 2018, and the 1<sup>st</sup> renewal option dated September 25, 2019, shall remain in full force and effect.

This item is late because of administrative delays.

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the second renewal option of a Lease Agreement between the City, Landlord, and the Oliver Community Association, Inc., Tenant, for the rental of a portion of the property known as 1400 E. Federal Street, known as 109, 109A, 109B and 111, being on the 1<sup>st</sup> floor consisting of approximately 793 square feet.

**MINUTES**

Department of Real Estate - Lease Agreement Renewal

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the second renewal option of a Lease Agreement between the City, Landlord and the East Baltimore Community Corporation, Tenant for the rental of a portion of the property known as 1400 E. Federal Street, known as 112, 112A, and 114, being on the 1<sup>st</sup> floor consisting of approximately 364 square feet. The period of the agreement is one-year from July 1, 2020 through June 30, 2021.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$2,877.96	\$239.18

**BACKGROUND/EXPLANATION:**

On October 3, 2018 the Board approved the Lease Agreement for one year and three months, from April 1, 2018 through June 30, 2019 with the right to renew for two, one-year periods. On September 25, 2019 the Board approved the 1<sup>st</sup> renewal option for one year from July 1, 2019 through June 30, 2020.

East Baltimore Community Corporation has exercised their 2<sup>nd</sup> renewal option for one year from July 1, 2020 through June 30, 2021.

All other rentals, conditions and provisions of the Lease Agreement dated October 3, 2018 and the 1<sup>st</sup> renewal option dated September 25, 2019, shall remain in full force and effect.

**MINUTES**

Department of Real Estate - cont'd

This item is late because of administrative delays.

UPON MOTION duly made and seconded, the Board approved the second renewal option of a Lease Agreement between the City, Landlord, and the East Baltimore Community Corporation, Tenant, for the rental of a portion of the property known as 1400 E. Federal Street, known as 112, 112A, and 114, being on the 1<sup>st</sup> floor consisting of approximately 364 square feet.

**MINUTES**

Department of Real Estate - Agreement of Sale

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Agreement of Sale with Positive Youth Expressions, Inc.

**AMOUNT OF MONEY AND SOURCE:**

The property will be sold for \$1.00.

**BACKGROUND/EXPLANATION:**

The authority to sell this property is authorized by Baltimore City Code Article 28 § 8-3. The property known as ES 15 ft. Alley 1<sup>st</sup> E of Poplar Grove St 123 FT S of Riggs Ave (Block 2394 Lot 049) consists of approximately 10,146 sq. ft. The Purchaser will develop the property as a community garden and open space to support the Community Youth Center, the purchaser is building across the street.

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

The Purchaser is building a Community Youth Center (the Center) across the Street from the property. When completed in early 2021, the Center will provide child care and educational services and activities for adults, children and youth as well as outreach services to women and children who reside in the area. This property will provide open space and a community garden to support and complement the Center.

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## MINUTES

Department of Real Estate - cont'd

The Property is being sold below the Waiver Valuation Price for the following reasons:

Purchaser has maintained the lot at their own expense since project inception in May 2016,

- Specific benefit to the immediate community by supporting the Center with open space and a community garden,
- Elimination of blight,
- Creation of jobs during construction, and
- The property will be returned to the tax rolls.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement of Sale with Positive Youth Expressions, Inc.

**MINUTES**Space Utilization Committee - Interdepartmental Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Interdepartmental Lease Agreement with the Department of General Services, Landlord and the Department of Finance, Tenant, for the rental of the property known as 401 E. Fayette Street, on the 5<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floors, containing 20,164 sq. ft. The period of the agreement is July 1, 2020 through June 30, 2021, and will automatically renew for five additional terms of 1-year.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Quarterly Installments</u>
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\$227,305.67	\$56,826.42
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Accounts: 1001-000000-1422-160800-603096 - 53%
1001-000000-1423-160800-603096 - 47%

**BACKGROUND/EXPLANATION:**

The quarterly installments are due on the first of July, October, January and March. The annual rent for the renewal term will be determined by May 1<sup>st</sup> of each year.

Landlord will inform Tenant of the recommended rental rate submitted to the Bureau of Budget Management and Research for the leased premises. Subsequent renewal term rates will vary and may be subject to increases or decreases based on facility costs.

The leased premises will be used by the Department of Finance's Bureau of Accounting and Payroll Services for Administrative

**MINUTES**Space Utilization Committee - cont'd

Offices. The Landlord is responsible for interior and exterior of the building; including foundations, roof, walls, gutters downspouts; maintenance & repairs of HVAC systems, providing heat & air conditioning (not individual window ventilation systems) except for damage caused by sole negligence of the Tenant, employees, guests, agents, invitees and contractors. The Landlord is responsible for trash removal; janitorial; pest control; clean floors; snow & ice removal; interior and exterior lighting; sewer/plumbing & electric repairs, replacing air filters once every six months for HVAC systems; utilities. The Landlord will be responsible for providing a security guard at the building's main lobby entrance from Monday through Friday, 6:00 a.m. to 6:00 p.m. If Tenant needs a security guard after 6:00 p.m. for its programs operations, it will be at the Tenant's sole cost and expense.

The Tenant accepts premises in its existing condition. Tenant will make any alterations, additions, or improvements without Landlord written consent; provide all equipment including refrigerators or any other kitchen appliances; telephone and computer services, placing debris into trash receptacles; keep common break room free of debris that can cause infestation of insects and/or rodents, keep entrance, passageway areas clean and orderly condition free of Tenant's equipment and furniture; which will not impede ingress and egress.

The Space Utilization Committee recommended approval of this Interdepartmental Lease Agreement on August 11, 2020.

MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Interdepartmental Lease Agreement with the Department of General Services, Landlord, and the Department of Finance, Tenant, for the rental of the property known as 401 E. Fayette Street, on the 5<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floors, containing 20,164 sq. ft.

**MINUTES**

Department of Real Estate/ - Lease Agreement  
Department of Health

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement with Mondawmin LLC, Landlord, for the rental of a portion of the building located in the shopping center generally known as Mondawmin Mall, 2401 Liberty Heights Avenue, Baltimore, Maryland, being on the lower level, consisting of approximately 2,270 square feet. The period of the lease agreement is May 1, 2020 through April 30, 2022, with the option to renew for an additional two-year period.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
Year 1 - \$45,752.68	\$3,812.72
Year 2 - \$46,667.74	\$3,888.98

The rental amount for the renewal term will be negotiated.

Account: 4000-423221-3080-274100-603013

**BACKGROUND/EXPLANATION:**

The leased premises will be used by the Department of Health's Maternal and Child Health Services and the Well Baby Clinic. The Landlord will be responsible for utilities, real estate taxes, maintenance and repairs, janitorial services, fire insurance and snow removal. The Tenant will be responsible for telephone and

## MINUTES

Department of Health/Department - cont'd  
of Real Estate

computer services at the leased premises and will be responsible for liability insurance under the City's self-insured program.

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

The Space Utilization Committee approved this Lease Agreement on August 11, 2020.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with Mondawmin LLC, Landlord, for the rental of a portion of the building located in the shopping center generally known as Mondawmin Mall, 2401 Liberty Heights Avenue, Baltimore, Maryland, being on the lower level, consisting of approximately 2,270 square feet.

**MINUTES**

Department of Real Estate/ - Fifth Renewal of Interdepartmental  
Police Department Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the fifth renewal option of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Baltimore City Police Department (BCPD) Tenant, for the rental of the property known as 601 E. Fayette Street consisting of 419,868 square feet.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$4,859,303.30	\$1,214,825.83

Account: 1001-000000-2041-776600-603096

**BACKGROUND/EXPLANATION:**

On November 18, 2015, the Board approved the one-year Interdepartmental Lease Agreement between the Department of General Services, Landlord and the Baltimore City Police Department, Tenant for the period July 1, 2015 through June 30, 2016, with five one-year renewal periods.

On June 29, 2016, the Board approved the first renewal option for the period July 1, 2016 through June 30, 2017.

On August 9, 2017, the Board approved the second renewal option for the period July 1, 2017 through June 30, 2018.

On November 7, 2018, the Board approved the Amendment and third renewal option for the period July 1, 2018 through June 30, 2019.

**MINUTES**

Department of Real Estate/ - cont'd  
Police Department

On August 21, 2019, the Board approved the fourth renewal option for the period July 1, 2019 through June 30, 2020.

The BCPD has exercised its fifth renewal option for the period 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.

The Tenant 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 November 18, 2015, the first renewal option dated June 29, 2016, the second renewal option dated August 9, 2017, the amendment and third renewal option dated November 7, 2018, the fourth renewal option dated August 21, 2019 remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the fifth renewal option of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Baltimore City Police Department, Tenant, for the rental of the property known as 601 E. Fayette Street consisting of 419,868 square feet.



**MINUTES**

Department of Real Estate/ - Fifth Renewal of Interdepartmental  
Police Department Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the fifth renewal option of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Baltimore City Police Department (BCPD) Tenant, for the rental of the property known as 601 E. Fayette Street (Annex) consisting of 109,064 square feet.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$1,080,348.90	\$270,087.22

Account: 1001-000000-2041-776600-603096

**BACKGROUND/EXPLANATION:**

On November 18, 2015, the Board approved the one-year Interdepartmental Lease Agreement between the Department of General Services, Landlord and the Baltimore City Police Department, Tenant for the period July 1, 2015 through June 30, 2016, with five one-year renewal periods.

On June 29, 2016, the Board approved the first renewal option for the period July 1, 2016 through June 30, 2017.

On August 9, 2017, the Board approved the second renewal option for the period July 1, 2017 through June 30, 2018.

On November 7, 2018, the Board approved the Amendment and third renewal option for the period July 1, 2018 through June 30, 2019.

**MINUTES**

Department of Real Estate/ - cont'd  
Police Department

On August 21, 2019, the Board approved the fourth renewal option for the period July 1, 2019 through June 30, 2020.

The BCPD has exercised its fifth renewal option for the period 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.

The Tenant 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 renewals, conditions, and provisions of the Lease Agreement dated November 18, 2015, the first renewal option dated June 29, 2016, the second renewal option dated August 9, 2017, the amendment and third renewal option dated November 7, 2018, the fourth renewal option dated August 21, 2019 remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

Department of Real Estate/ - cont'd  
Police Department

UPON MOTION duly made and seconded, the Board approved the fifth renewal option of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Baltimore City Police Department, Tenant, for the rental of the property known as 601 E. Fayette Street (Annex) consisting of 109,064 square feet.

**MINUTES**

Department of Real Estate/ - Fifth Renewal of Interdepartmental  
Police Department Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the fifth renewal option of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Baltimore City Police Department (BCPD) Tenant, for the rental of the property known as 3101 Swann Drive, consisting of 2,644 square feet.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$53,814.72	\$13,453.68

Account: 1001-000000-2041-776600-603096

**BACKGROUND/EXPLANATION:**

On November 18, 2015, the Board approved the one-year Interdepartmental Lease Agreement between the Department of General Services, Landlord and the Baltimore City Police Department, Tenant for the period July 1, 2015 through June 30, 2016, with five one-year renewal periods.

On June 29, 2016, the Board approved the first renewal option for the period July 1, 2016 through June 30, 2017.

On August 9, 2017, the Board approved the second renewal option for the period July 1, 2017 through June 30, 2018.

On November 7, 2018, the Board approved the Amendment and third renewal option for the period July 1, 2018 and terminating June 30, 2019.

**MINUTES**

Department of Real Estate/ - cont'd  
Police Department

On August 21, 2019, the Board approved the fourth renewal option for the period July 1, 2019 through June 30, 2020.

The BCPD has exercised its fifth renewal option for the period 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.

The Tenant 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 November 18, 2015, the first renewal option dated June 29, 2016, the second renewal option dated August 9, 2017, the amendment and third renewal option dated November 7, 2018, the fourth renewal option dated August 21, 2019, remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

Department of Real Estate/ - cont'd  
Police Department

UPON MOTION duly made and seconded, the Board approved the fifth renewal option of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Baltimore City Police Department, Tenant, for the rental of the property known as 3101 Swann Drive, consisting of 2,644 square feet.

**MINUTES**

Department of Real Estate/ - Interdepartmental Lease Agreement  
Department of Finance

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Department of Finance, Tenant, for the rental of the property known as 111 N. Calvert Street, on the 1<sup>st</sup> floor and basement, containing 18,497 sq. ft. The period of the agreement is July 1, 2020 through June 30, 2021, and will automatically renew for five additional terms of 1-year.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Quarterly Installments</u>
\$188,525.92	\$47,131.48

Account: - 2031-000000-1443-161800-603096

**BACKGROUND/EXPLANATION:**

The quarterly installments are due on the first of July, October, January and March. The annual rent for the renewal term will be determined by May 1<sup>st</sup> of each year.

The Landlord will inform Tenant of the recommended rental rate submitted to the Bureau of Budget and Management Research for the leased premises. Subsequent renewal term rates will vary and may be subject to increases or decreases based on facility costs.

## MINUTES

Department of Real Estate/ - cont'd  
Department of Finance

The leased premises shall be used by the Department of Finance Reproduction and Printing Section for administrative offices. The Landlord is responsible for interior and exterior of the building; including foundations, roof, walls, gutters downspouts; maintenance and repairs of HVAC systems, providing heat and air conditioning (not individual window ventilation systems) except for damage caused by the sole negligence of the Tenant, employees, guests, agents, invitees, and contractors. The Landlord is responsible for trash removal; janitorial; pest control; clean floors; snow and ice removal; interior and exterior lighting; sewer/plumbing and electric repairs; replacing air filters once every six months for HVAC systems; utilities. Landlord shall be responsible for providing a security guard at the building's main lobby entrance from Monday thru Friday, 6:00 A.M. to 6:00 P.M. If the Tenant needs a security guard after 6 P.M. for its program operations, it shall be at the Tenant's sole cost and expense. The Tenant accepts premises in its existing condition.

The Tenant will not make any alterations, additions, or improvements without Landlord written consent; provide all equipment including refrigerators or any other kitchen appliances; telephone and computer services, placing debris into trash receptacles; keep common break room free of debris that can cause an infestation of insects and/or rodents, keep entrance, passageways areas clean and orderly condition free of Tenant's equipment and furniture; which shall not impede ingress and egress.



**MINUTES**

Department of Real Estate/ - cont'd  
Department of Finance

The Space Utilization Committee approved the Interdepartmental Lease Agreement on August 11, 2020.

The Interdepartmental Lease Agreement is late due to the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Interdepartmental Lease Agreement between the Department of General Services, Landlord, and the Department of Finance, Tenant, for the rental of the property known as 111 N. Calvert Street, on the 1<sup>st</sup> floor and basement, containing 18,497 sq. ft.

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

- |                    |                |         |
|--------------------|----------------|---------|
| 1. BALTIMORE CORPS | \$1,700,000.00 | Renewal |
|--------------------|----------------|---------|
- Contract No. 08000 - Baltimore City Government Fellowship Agreement - Office of the Mayor, Department of General Services and Various City agencies - P.O. No.: P549030

On September 11, 2019, the Board approved the initial award in the amount of \$1,630,000.00. The award contained three 1-year renewal options at the sole discretion of the City. The Government Fellowship Program administered by Baltimore Corps is unique in that it is the only government fellowship program operator with a focus on racial justice and equity in its program. Baltimore Corps addresses the needs of various departments throughout the City. They have provided talented fellows to work alongside senior level City staff members and have been assigned projects that are focused on the City's needs. This first renewal in the amount of \$1,700,000.00 is for the period September 11, 2020 through September 10, 2021, with two 1-year renewal options at the sole discretion of the City. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

Not applicable. This meets the requirement for certification as a sole source procurement as Baltimore Corps provides unique services.

- |                                                  |                |                             |
|--------------------------------------------------|----------------|-----------------------------|
| 2. RUDOLPH'S OFFICE AND<br>COMPUTER SUPPLY, INC. | \$1,000,000.00 | Ratification<br>and Renewal |
|--------------------------------------------------|----------------|-----------------------------|
- Contract No. B50004074 - J.I.T. Office Supplies - Citywide - P.O. NO.: P532595

On August 26, 2015, the Board approved the initial award in the amount of \$9,000,000.00. The award contained one renewal option. The period of the ratification is July 29, 2020 through September 2, 2020. This sole renewal is for the period September 3, 2020 through July 28, 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 May 20, 2015, MWBOO set goals at 5% MBE and 0% WBE. On August 17, 2020, MWBOO found Rudolph's Office and Computer Supply, Inc. in compliance.

	<u>Commitment</u>	<u>Performed</u>	
<b>MBE:</b> Sue Ann's Office Supply, Inc.	5%	\$377,899.20	6.56%

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE ON AUGUST 17, 2020.**

3. SHOTSPOTTER, INC. Ratification and Renewal  

	\$ 750,000.00	
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 Contract No. 08000 - ShotSpotter Annual Subscription Services - Mayor's Office of Criminal Justice - Req. No.: R858466

On April 4, 2018, the Board approved the initial award in the amount of \$860,000.00. The award contained one-year renewal options. This second renewal in the amount of \$750,000.00 will provide for the continuation of annual subscription services of proprietary and specialized gunshot detection technology and maintenance. The period of the ratification is July 12, 2020 through September 1, 2020. The period of the renewal is September 2, 2020 through July 11, 2021, with optional one-year renewal options upon Board approval. 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.

## 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 April 4, 2018, no goals were set by MWBOO as this meets the requirements for a sole source procurement. However, the Vendor has identified an opportunity for segmentation and has voluntarily entered into an agreement for electrical services. The 8% MBE participation goal on this contract was purely aspirational due to the sole source nature of the contract. On September 23, 2019, Shot Spotter, Inc. was found in compliance.

	<u>Commitment</u>	<u>Performed</u>	
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<b>MBE:</b> Calmi Electrical Company, Inc.	8%	\$261,811.40	30.4%
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**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE ON SEPTEMBER 23, 2019.**

4.	<u>PACIFICO FORD</u>	<u>\$ 210,778.00</u>	<u>Increase</u>
	<u>Contract No. B50005940 - Crew Cab with Dump Body - Department of General Services, Fleet Management - P.O. No.: P551483</u>		

On May 27, 2020, the Board approved the initial award in the amount of \$210,788.00. On July 22, 2020, the Board approved an increase in the amount of \$421,556.00. This increase in the amount of \$210,778.00 is necessary to purchase two additional crew cabs with dump body, which will replace older equipment

## 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

in the City's Fleet as part of Fleet Management's planned replacement program. This increase will make the award amount \$843,112.00. The contract expires on May 12, 2021. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On May 20, 2020, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is for the purchase of commodities from an authorized heavy equipment dealer who is required to provide associated pre-delivery inspection and warranty repairs.

**MWBOO GRANTED A WAIVER ON MAY 20, 2020.**

5. BLUESTAR TECHNOLOGIES,  
 INC. \$800,000.00 Increase  
 Contract No. B50005357 - Medium and High Voltage Electric  
 Systems - Department of General Services and other agencies -  
 P.O. No.: P547348

On May 27, 2019, the Board approved the initial award in the amount of \$500,000.00. This increase in the amount of \$800,000.00 is necessary for various electrical construction items and fiber optic installations. This increase will make the award amount \$1,300,000.00. The contract expires on March 26, 2022. 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 14, 2020 MWBOO found the Vendor in compliance on the WBE goal of 5% and non-compliant on the MBE goal of 16%. On August 13, 2020, an MWBOO approved compliance plan has been entered into with the Vendor.

	<u>Commitment</u>	<u>Performed</u>	
<b>MBE:</b> A/C Power	16%	\$ 8,016.00	3.32%
<b>WBE:</b> Allocated Formula Group, Inc.	5%	\$13,709.52	5.66%

The Vendor did not meet the MBE goals for the contract. MWBOO held a conciliation meeting with the Vendor and the impacted

## 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 and as a result, an approved plan is in place. MWBOO will monitor the project closely over the course of the next three months to ensure the Vendor is following the proposed plan to meet the goal.

- |                                            |              |                                             |
|--------------------------------------------|--------------|---------------------------------------------|
| 6. UNITED WAY OF CENTRAL<br>MARYLAND, INC. | \$ 48,600.00 | Non-competitive/<br>Procurement/Sole Source |
|--------------------------------------------|--------------|---------------------------------------------|
- Contract No. 08000 - Case Management Training - Mayor's Office of Children and Family Success - Req. No.: R859683

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 is the manufacturer's sole authorized source of these products available in this area. The period of the award is September 8, 2020 through June 7, 2021. The above amount is the City's estimated requirement.

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

## 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. 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.

7. WAGE		Non-competitive/
WORKS		Procurement/Selected
	\$ 65,000.00	Source
Contract No. 06000 - COBRA Benefit Services - Human Resources		
- Req. No.: R854895		

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

STATEMENT OF PURPOSE AND RATIONALE FOR NON-COMPETITIVE PROCUREMENT:

ADP notified the Department of Human Resources, Office of Employee Benefits that they would no longer provide COBRA services as part of their current agreement. The Department of Human Resources did not have sufficient time to develop, release and evaluate a RFP for this service in order to implement a new Vendor by the beginning of the fiscal year. Wage Works is familiar with the City and the Department of Human Resources having worked with the City on various employee benefit matters. The period of the award is January 1, 2020 through December 31, 2020, with two 1-year renewal periods. 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:**

benefit matters. The period of the award is January 1, 2020 through December 31, 2020, with two 1-year renewal periods. 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. Proprietary system software.

8. LAWMMEN SUPPLY		Non-competitive/
COMPANY OF NEW		Procurement/Selected
JERSEY	\$ 45,035.05	Source
Contract No. 06000 - Task Force Vests and Equipment - Sheriff Department - Req. No.: R849066		

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

Vendors were solicited by posting on CitiBuy. B50006081 was opened on June 11, 2020. No bids were received. The award is recommended to the Vendor that submitted a quote which was found to be fair and reasonable. The period of the award is September 2, 2020 through September 1, 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 initial award was below MBE/WBE subcontracting threshold of \$50,000.00.

9. CROWN SECURITY		Non-competitive/
SYSTEM, INC.	\$139,199.74	Procurement/Selected
		Source
Contract No. 06000 - CCTV Camera Monitors May and June -		
Mayor's Office of Criminal Justice - Req. No.: R859877		

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

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

The City purchases camera monitoring service from Crown Security. Crown Security monitors Citiwatch cameras 24/7/365, performing what is considered an essential public safety service and cannot be discontinued. 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:**

Currently in review.

10. CENTER FOR EMERGENCY MEDICINE	\$2,000,000.00	Non-competitive/ Procurement/Selected Source Ratification
Contract No. 06000 - Aero-Transport Providers Medical Claims - Health Department - Req. No.: R849728		

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

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

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

The Office of Field Health Service, reviews medical claims submitted by a variety of Aero-Transport Providers that are State-Approved Medicare/Medicaid providers. The City pays the medical claims and the State reimburses the City at 100% pass through rate for performing this service on their behalf. The Baltimore City Health Department and the City of Baltimore have no contractual relationship with and play no part in the selection of these providers. The Baltimore City Health Department merely reviews claims and acts as a conduit of grant funds as an agent of Maryland Department of Health. The period of the ratification is May 5, 2020 through September 1, 2020. The period of the award is September 2, 2020 through May 4, 2021, with two 1-year renewal options. The above amount is the City's estimated requirement.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it 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 claims review service is performed in-house by the Health Department

## 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

11. ATLANTIC EMERGENCY SOLUTIONS, INC.	\$283,985.00	Cooperative Agreement
Houston-Galveston Area Council Contract No. AM10-18 - Ambulances, EMS and Other Special Service Vehicles - Department of General Services - Fleet - Req. No.: R856252		

The Board is requested to approve and authorize execution of the Cooperative Agreement with Atlantic Emergency Solutions, Inc. The period of the agreement is effective upon Board approval through September 30, 2020, with renewal options.

One road medical 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.

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 is a cooperative contract. Pursuant to Baltimore City Code Article 5, Subtitle 28, the Contract requires the Vendor to make every good faith effort to utilize

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

Minority and Women's Business Enterprises as subcontractors and suppliers, whenever possible, if subcontractors are used.

12. RICOH, USA, INC.	\$133,843.07	Cooperative Agreement
County of Fairfax Contract No. 4400003732 - Multifunction Devices and Related Services - Bureau of Procurement Digital Division - Digital Document Division - Req. No.: R838334		

The Board is requested to approve and authorize execution of the Cooperative Agreement with Ricoh USA, Inc. The period of the agreement is effective upon Board approval for five years.

On February 11, 2013, the County of Fairfax awarded a Cooperative Contract, as the lead government agency for Omnia Partners (formerly US Communities), a cooperative procurement organization. Through a competitive solicitation process, the City of Baltimore is a member of the cooperative and may utilize its contracts for various procurements as needed. Execution of this agreement will provide a Digital StoreFront which will enable City agencies to order print jobs with greater ease between the customer and Print Shop planners. The

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

software replaces the current Unix-based software platform that is End-of-life for support. The above amount is the City's estimated requirement.

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

**MBE/WBE PARTICIPATION:**

Not applicable. This is a purchase of proprietary software from a cooperative contract.

## 13. ISLAS GENERAL CLEANING

SERVICES  
 DURAFORCE CLEANING  
 SERVICES, INC.  
 JIMENEZ GENERAL CLEANING  
 SERVICES, INC. T/A  
 FIRECLEAN

\$2,500,000.00      Cooperative Agreement

WSSC Contract No. 7227 - Professional Cleaning and Restoration  
 - Department of Public Works, - Bureau of Water and Wastewater  
 - Req. Nos.: R859551, R859557 and R859558

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

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

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

The Board is requested to approve and authorize execution of the Cooperative Agreement with Islas General Cleaning Services, Duraforce Cleaning Services, Inc. and Jimenez General Cleaning Services, Inc. T/A Fireclean. The period of the agreement is September 2, 2020 through November 29, 2021, with renewal options.

The Department of Public Works Bureau of Water and Wastewater will be seeking professional services for Cleaning and Disinfection caused due to sewer backups for private residences located within the city of Baltimore from the recommended Vendors. The above amount is the City's estimated requirement.

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

**MBE/WBE PARTICIPATION:**

Not applicable. This is a cooperative contract. Pursuant to Baltimore City Code Article 5, Subtitle 28, the Contract requires the Vendor to make every good faith effort to utilize Minority and Women's Business Enterprises as subcontractors and suppliers, whenever possible, if subcontractors are used.



## MINUTES

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

Bureau of Procurement - cont'd

## 14. DAVE PURCHASE

PROJECT	\$ 40,400.00	Award
Solicitation No. B50006091 - Cotton Pellets and Cookers - Health Department - Req. No.: R853895		

Vendors were solicited by posting on CitiBuy. On July 23, 2020, the sole bid received was opened and found to be fair and reasonable. Award is recommended to be made to the responsible bidder. The period of the award is September 2, 2020 through September 1, 2022, with two 2-year renewal options. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

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

## 15. CALIBER BODYWORKS

OF MARYALND, LLC	\$ 0.00	Assignment Agreement
Contract No. B0005206 - O.E.M. and Aftermarket Parts and Repair Services - Body Shop - Department of General Services, Fleet Management - P.O. No.: P543451		

The Board is requested to approve and authorize execution of the Assignment Agreement with Donahoo Collision Center, LLC.

On April 11, 2018, the Board approved the award of Contract No. B50005206 to Donahoo Collision Center, LLC. Donahoo Collision Center, LLC, is requesting assignment of Contract No. B50005206 to Caliber Bodyworks of Maryland, LLC for acquiring the rights to legally fulfill contract obligations.

## 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 Board is requested to approve the Assignment only.

16. GARTNER, INC.	\$130,000.00	Non-competitive/ Procurement/ Ratification Renewal
Contract No. 08000 - Gartner for IT Executives and Leaders - Baltimore City Office of Information and Technology - P.O. No.: P528566		

On August 14, 2013, the Board approved the initial award in the amount of \$33,800.00. Subsequent actions have been approved and six renewals have been exercised. This renewal will provide for the continuation of access to Gartner's unique research database. Gartner's database access enhances the Baltimore City Office of Information and Technology in areas including enterprise architecture, applications, network security, and risk management for key initiatives that will improve stability and further advance the City's network infrastructure. The period of the ratification is August 1, 2020 through September 1, 2020. The period of the renewal is September 2, 2020 through July 31, 2021, with one-year renewal options at the sole discretion of the City. The above amount is the City's estimated requirement.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

**MBE/WBE PARTICIPATION:**

Not applicable. This meets the requirement for certification as a sole source procurement. The proprietary database library is only available from the Vendor and is not available from subcontractors.

17. TELEFLEX, LLC	\$125,000.00	Extension
Contract No. 08000 - EZ-IO Needles and Equipment - Baltimore Fire Department - P.O. No.: P551493		

On August 12, 2014, the Board approved the initial award in the amount of \$120,000.00. The award contained five renewal options. Subsequent actions have been approved and five renewals have been exercised. This extension is necessary to allow the Baltimore City Fire Department continue purchasing EZ-IO Needles and Equipment for emergency medical care. The contract expires on August 31, 2020. The period of the extension is September 1, 2020 through December 31, 2020. The above amount is the City's estimated requirement.

It is hereby certified that the above procurement is of such a nature that the need for supplies, materials, equipment, services or public works is of an emergency nature. Therefore, pursuant to Article VI, Section 11 (e) (i) of the City Charter, the payment of the invoice is recommended.

**MBE/WBE PARTICIPATION:**

Not applicable. This meets the requirements for sole-source procurement.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

18. P. FLANIGAN & SONS, INC.	\$2,000,000.00	Extension
Contract No. B50004177 - Paving Materials - Hot and Cold Patch - Department of Transportation, Department of Public Works - P.O. No.: P532590		

On August 26, 2015, the Board approved the initial award in the amount of \$6,756,750.00. The award contained two renewal options. Subsequent actions have been approved and two renewals have been exercised. This extension is necessary to allow time to advertise and award a new contract. The period of the extension is August 26, 2020 through January 25, 2021. The above amount is the City's estimated requirement.

It is hereby certified that the above procurement is of such a nature that the need for supplies, materials, equipment, services, or public works is of an emergency nature. Therefore, pursuant to Article VI, Section 11 (e) (i) of the City Charter, the payment of the invoice is recommended.

**MBE/WBE PARTICIPATION:**

On March 3, 2015, it was determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER ON MARCH 3, 2015.**

**A PROTEST WAS RECEIVED FROM M. LUIS PRODUCTS, LLC.**

# Robert Fulton Dashiell, ESQ. P.A.

Robert Fulton Dashiell  
Principal  
[robertdashiell@dashiell-lawoffice.com](mailto:robertdashiell@dashiell-lawoffice.com)

Senchal Dashiell Barrolle  
Associate Principal  
[sbarrolle@dashiell-lawoffice.com](mailto:sbarrolle@dashiell-lawoffice.com)

1726 Whitehead Road  
Woodlawn, Maryland 21207  
Telephone: (410) 547-8820  
Facsimile: (443) 637-3718

*Baltimore City Office*  
2423 Maryland Avenue, Suite 100  
Baltimore, Maryland 21218

August 11, 2020

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

Re: Protest of M. Luis Products/B50004177

Dear Mr. President and Honorable Board Members:

I represent the protestor, M. Luis Products, LLC ("M. Luis"), a certified woman owned business that is ready, willing and able to supply the city's need for asphalt materials at a price equal to or lower than the amount that the City would pay the incumbent supplier during the requested extension period. We maintain that the contract may not be lawfully extended.

The contract was awarded on or about August 26, 2015, without minority or woman owned business participation. Attachment A hereto is a copy of a letter dated September 13, 2019, from the then Deputy City Purchasing Agent to the incumbent contractor advising of the Board's approval of the "final renewal term" of the contract through August 25, 2020. Since September 13, 2019, nearly ten months ago, the city has been aware of the need to re-advertise the contract. Without justification, explanation or even acknowledgement, the Bureau of Procurement, according to the Board agenda, has represented that the extension "is necessary to allow time to advertise and award a new contract". This is precisely the kind of act condemned by the Court of Appeals in *Mayor and City Council of Baltimore v. Bio Gro Systems, Inc.* 300 Md. 248 (1984), a copy of which is appended as Attachment B.

Unlike here, in the Bio Gro case the City sought to extend the original contract based on a provision that purported to permit an extension. The City began negotiations for a new contract with the incumbent contractor a year before the original expiration and reached agreement for a new contract a year before the extended expiration date. Apparently leery of the legality of the extension, the City filed a complaint for a declaratory judgment to obtain judicial review of its actions.

The Circuit Court held that the "new" contract was executed in violation of the City's Charter's competitive bidding requirement. The Court stated that the provision in the original contract permitting its extension was "repugnant to the charter power of the Board and the City, since it avoids the necessity of competitively bid contracts..." If an extension of a contract that permitted an extension is repugnant to the City Charter because it unlawfully avoids competitive bidding, an extension of a contract that by its terms may not be extended is likewise repugnant to the Charter's requirement for competitive bidding. The City cannot fail to act for more than (9) months and then declare the necessity to extend a competitively bid contract beyond its expiration date "to allow time to advertise and award a new contract".

For the foregoing reasons, we urge the Board to deny the request of the Bureau of Procurement.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Fulton Dashiell, Esq.", written over a horizontal line.

Robert Fulton Dashiell, Esq.

Attachments

Attachment A

CITY OF BALTIMORE  
CATHERINE P. KELLY, Mayor



DEPARTMENT OF FINANCE  
BUREAU OF PURCHASES  
7311 Baltimore Street, Suite 300  
Baltimore, Maryland 21207

September 13, 2019

P. Flanigan & Sons, Incorporated  
2444 Loch Raven Rd  
Baltimore, MD 21218

Sent via Citibuy

Re: Contract # B50004177 Paving Materials - Hot and Cold Patch

To Whom It May Concern:

This letter is to inform you that on July 31, 2019, the Honorable Board of Estimates approved our request to renew the above referenced contract for the period of August 26, 2019 through August 25, 2020. This is the final renewal term. After this period, there are no renewal options remaining. You will shortly receive, or may have already received, via email, a purchase order that reflects the renewal period, and indicates the upset amount for work performed during the period. The City is not responsible for invoices that exceed the upset amount, or for work that is done without a purchase order or change order.

Please send a current insurance certificate referring the aforementioned contract number by September 27, 2019 to:

Shelley Hawkins  
Bureau of Purchases  
231 E. Baltimore Street, Suite 300  
Baltimore, MD 21202

We would appreciate your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Keasha L. Brown".

Keasha L. Brown, CPPO  
Deputy City Purchasing Agent

KLB/sh

# Attachment B

No. 26, September Term, 1984  
Court of Appeals of Maryland

## Mayor of Baltimore v. Bio Gro Systems, Inc.

300 Md. 248 (Md. 1984) · 477 A.2d 783  
Decided Jul 12, 1984

No. 26, September Term, 1984.

Per Curiam Order June 7, 1984. Opinion July 12, 1984.

Appeal from the Circuit Court for Baltimore City, Robert L. Karwacki, J.

George Beall, Baltimore, for appellant, Enviro-Gro.

Ambrose T. Hartman, Deputy City Sol., Baltimore, for appellant, Mayor and City Council of Baltimore.

M. Albert Figinski, Baltimore, for appellee, Bio Gro Systems, Inc.

Hyman A. Pressman, Baltimore, in pro. per., other appellee.

Argued before MURPHY, C.J., and SMITH, ELDRIDGE, COLE, DAVIDSON, RODOWSKY and COUCH, JJ.

### ORDER

#### PER CURIAM.

For reasons to be stated in an opinion later to be filed, it is this 7th day of June, 1984

ORDERED, by the Court of Appeals of Maryland, that the judgment of the Circuit Court for Baltimore City be, and it is hereby, affirmed; and it is further

ORDERED that the mandate shall issue forthwith, costs to be paid by the appellants.

### OPINION

MURPHY, Chief Judge.

The issue in this case is whether the extension by mutual consent of a competitively bid municipal contract beyond its original term violates the competitive bidding requirements of the Baltimore City Charter.

Appellant Enviro-Gro, a joint venture, and appellee Bio-Gro Systems, Inc. carry on the business of hauling, loading, processing and disposing of sludge produced at waste water treatment plants throughout the United States. On December 10, 1981, the Mayor and City Council of Baltimore (the City) issued a Request for Proposal (RFP) inviting bids on a contract to remove and dispose of sludge from its Back River Waste Water Treatment Plant. Bids were solicited in compliance with the procedures required by Article VI, § 4 of the City Charter (1964 Rev.). The RFP provided that the duration of the contract would be two years. It also stated that

casetext



the contract could be extended for an additional term of one or two years by mutual consent of the parties. Enviro-Gro was the low bidder and entered into a contract with the City on January 13, 1982, agreeing to dispose of the sludge at a price of \$34.75 per wet ton. Special Provision 3 of the contract provided:

"This contract shall remain in force from the date of its execution until (2) two years from the date of the Notice [to] proceed with an option to extend it for one (1) or two (2) years by mutual agreement between the City and the contractor."

For reasons not relevant here, performance of the contract did not commence until July 1, 1982; by its terms, therefore, the contract expired on June 30, 1984.

Negotiations for an extension of the contract began in the fall of 1982. During the next twelve months, Enviro-Gro submitted four different proposals for a new contract on a variety of different terms. On October 26, 1983, the City and Enviro-Gro reached an agreement to extend the contract for two years beginning July 1, 1984 at a price of \$32.75 per wet ton. The new agreement (referred to hereafter as the 1983 Contract) also contained a provision for two two-year extensions subject to the mutual agreement of the parties. At a public hearing held on December 28, 1983, Bio-Gro told the City Board of Estimates that it would do the same work that Enviro-Gro was doing at \$25 per wet ton. Bio-Gro indicated that this would have been its bid had the 1983 Contract been open to competitive bidding.

On January 25, 1984, the City filed a declaratory judgment action in the Circuit Court for Baltimore City to determine the validity of the 1983 Contract. Bio-Gro and Enviro-Gro were named as parties; appellee City Comptroller Hyman Pressman subsequently intervened. On March 12, 1984, the court (Karwacki, J.) entered a judgment declaring that the 1983 Contract was executed in violation of the City Charter's competitive bidding provision and therefore was *ultra vires* and void. In its oral opinion, the court stated that the two-year extension provided by Special Provision 3 of the original contract was "repugnant to the charter power of the Board and the City, since it avoids the necessity of competitively bid contracts by agreement between the City and a private contractor." The court continued:

"I am convinced in construing the language of Special Provision 3, that we are not dealing here with an option as I understand the term option. We are dealing here with an agreement to negotiate at the conclusion of the original term of the contract."

The City and Enviro-Gro timely noted an appeal and we granted certiorari prior to consideration by the intermediate appellate court. On June 7, 1984, we issued a per curiam order affirming the judgment of the circuit court. We now explain our reasons.

Article VI, § 4 of the City Charter requires, with certain exceptions not here applicable, that all contracts involving the expenditure of \$5000 or more be awarded through the competitive bidding process as therein delineated. The purpose of this provision is to obtain unrestricted competitive bidding for contracts and thereby safeguard public funds by preventing favoritism, collusion and extravagance. *Hylton v. City of Baltimore*, 268 Md. 266, 277, 300 A.2d 656 (1973); *Board of Education v. Allender*, 206 Md. 466, 475, 112 A.2d 455 (1955); *Hanna v. Bd. of Ed. of Wicomico Co.*, 200 Md. 49, 54, 87 A.2d 846 (1952); *Stoll v. Baltimore*, 163 Md. 282, 288, 162 A. 267 (1932); *Packard v. Hayes*, 94 Md. 233, 249, 51 A. 32 (1902). As the Charter provision is for the benefit of the public, "any private agreement which tends to prevent or restrict competition, or any scheme which has the effect of promoting favoritism, circumvents the statute and is contrary to the public policy of the State." *Hanna, supra*, 200 Md. at 55, 87 A.2d 846.

1 Section 4 states in pertinent part:

"4. BOARD OF ESTIMATES - *Procurement.* (a) The Board of Estimates shall be responsible for awarding contracts and supervising all purchasing by the City to the extent and in the manner provided for in this section and elsewhere in the Charter.

"(b) In contracting for any public work, or the purchase of any supplies, materials, and equipment (unless otherwise provided by ordinance for foodstuffs and related perishables) or of any services other than professional services, involving an expenditure of five thousand dollars or more, for the City or by any municipal agency, advertisements for proposals for the same shall first be published at least twice in two or more daily newspapers published in Baltimore City unless otherwise provided by the Charter. The first publication shall be made not less than ten nor more than ninety days prior to the day set for opening the bids."

In *Browning-Ferris Ind. v. City of Oak Ridge*, 644 S.W.2d 400 (Tenn. App. 1982), relied upon by the lower court, a municipality, after competitive bidding, entered into a five-year contract with a refuse disposal company; the agreement contained a provision authorizing the parties to negotiate for an extension of the contract. Before the contract expired, the city invited bids on a new five-year contract. Plaintiff, a competing refuse disposal firm, was the low bidder. The city rejected all bids, however, and elected to extend the original contract for an additional five-year term. The court declared the contract extension void under the municipality's charter requirement for competitive bidding — a requirement similar to the Baltimore City Charter provision. The court held that provisions which authorize further negotiations to extend the duration of a public contract are inoperable where such contracts are subject to competitive bidding.

Appellants attempt to distinguish *Browning-Ferris* on the ground that the term "negotiate" is not found in Special Provision 3. We think, however, that the two provisions have the same effect. An "extension by mutual consent of the parties" requires negotiation and agreement. Special Provision 3 is no different from the "authorization to negotiate" clause in *Browning-Ferris*.

*Miller v. State*, 73 Wn.2d 790, 440 P.2d 840 (1968) is also relevant. In that case, the state invited bids on a contract to supply its light bulb needs for a twelve-month period. Thereafter, instead of following competitive bidding procedures, the state annually negotiated one-year extensions of the original contract. The court held that after the original twelve-month contract expired, all subsequent state light bulb purchases had to be made through competitive bidding. The court concluded that the annual negotiated extensions were void.

In *Savage v. State*, 75 Wn.2d 618, 453 P.2d 613 (1969), the court distinguished between an agreement to negotiate an extension of a competitively bid contract and an option to extend the contract.<sup>2</sup> The contract in *Savage* was for a one-year term with an option giving the state the exclusive power to extend it for up to three additional years. The court said:

<sup>2</sup> An option is an irrevocable promise to keep an offer open for a specified period of time: it may be thought of as a "continuing offer" to the option holder who retains the exclusive power of acceptance. See *Post v. Gillespie*, 219 Md. 378, 384, 149 A.2d 391 (1959); Restatement (Second) of Contracts § 25 (1981); J. Calamari J. Perillo, *Contracts* § 2-27 (2d ed. 1977); 1A *Corbin on Contracts* § 259 (1963); 1 *Williston on Contracts* § 61A (3d ed. 1957).

"This purchase agreement giving the state an option to extend the duration of the contract, under the same terms and conditions, for limited, specified periods does not create successive new contracts but, rather, merely extends the duration of a single existing contract." *Id.*, 453 P.2d at 615.

Since no new contract was created, the court held that the decision on whether to extend the contract was within the administrator's discretionary authority to prescribe the terms of the proposal submitted for bids. No negotiation was involved because the state alone held the power to extend the contract. The distinction between

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an agreement to negotiate a contract extension and an option to extend a contract has been adopted by other courts that have addressed the issue. See *City of Lakeland, Florida v. Union Oil Co. of California*, 352 F. Supp. 758 (M.D.Fla. 1973); *Hillsborough Co. Av. Auth. v. Taller Cooper, Inc.*, 245 So.2d 100 (Fla.App. 1971); *Browning-Ferris, supra*.

In *Bevilacqua v. Clark*, 377 Pa. 1, 103 A.2d 661 (1954), a municipality entered into a competitive bid contract with a firm to operate a golf driving range as a concession. The contract provided that if the concessionaire made permanent physical improvements to the facility after obtaining the city's approval, the latter could extend the duration of the contract — the length of the extension to depend on the value of the improvements made. The court said:

"The fact that the term of the concession may be extended upon the approval of permanent improvements would not render the contract invalid where such extension is expressly included as one of the proposals submitted by all the bidders." *Id.*, 103 A.2d at 663.

The court noted, however, that the extension was not awarded as a result of private negotiations. The decision on whether the improvements should be made, the nature of the improvements and the duration of the extension was one reserved exclusively for the city. In effect, then, the contract provision in *Bevilacqua* gave the city an option to extend the concession. It did not merely authorize negotiations for an extension.

The original contract between Enviro-Gro and the City had a two-year term. When the two years expired, the contract was terminated. The subsequent agreement between the parties for the two-year extension was a new contract. By its terms, the 1983 Contract clearly was covered by the competitive bidding provision of the Charter. The court below found correctly that the "option to extend" in Special Provision 3 was nothing more than an agreement by the parties to negotiate for an extension of the duration of the original contract. Indeed, Enviro-Gro concedes that an option, as that term is used in the law of contracts, was not involved. Moreover, the record clearly shows that, as contemplated by Special Provision 3, the City and Enviro-Gro conducted extensive negotiations, the result of which was the 1983 Contract. Although there is no evidence of impropriety in this case, the use of private negotiations to award government contracts invites favoritism, extravagance, fraud and corruption. The plain fact is that Enviro-Gro and the City engaged in just that type of activity that the competitive bidding requirement of the City Charter was designed to prevent. As we said in *Hanna, supra*, 200 Md. at 55, 87 A.2d 846, the City cannot do indirectly what it is prohibited from doing directly. Therefore, the 1983 Contract extending the original agreement between the parties, having been adopted by the City in violation of § 4 of Article VI of its Charter, is void and unenforceable.

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## 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 and authorized execution of the foregoing Informal Awards, Renewals, Increases to Contracts, and Extensions. The Board further approved and authorized execution of the Cooperative Agreement with Atlantic Emergency Solutions, Inc. (item no. 11), the Cooperative Agreement with RICOH, USA, Inc. (item no. 12), the Cooperative Agreement with Islas General Cleaning Services, Duaraforce Cleaning Services, Inc., and Jimenez General Cleaning Services, Inc. T/A Fireclean (item no. 13), and the Assignment Agreement with Caliber Bodyworks of Maryland, LLC (item no. 15). The Board **DEFERRED** item no. 18 until September 16, 2020.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

On the recommendations of the City agencies

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contract

listed on the following page:

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to the low bidder meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Procurement

- |                                                           |                                        |                |
|-----------------------------------------------------------|----------------------------------------|----------------|
| 1. B50005883, Drawbridge<br>Maintenance and<br>Operations | Covington Machine<br>and Welding, Inc. | \$3,454,252.00 |
|-----------------------------------------------------------|----------------------------------------|----------------|

(Dept. of Transportation)

**MWBOO GRANTED A WAIVER ON AUGUST 14, 2019.**

MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of General Services - GS 16820, 4 S. Frederick  
Street Elevator Replacement  
**BIDS TO BE RECV'D: 10/14/2020**  
**BIDS TO BE OPENED: 10/14/2020**

## MINUTES

President: "As there are -- as there is no more business before the Board, we will recess until bid opening at 12:00 noon. The Board will be in recess next week, September 9, 2020. We will reconvene on September 16, 2020. Thank you. Please stay healthy and safe."

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## MINUTES

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Comptroller: "Good afternoon, 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](http://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. No addenda have been received for the September 2, 2020, Board of Estimates meeting."

## 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.

**MINUTES**

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

Bureau of Procurement - B50006094, Group #1: SUV's,  
Medium, & Heavy Duty Vehicles

Hertrich Fleet Services, Inc.  
Altec  
Altec Industries  
Terex Utilities\*  
Pacifico Ford, Inc.  
Transtec Inc., dba Freightliner of Elkton  
Harbor Truck Sales & Service, Inc.  
Beltway International, LLC

Bureau of Procurement - B50006095, Group #2: SUV's,  
Medium, & Heavy Duty Vehicles


Hertrich Fleet Services, Inc.  
Altec  
Terex Utilities  
Pacifico Ford, Inc.  
Harbor Truck Sales & Service, Inc.  
Beltway International, LLC

\*UPON FURTHER MOTION, the Board found the bid of Terex Utilities **NON-RESPONSIVE** due to the companies' failure to comply with the instructions set forth in the solicitation and submitting a price subject to change.

MINUTES

\* \* \* \* \*

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, September 16, 2020.

  
JOAN M. PRATT  
Secretary