

**MINUTES****REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President  
Honorable Stephanie Rawlings-Blake, Mayor  
Honorable Joan M. Pratt, Comptroller and Secretary  
George A. Nilson, City Solicitor  
Rudolph S. Chow, Director of Public Works  
David E. Ralph, Deputy City Solicitor  
S. Dale Thompson, Deputy Director of Public Works  
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Good Morning. The June 22, 2016, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiencies of these hearings, persons who are disruptive to the hearings will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing."

Deputy Comptroller: "Good Morning. On today's agenda, I'd like to first announce that the Board of Estimates uh -- will be meeting on Thursday, June 23<sup>rd</sup> at 5 pm to receive a report on FY 2017, Ordinance of Estimates and to certify the FY 2017 Real and Personal Property Tax Rate."

## MINUTES

President: "I will direct the Board members attention to the memorandum from my office dated June 20, 2016, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

City Solicitor: "MOVE approval of all items on the routine agenda."

Comptroller: "Second."

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

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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 October 31, 1991, the following contractors are recommended:

Archer Western Contractors, LLC	\$2,803,833,000.00
Bradshaw Construction Corporation	\$ 95,175,000.00
Bristol Environmental, Inc.	\$ 8,000,000.00
Chasney and Company, Inc.	\$ 3,330,000.00
Diversified Site Works, LLC	\$ 4,626,000.00
Ecotone, Inc.	\$ 8,000,000.00
Fox Tapping, Inc.	\$ 1,500,000.00
Independence Excavating, Inc.	\$ 430,569,000.00
Kiewit Infrastructure Co.	\$3,509,685,000.00
Kor-Ko, LTD	\$ 1,500,000.00
Mainling America, LLC	\$ 4,716,000.00
S & J Service, Inc.	\$ 1,500,000.00

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:

EBL Engineering, LLC	Engineer
KIM Engineering, Inc.	Engineer

**MINUTES****BOARDS AND COMMISSIONS**2. Prequalification of Architects and Engineers - cont'd

OLBN, Inc.	Architect
Perkins Eastman Architects, DPC	Architect
RMF Engineering, Inc.	Engineer
T3 Design Corporation	Engineer
Ziger/Snead LLP Architects	Architect

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

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2215 - 2217

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 Recreation and Parks</u>		
1. <b>\$ 10,000.00</b>	9938-916021-9475	9938-917021-9474
Rec. & Parks 27 <sup>th</sup>	Patterson Park	Patterson Park
Series	Audubon Center	Audubon Center
	(Reserve)	(Active)
This transfer will provide funds to cover the cost associated with utility improvements in Patterson Park.		
2. \$ 75,000.00	9938-906768-9475	
State (Waterway Grant)	Waterway Improvements Program	
	FY09 (Reserve)	
49,000.00	9938-913001-9475	
<u>State</u>	(Unallocated Reserve)	
<b>\$124,000.00</b>	-----	9938-912065-9474
		Canton Waterfront Park (Active)
This transfer will provide funds to cover the cost associated with parking lot improvements at Canton Waterfront Park.		

Department of General Services

3. <b>\$160,000.00</b>	9916-901615-9194	9916-909720-9197
2 <sup>nd</sup> Public Building Loan	City Hall Electrical System Upgrade - Reserve	City Hall Elevator Rehab - Active

This transfer is for the replacement of elevators in City Hall. The elevators have a high priority status for the importance of service provided to both the public and other City agencies.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services- cont'd</u>		
<p>The current elevators have exceeded their useful life and have reached the stage where needed parts for maintenance and repair are no longer being manufactured requiring a full replacement to maintain normal operations in City Hall.</p>		
<u>Department of Housing and Community Development</u>		
4. \$1,500,000.00	9910-922012-9587	
General Fund	Whole Block Demo.	
(Reserve)		
1,500,000.00	9910-922012-9587	
1 <sup>st</sup> Comm. Bonds	Whole Block Demo.	
<u>(Reserve)</u>		
<b>\$3,000,000.00</b>	-----	9910-910633-9588
		Whole Block
		Project

This transfer will provide appropriations for expenditures related to the Citywide Whole Block Demolition program.

Baltimore Development Corporation

5. \$ 75,000.00	9910-908040-9600	9910-908102-9601
24 <sup>th</sup> Eco. Dev.	Constr. Res.	S. Baltimore
Fund	(Business Park	Industrial
	Maint./Upgrades)	& Commercial

This transfer will provide funds so that the Department of Transportation can make major repairs to Severn and Elmira Streets in Southwest Baltimore.

## MINUTES

TRANSFERS OF FUNDSAMOUNTFROM ACCOUNT/STO ACCOUNT/SBaltimore Development Corporation - cont'd

These repairs will include restoration to Severn Street and a portion of Elmira Street as well as installing storm drains to help divert runoff and prevent further erosion of these roadways.



## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>			
1. Lighthouse Ground Rents, LLC	4404 Daytona Ave.	G/R \$96.00	\$ 640.00
2. Carol H. Moore	2533 Emerson Street	G/R \$36.00	\$ 400.00

Funds are available in account 9910-908636-9588-900000-704040.

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

Department of Law - Payments of Settlements

3. Federal Hill Renewal, LLC (prior owner)	1910 Herbert Street	L/H	\$ 7,167.00
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On October 7, 2014, the Board approved the acquisition of the leasehold interest, by condemnation, in the real property located at 1910 Herbert Street. The Board previously approved a fair market value of \$17,833.00 based upon an independent appraisal report.

The City requested an updated appraisal, that appraisal remained consistent with the original valuation. As the property was a rental property, the owner produced a report that valued the property at \$35,000.00. After negotiations, the parties agreed to settle the case for \$25,000.00. Therefore, the Board is requested to approve the additional \$7,167.00 in settlement of this case.

Funds are available in account 9910-910634-9588-900000-704040.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payments of Settlements - cont'd</u>			
4. Fondjo Biondokin Improvement, LLC (prior owner)	4737 Park Heights Avenue	L/H	\$24,800.00

On April 15, 2015, the Board approved the acquisition of the leasehold interest, by condemnation, in the real property located at 4737 Park Heights Avenue. The Board previously approved a fair market value of \$10,200.00 based upon an independent appraisal report.

The City requested an updated appraisal, which resulted in a valuation of \$29,000.00. The owner produced a report that valued the property at \$50,000.00. After negotiations, the parties agreed to settle the case for \$35,000.00. Therefore, the Board is requested to approve the additional \$24,800.00 in settlement of this case.

Funds are available in account 9910-903183-9588-900000-704040.

5. Winston Barclay, (prior owner)	4748 Park Heights Avenue	L/H	\$ 4,041.00
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On October 8, 2014, the Board approved the acquisition of the leasehold interest, by condemnation, in the real property located at 4748 Park Heights Avenue. The Board previously approved a fair market value of \$33,459.00 based upon an independent appraisal report.

The City requested an updated appraisal, which resulted in a valuation of \$34,417.00. In a scheduled mediation session, the owner initially demanded \$70,000.00. After mediation, the parties agreed to settle the case for \$37,500.00. Therefore, the Board is requested to approve an additional \$4,041.00 in settlement of this case.

Funds are available in account 9910-903183-9588-900000-704040.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payments of Settlements - cont'd</u>			
6. Cozette Denise Elliott (prior owner)	4839 Park Heights Avenue	L/H	\$18,800.00

On March 25, 2015, the Board approved the acquisition of the leasehold interest, by condemnation, in the real property located at 4839 Park Heights Avenue. The Board previously approved a fair market value of \$7,200.00 based upon an independent appraisal report.

The City requested an updated appraisal, which resulted in a valuation of \$8,200.00. The owner produced a report valuing the property at \$39,000.00. After mediation, the parties agreed to settle the case for \$26,000.00. Therefore, the Board is requested to approve the additional \$18,800.00 in settlement of this case.

Funds are available in account 9910-903183-9588-900000-704040.

UPON MOTION duly made and seconded, the Board approved the options, condemnations, quick-takes, and the payments of settlements.

**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the purchase of gift cards for distribution to clients that participate in program activities.

**AMOUNT OF MONEY AND SOURCE:**

\$150.00 - 15 Safeway Gift Cards @ \$10.00 ea.  
150.00 - 15 Target Gift Cards @ \$10.00 ea.  
**\$300.00** - 4000-499916-3080-294200-604025

**BACKGROUND/EXPLANATION:**

The Preventing Substance-Exposed Pregnancies (PSEP) Collaborative is an initiative of Baltimore's B'more for Healthy Babies strategies that aims to improve access to, quality of and demand for reproductive and behavioral health services among women of reproductive age who use drugs and alcohol. The Department seeks to learn the community's perceived barriers to accessing care and will conduct interviews with women in the community about their experience related to using substances during pregnancy or while parenting and how this impacted their seeking or receiving of care. One Safeway or Target gift card will be given to each participant who completes an interview. The interviews are crucial for B'more for Healthy Babies in understanding individuals with substance use disorders' perspectives on obtaining healthcare for themselves, their children and improving care quality to ensure infant health and survival.

The Health Department adopted a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy account for: 1) a single means of procuring all incentive cards through the Board of Estimates; 2) the documentation of each incentive card and its recipient; 3) a monthly reconciliation for all purchases

**MINUTES**

Health Department - cont'd

that account for all distributed and non-distributed cards, and;  
4) periodic internal reviews of programs' activity vis-à-vis the internal policy, which are to be shared with the Department of Audits.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized the purchase of gift cards for distribution to clients that participate in program activities.

**MINUTES**Baltimore City Health Department - Agreements

The Board is requested to approve and authorize execution of the Agreements. The period of the Agreement is July 1, 2015 through June 30, 2016, unless otherwise indicated.

1. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$200,000.00**

Account: 5000-569716-3023-274441-603051

The JHU, School of Medicine (JHU/SOM), AIDS Psychiatry Services (APS) will provide ongoing care for patients currently in treatment and new patients for whom services are not available. Ryan White Part B funding provides support for the JHU/SOM APS to provide comprehensive mental health services for 300 HIV infected patients at one primary care site Moore Clinic, in the eligible metropolitan area.

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

**MWBOO GRANTED A WAIVER.**

2. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$ 73,790.00**

Account: 5000-569716-3023-274422-603051

The JHU, School of Medicine's HIV Women's Health Program, will provide interventions needed to support HIV infected women receiving perinatal services with co-morbidities of HIV and substance abuse into non-medical case management services.



## MINUTES

Health Department - cont'd

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

**MWBOO GRANTED A WAIVER.**

4. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$ 12,000.00**

Account: 5000-570416-3041-605800-603051

The JHU will work to develop and lead two National Diabetes Prevention Programs (NDPP) in Baltimore City. The JHU will develop two community based NDPP classes in Baltimore City and will recruit a minimum of 15 participants to participate in each NDPP class. The period of the agreement is February 1, 2016 through January 30, 2017.

The agreement is late because of a delay in receiving required documentation.

5. **SHR ASSOCIATES, INC. \$ 92,500.00**

Account: 4000-484816-3023-513200-603026

Implementation of the Patient Protection and Affordable Care Act (ACA) and federal and state budget cuts are driving dramatic changes at the Baltimore City Health Department clinics. Federal grant funds previously designated for clinical services are being reallocated to other healthcare initiatives or are disappearing. Billing public and private insurance providers for reimbursable services, such as HIV/sexually transmitted infections (STI) tests, will allow the Baltimore City Health Department to sustain services without being a burden on the City general funds.



**MINUTES**Health Department - cont'd

SHR Associates, Inc. will evaluate the current internal environment and capacity of each of the Department's programs and clinical service areas, develop customized work plans for all clinic programs, assist with identifying billing software, and negotiate contracts with health insurance carriers to ensure optimal reimbursement for services. The period of the agreement is September 30, 2015 through March 30, 2017.

The agreement is late because of revisions to the template and the budget delayed processing.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**Space Utilization Committee - Inter-Departmental Lease Renewals

The Board is requested to approve the Inter-Departmental Lease Renewals between the Department of General Services, Landlord and the listed City Agency, Tenant. The period of the lease renewal is for the period July 1, 2016 through June 30, 2017, unless otherwise indicated.

<u>Facility &amp; Location</u>	<u>Monthly Rent</u>	<u>Annual Rent</u>
<u>Department of Finance, Bureau of Accounting and Payroll Services</u>		
1. 401 E. Fayette St. 5 <sup>th</sup> and 8 <sup>th</sup> Floors	\$13,728.57	\$ 164,742.78

Account: 1001-000000-1422-160800-603096 (53%)  
1001-000000-1423-160800-603096 (47%)

On November 7, 2012, the Board approved the original lease agreement. This is the fourth renewal. The rental space is approximately 16,854 sq. ft.

Health Department

2. Benton Building 417 E. Fayette St. 5 <sup>th</sup> Floor	\$16,452.03	\$ 197,424.39
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Account: 1001-000000-3024-268600-603013  
4000-426216-3110-306800-603096

On October 3, 2013, the Board approved the original lease agreement. This is the second renewal. The rental space is approximately 24,688 sq. ft.

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

<u>Facility &amp; Location</u>	<u>Monthly Rent</u>	<u>Annual Rent</u>
<u>Health Department</u> - cont'd		
3. Druid Health District Building 1515 W. North Ave.	\$36,084.31	\$433,011.67

Account: 1001-000000-3080-288500-603096

On September 9, 2015, the Board approved the original lease agreement. This is the first renewal. The rental space is approximately 41,678 sq. ft.

Office of the Labor Commissioner

4. Benton Building 417 E. Fayette St. 5 <sup>th</sup> Floor	\$2,297.26	\$ 27,567.09
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Account: 1001-000000-1280-154300-603096

On December 12, 2012, the Board approved the original lease agreement. This is the fourth renewal. The rental space is approximately 3,444 sq. ft.

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

<u>Facility &amp; Location</u>	<u>Monthly Rent</u>	<u>Annual Rent</u>
<u>Department of Housing and Community Development</u>		
5. Benton Building 417 E. Fayette St. 2 <sup>nd</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , and 12 <sup>th</sup> Floors	\$38,073.53	\$ 456,882.30

Account: 1001-000000-1773-179700-603096

On March 20, 2013, the Board approved the original lease agreement. This is the third renewal. The rental space is approximately 57,087 sq. ft.

Mayor's Office of Information  
Technology

6. 401 E. Fayette St. Lower Level 2, and 2 <sup>nd</sup> , 3 <sup>rd</sup> , & 4 <sup>th</sup> Floors	\$23,095.61	\$ 277,147.26
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Account: 1001-000000-1471-165700-603096

On October 3, 2012, the Board approved the original lease agreement. This is the fourth renewal. The rental space is approximately 28,353 sq. ft.

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

<u>Facility &amp; Location</u>	<u>Monthly Rent</u>	<u>Annual Rent</u>
<u>Department of Planning</u>		
7. Benton Building 417 E. Fayette St. 8 <sup>th</sup> Floor	\$13,860.15	\$ 166,321.76

Account: 1001-000000-1877-187400-603096

On January 9, 2013, the Board approved the original lease agreement. This is the fourth renewal. The rental space is approximately 20,782 sq. ft.

Department of Transportation

8. Benton Building 417 E. Fayette St. 5 <sup>th</sup> Floor	\$31,745.76	\$ 380,949.07
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Account: 1001-000000-2301-248700-603096

On March 20, 2013, the Board approved the original lease agreement. This is the fourth renewal. The rental space is approximately 47,599 sq. ft.

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

<u>Facility &amp; Location</u>	<u>Monthly Rent</u>	<u>Annual Rent</u>
<u>Board of Municipal Zoning and Appeals</u>		
9. Benton Building 417 E. Fayette St. 14 <sup>th</sup> Floor	\$2,062.40	\$ 24,748.76

Account: 1001-000000-1850-187000-603096

On December 19, 2012, the Board approved the original lease agreement. This is the fourth renewal. The rental space is approximately 3,092 sq. ft.

The above-listed City agencies will continue to use the leased premises for administrative offices.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Inter-Departmental Lease Renewals between the Department of General Services, Landlord and the above-listed City Agencies, Tenants.

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

The Board is requested to approve and authorize execution of a Lease Agreement with Michelle Feeney, Lessee, for the rental of property located at 1427 Light Street known as School 33, Studio #107, first floor. The period of the agreement is January 1, 2016 through December 31, 2016 with the option to renew for 2 one-year terms.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$4,800.00	\$400.00

**BACKGROUND/EXPLANATION:**

The demised premises will be used as an artist's studio for the Lessee. The lease may be terminated by the Lessor during the original term and renewal terms by giving a 60-day notice to the Lessee. The Lessor is responsible for heat, electricity, and water. The Lessee is responsible for content insurance, janitorial, trash receptacles, and security.

The lease agreement is late because of the administrative process of the Baltimore Office of Promotion and Arts and the Tenant signing the lease.

The Space Utilization Committee approved this Lease Agreement on June 14, 2016.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with Michelle Feeney, Lessee, for the rental of property located at 1427 Light Street known as School 33, Studio #107, first floor.



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

The Board is requested to approve and authorize execution of the Lease Agreement with Omega Baltimore Foundation, Inc., Tenant, for the rental of a portion of the property known as 1530 N. Bentalou Street, consisting of approximately 6,000 sq. ft. The period of the Lease Agreement is effective upon Board approval for one year, with an option to renew for one additional year term.

**AMOUNT OF MONEY AND SOURCE:**Annual Rent

\$1.00, if demanded.

**BACKGROUND/EXPLANATION:**

The leased premises will be used to operate a recreation center for the purpose of recreational programming and as a community resource. The original recreational center agreement was approved by the Board on December 21, 2011 with options to renew that have been exercised and have expired. The Landlord is responsible for cutting and maintaining the grounds in accordance with the Department's maintenance schedules, for bearing any responsibility for capital repairs costing more than \$50,000.00, for maintaining a premise free of environmental hazards, and to pay the cost of furnishing utilities such as heat, electricity, water, and sewage.

The Tenant will be responsible for cleaning and maintenance, termite inspection(s); alarms, telephone, and internet systems, to keep the adjacent parking lots and entrances free of snow, ice, and debris, to maintain any playground and other equipment brought on premises by the Tenant, and to maintain a Liability Insurance policy.

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

The Space Utilization Committee approved this Lease Agreement on June 14, 2016.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with Omega Baltimore Foundation, Inc., Tenant, for the rental of a portion of the property known as 1530 N. Bentalou Street, consisting of approximately 6,000 sq. ft.

**MINUTES**

Space Utilization Committee - First Amendment to Communications License Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the First Amendment to Communications License Agreement with Cellco Partnership d/b/a Verizon Wireless, Licensee, for the rental of a portion of the premises located at 510 E. Lexington Street.

**AMOUNT OF MONEY AND SOURCE:**

Year	Annual Rent
2015	\$14,400.00
2016	\$14,976.00
2017	\$15,575.04
2018	\$16,198.04
2019	\$16,845.96

The agreement rent will continue to escalate annually by an amount equal to 4% over the amount of the rental payments for the preceding year.

**BACKGROUND/EXPLANATION:**

The demised premises will be used for cellular telephone communication. On July 1, 2015, the Board approved the original license agreement. The Licensee has an option to renew for three additional five year terms. The first amendment changes the payment of rent from monthly to annually. The first payment is due within 90 days of the execution of this amendment. All subsequent payments will be paid in advance on or before each anniversary for the commencement date.

All other terms and conditions of the license agreement remain unchanged.

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

The Space Utilization Committee approved the First Amendment to the Communications License Agreement on June 14, 2016.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Communications License Agreement with Cellco Partnership d/b/a Verizon Wireless, Licensee, for the rental of a portion of the premises located at 510 E. Lexington Street.

**MINUTES**

Department of Communication Services - Fifth Amendment to  
Service Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Fifth Amendment to Service Agreement with Verizon Business Network Services, Inc. on behalf of Verizon of Maryland, LLC (Verizon). This amendment extends the service period through June 30, 2017. The Board is also requested to authorize payment to Verizon by Expenditure Authorization.

**AMOUNT OF MONEY AND SOURCE:**

\$400,000.00 - 2039-000000-1330-158400-603084

Estimated monthly charge

**BACKGROUND/EXPLANATION:**

A Request for Proposal for improved telephone service for the City of Baltimore to replace the current Centrex service was issued and a contract awarded to Arrow Systems Integration, (Arrow SI) on March 30, 2016, for a three year VoIP implementation. Because of the large number of Centrex phone lines the City currently has, Arrow SI would need approximately 6 months to commence full implementation from Centrex service to a new technology. The new technology would be phased-in over time. Therefore, to assure continuity of telecommunication services it is necessary to continue some Centrex service during this implementation.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Department of Communication Services - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Fifth Amendment to Service Agreement with Verizon Business Network Services, Inc. on behalf of Verizon of Maryland, LLC.

**MINUTES**

Department of Real Estate - Deed

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Deed with 1400 Hull Street, LLC, Purchaser.

**AMOUNT OF MONEY AND SOURCE:**

\$27,500.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

On March 12, 2015, the City entered into a closing agreement with Purchaser. The Purchaser would like to acquire the former bed of Worcester Street and incorporate it with other properties to be used for parking for its business, Len The Plumber, Inc., which is located at 1552 Ridgely Street. The deed conveys a portion of Worcester Street, extending from the CSX Transportation right-of-way southeasterly 301.6 feet, more or less, towards Ridgely Street. The former bed of Worcester is located in the Carroll-Camden Industrial Area.

The sale was authorized by Ordinance No. 15-415, approved on October 24, 2015. The street closing process is intricate and involves public notice and other procedures before the deed can be prepared for submission to the Board for approval.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Deed with 1400 Hull Street, LLC, Purchaser.

## MINUTES

Department of Finance/Office - Renewal of Insurance Policies  
Risk Management (ORM)

The Board is requested to approve the renewal of Insurance Policies with the incumbent carriers.

<u>Carrier</u>	<u>Type of Coverage</u>	<u>Amount</u>
1. <b>CHESAPEAKE EMPLOYERS INSURANCE COMPANY</b>	Workers Compen- sation Insurance	<b>\$69,030.00</b>

Account: 4000-806416-6313-460105-603017

The Mayor's Office of Employment Development (OED) receives Federal grant money, a requirement of which is the purchase of Workers' Compensation Insurance for the participants in its various programs. The OED has completed its 21<sup>st</sup> year under the Chesapeake Employer Insurance program. The rate/premium offered by Chesapeake Employers Insurance is favorable again this year. The period of the policy is July 1, 2016 through June 30, 2017.

2. <b>HARLEYSVILLE MUTUAL</b>	Flood Coverage	<b>\$ 9,223.00</b>
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Account: 2043-000000-1450-162900-603014

On September 13, 2013, heavy rain from Hurricane Isabel caused flooding and inundated the Caroline Street Parking Gorge with 3' of flood water. A claim was made with FEMA. A Public Assistance reimbursement has been approved. Distribution of FEMA Public Assistance was contingent upon securing and maintaining flood coverage.

UPON MOTION duly made and seconded, the Board approved the renewal of Insurance Policies with the incumbent carriers.



MINUTES

EXTRA WORK ORDER

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following page:

2243

The EWO has been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

**MINUTES****EXTRA WORK ORDER**

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

Department of Public Works/Office of Eng. & Construction

1. EWO #001, \$887,819.48 - WC 1269, Northwest Community Action  
Neighborhood Water Main Replacements  
\$2,868,495.97      -                      Monumental Paving      -      -  
                                                                                                                         & Excavating, Inc.

This change order covers the overruns in the bid quantities due to the change in field conditions. The majority of the change order amount is required because the roadway base was not asphalt, as anticipated based on the Department's roadway classification data, instead it was concrete.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Side Yard Land Disposition Agreement (LDA) with Ms. Rose Wright-Marcus and Mr. William Marcus, Purchasers, for the sale of the City-owned property located at 229 S. Bethel Street.

**AMOUNT OF MONEY AND SOURCE:**

\$500.00 - Sale price

**BACKGROUND/EXPLANATION:**

The property will be sold under the City's Side Yard Policy approved by the Board on August 17, 2011.

The lot will be sold for \$500.00, of which \$400.00 will be held in escrow by the City for the benefit of the Purchasers to be applied at settlement for closing costs, including transfer taxes, recordation fees, taxes, and associated title services. The Purchasers will be using private funds to pay for the acquisition and maintenance of the property.

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

The City has agreed to convey the property known as 229 S. Bethel Street, to the adjacent property owner. As a condition of conveyance, the Purchasers have agreed to the terms of the Side Yard LDA, which prohibits development of the parcel for a minimum of ten years.

**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 (2011 Edition), Article II, Section 15 of the Baltimore City Charter, 2011 Edition; and Article 13 of the City Code.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF THE PROPERTY:**

The property is being sold for \$500.00, as the Purchasers hold title to the adjacent property as owner-occupied. The rationale for the conveyance of the property is that the sale will serve a specific benefit to the immediate community, eliminate blight, and return the property to the tax rolls.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Side Yard Land Disposition Agreement with Ms. Rose Wright-Marcus and Mr. William Marcus, Purchasers, for the sale of the City-owned property located at 229 S. Bethel Street.

MINUTES

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Adopt-A-Block, Inc., Developer, for the sale of the City-owned property located at 1232 E. Lafayette Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000.00

**BACKGROUND/EXPLANATION:**

The Developer will purchase the vacant building known as 1232 E. Lafayette Avenue for rehabilitation as a give-away. The purchase price and improvements to the site will be funded through private funds.

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

The vacant building at 1232 E. Lafayette Avenue is being sold for \$1,000.00. The Waiver Valuation Process determined the price for the property as follows:

<b><u>Property Address</u></b>	<b><u>Waiver Valuation Price</u></b>
1232 E. Lafayette Avenue	\$2,833.00

The property is being sold to Adopt A Block, Inc. for less than the waiver valuation price because of the following reasons:

- the renovation will be to the specific benefit to the immediate community,
- this transaction will eliminate blight from the block, and thus eliminate blight from the neighborhood,

**MINUTES**

Department of Housing and - cont'd  
Community Development

- this sale and rehabilitation will return a vacant building to the tax rolls, and
- the property is being sold less than the waiver valuation price because of its condition, which will require extensive and immediate remediation.

**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.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Adopt A Block, Inc., Developer, for the sale of the City-owned property located at 1232 E. Lafayette Avenue.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Munir Bahar, Purchaser, for the sale of the City-owned property located at 1000 N. Patterson Park Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$2,500.00 - Purchase price

**BACKGROUND/EXPLANATION:**

The project will involve the rehabilitation of the vacant building which the Purchaser plans to rehabilitate for his primary residence. The property is in the Middle East neighborhood.

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

The property was valued pursuant to the Appraisal Policy of Baltimore City through the Waiver Valuation Process. The Waiver Valuation price for 1000 N. Patterson Park Avenue is \$5,000.00 and the purchase price is \$2,500.00.

**MINUTES**

Department of Housing and - cont'd  
Community Development

The property is being sold to Munir Bahar below the price determined by the Waiver Valuation Process because of the following reasons:

- the sale and the rehabilitation will help to promote a specific benefit to the immediate community, and
- the sale and rehabilitation will continue the elimination of blight, create jobs during reconstruction and the property will be returned to the tax rolls.

**MBE/WBE PARTICIPATION:**

The Purchaser 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.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Munir Bahar, Purchaser, for the sale of the City-owned property located at 1000 N. Patterson Park Avenue.



**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with St. Francis Neighborhood Center Corporation, Developer, for the sale of the City-owned property located at 2401 Linden Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$4,250.00 - Purchase price

**BACKGROUND/EXPLANATION:**

The City will convey all of its rights, title, and interest in 2401 Linden Avenue to the Developer for the price of \$4,250.00, which will be paid to the City at the time of settlement.

The Developer wishes to purchase the vacant lot located at 2401 Linden Avenue to continue to maintain the lot as green space and create a memorial garden. The Developer will eventually use a portion of the lot to expand its community service facility located on the adjacent lot (known as 2405 Linden Avenue) for the purpose of providing additional and improved services to the community.

The purchase and improvements to the site will be financed through private sources. The Developer has maintained the subject property since the 1990s through the Baltimore City Adopt-A-Lot Program.

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

Pursuant to the City of Baltimore Appraisal Policy, an appraisal was commissioned to determine a fair market value of the property. The approved appraisal placed a fair market value of

**MINUTES**

DHCD - cont'd

\$10,050.00 on the property. The property is being sold to the Developer below its value because the renovations will be a specific benefit to the immediate community.

**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.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with St. Francis Neighborhood Center Corporation, Developer, for the sale of the City-owned property located at 2401 Linden Avenue.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 2023 E. Biddle Street, (Block 1551, Lot 015) by gift from Nathan C. Irby, Jr., Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

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

**BACKGROUND/EXPLANATION:**

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

Mr. Irby has offered to donate to the City, title to the property located at 2023 E. Biddle Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The DHCD will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through April 27, 2016, other than water bills, (which must be paid as part of the transaction) is as follows:

## MINUTES

DHCD - cont'd

Real Property Taxes	2010-2011	\$ 560.34
Real Property Taxes	2011-2012	356.83
Real Property Taxes	2012-2013	317.72
Real Property Taxes	2013-2014	276.71
Real Property Taxes	2014-2015	97.02
Real Property Taxes	2015-2016	80.46
Tax Sale	5/17/2010	692.09
Tax Sale	10/22/2014	3,689.04
Miscellaneous Bills	#7300403	274.57
Miscellaneous Bills	#7462005	145.64
Miscellaneous Bills	#7503774	262.91
Miscellaneous Bills	#7641525	2,161.11
Miscellaneous Bills	#7672793	249.17
Miscellaneous Bills	#7720246	287.62
Miscellaneous Bills	#7977234	261.38
Environmental Fine	#52970308	1,500.00
Water Bill	Acct #06330965002	508.07
	<b>Total Owed:</b>	<b><u>\$11,720.68</u></b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 2023 E. Biddle Street, (Block 1551, Lot 015) by gift from Nathan C. Irby, Jr., Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and  
Community Development (DHCD)

- Two Subordination Agreements,  
and Release of Income  
Restrictions for Rental Units

**ACTION REQUESTED OF B/E:**

The Board is requested to approve two Subordination Agreements, with the Department of Housing and Community Development (the City), Astor Court, LLC, a Maryland limited liability corporation (the Borrower), and M&T Bank Realty Capital Corporation (M&T RCC). The Board is also requested to approve the release of income restrictions for the rental units with respect to the Project. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction SUBJECT to review and approval for form and legal sufficiency by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On July 23, 2003, and on October 22, 2003, the Board approved a \$350,000.00 Community Development Bond Fund (the \$350,000.00 Bond Loan) and a \$300,000.00 City Lead Paint deferred loan (the \$300,000.00 Lead Paint Loan) to support a portion of the rehabilitation of two existing buildings located at 35-37 East 25<sup>th</sup> Street and 2432-2438 St. Paul Street. Upon completion, the buildings contained 36 residential rental units which were affordable to Baltimore City teachers and four commercial spaces (collectively, the Project). The 2003 Approval stated that the residential rental units were to be restricted to persons with incomes at or below 80% of the Area Median Income (the AMI) with an emphasis on leasing to Baltimore City teachers. After the approved subordinations, the \$350,000.00 Bond Loan is secured by a sixth priority lien and has an interest rate of 0% for a term of 20 years. The \$300,000.00 Lead Paint Loan is unsecured and mirrors the terms of the \$350,000.00 Bond Loan.

## MINUTES

DHCD - cont'd

Recently the Borrower has received a more favorable commitment and loan restructuring to refinance the existing first debt that is held by M&T RCC (which is expected to assign the loan to Fannie Mae). The existing first lien has an unpaid principal balance of \$1,121,246.00 that was scheduled to mature in May 2016, but has been extended.

The Borrower's refinancing request contemplates a new first lien mortgage loan in the amount of \$2,560,000.00 (the New First Loan) with a 10-year term amortized on a 30-year schedule and will require the Borrower to make annual principal and interest payments in the approximate amount of \$153,667.00. The annual debt service under the current financing structure is \$175,056.00 per year.

The current financing structure contains 6 secured loans and 3 unsecured loans, the details of which are as described in the following table.

Lender	Lien Pos.	Maturity Date	Interest Rate	Original Principal	Outstanding Balance	Monthly Payment
M&T RCC	1	05/01/2016	6.36%	\$1,433,700.00	\$1,121,246.00	\$ 9,555.40
Abell	2	10/31/2028	6.36%	\$ 190,000.00	\$ 149,300.00	\$ 1,266.32
MHT	3	10/31/2018	4.54%	\$ 250,000.00	\$ 186,000.00	\$ 1,395.26
MD NDBP	4	10/31/2018	3.00%	\$ 500,000.00	\$ 350,500.00	\$ 2,371.06
Abell	5	10/31/2028	6.36%	\$ 272,118.00	\$ 272,118.00	\$ 0.00
City Bond	6	10/31/2034	00.0%	\$ 350,000.00	\$ 350,000.00	\$ 0.00
Abell	n.a.	07/01/2016	10.0%	\$ 1,261,883.00	\$ 1,261,883.00	\$ 0.00
City Lead	n.a.	12/24/2032	00.0%	\$ 300,000.00	\$ 300,000.00	\$ 0.00
Abell	n.a.	07/01/2016	4.00%	\$ 200,000.00	\$ 100,000.00	\$ 0.00

In addition to the foregoing, the construction of the Project was also financed by: 1) owner cash in the approximate amount

## MINUTES

DHCD - cont'd

of \$77,000.00; 2) deferred developer fee in the approximate amount of \$714,000.00; 3) equity from the syndication of historic tax credits in the approximate amount of \$1,569,866.00; and 4) other income in the approximate amount of \$230,119.00.

The terms of the \$350,000.00 Bond Loan as initially approved by the Board was as a deferred loan with an interest rate of zero percent forgiven at the end of a twenty year term and secured by a sixth lien on the real estate. As a requirement of the historic tax credit syndication, the repayment terms were restructured at zero percent interest rate with principal due and payable at the end of 30 year term.

With respect to the refinancing, based on a new loan amount of \$2,560,000.00, proceeds will be used to pay in full the current M&T RCC/Fannie Mae first lien loan, the Abell second lien loan, the MHT third lien loan; the MD NDBP fourth lien loan; the Abell fifth lien loan, and the Abell unsecured loan that has an outstanding principal balance of \$100,000.00. In addition, approximately \$304,306.00 of the new loan amount will be used to pay down the Abell unsecured loan that had an original principal balance of \$1,261,883.00, and Abell has agreed to forgive approximately \$1.35 million of outstanding interest. The total amount of debt to be repaid is approximately \$2,483,200.00 and the remainder of the loan proceeds will be used to pay closing costs. The proceeds of the new financing will not result in cash back to the Borrower and therefore they are not in violation of the terms of the existing loan documents with respect to the \$350,000.00 Bond Loan.

Upon the Board's approval and the closing of the new loan, the Abell Foundation has agreed to:

- Extend the maturity date of its remaining existing loan, which will have an estimated principal balance of \$957,847.00 (the Abell Continuing Loan) for a minimum of

## MINUTES

DHCD - cont'd

10-years to ensure a maturity date of at least 90 days beyond the maturity date of proposed New First Loan, which will be November 1, 2026;

- Forgive all accrued interest on this loan, which as of December 31, 2014, was in the approximate amount of \$1,153,189.00; and
- Reduce the aggregate interest rate on the Abell Continuing Loan from 10% to 5%.

Based on the proposed new debt structure, the \$350,000.00 Bond Loan will go from the 6<sup>th</sup> lien position to 2<sup>nd</sup> lien position. The \$300,000.00 Lead Paint Loan will remain unsecured.

As contemplated in the Board's 2003 approval, the residential units were to be restricted to persons with incomes at 80% or less of AMI with an emphasis to leasing to Baltimore City teachers. As of April 2015, 80% AMI for a one-person household is \$46,100.00. Research indicates that every new Baltimore City Public School teacher comes in under a current starting salary of approximately \$48,430.00. Increases from the starting base salary are reasonably expected to exceed the annual Consumer Price Index (the CPI) due to performance-based incentives. Accordingly, teacher compensation metrics that reward performance appear to be uncorrelated to AMI. Therefore, the Department recommends that the Board approve the lifting of the income restrictions for the residential rental units.

An appraisal was completed by M&T RCC and shows a market value of \$3,200,000.00 based on the current contract rents.

The Law Department will review and approve all documents as to form and legal sufficiency. It is requested that the Law



**MINUTES**

DHCD - cont'd

Department be permitted to make final changes to the documents with the concurrence of the Commissioner of the Department of Housing and Community Development.

**MBE/WBE PARTICIPATION:**

No new City funds will be utilized for this project; therefore, Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Programs is not applicable.

**THE DEPARTMENT OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of two Subordination Agreements, with the Department of Housing and Community Development, Astor Court, LLC, a Maryland limited liability corporation, and M&T Bank Realty Capital Corporation. In addition, the Board approved the release of income restrictions for the rental units with respect to the Project. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction SUBJECT to review and approval for form and legal sufficiency by the Department of Law.

**MINUTES**

Department of Housing and Community Development - First Amendment to (DHCD) Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the First Amendment to Grant Agreement with Park Heights Renaissance (PHR).

**AMOUNT OF MONEY AND SOURCE:**

\$ 69,438.49 - FY16 Slots Revenue  
68,524.25 - FY15 Slots Revenue  
**\$137,962.74** - 9910-904130-9588

**BACKGROUND/EXPLANATION:**

The City has provided funds to support the PHR's operations since it was established. The Fiscal Year 2016 Video Lottery Terminal Spending Plan approved \$500,000.00 of slot funds to support PHR's operations. On May 18, 2016, the Board approved a grant agreement in the amount of \$430,570.54 to support critical personnel and consultant costs that are necessary for PHR to provide programs and services.

This First Amendment will add an additional \$137,962.74. This amount includes \$68,524.25 that is being carried-over from the PHR's Fiscal Year 2015 allocation of Slots Revenue. The Fiscal Year 2015 funds of \$47,600.00 will be used to reimburse the PHR for last year's neighborhood-based small grants program. The remaining \$20,942.25 will be used to increase the amount of funds available for Fiscal Year 2016 small grants program from \$8,075.75 to \$29,000.00.

Of the \$69,438.49 available from the FY16 Slots Revenue, \$8,075.75 is for the PHR's small grants program as described above.

MINUTES

DHCD - cont'd

The remaining \$61,362.74 will be used to support the Arlington Elementary/Middle Community School program, the Home Instruction for Parents of Preschool Youngsters (HIPPY) and a community cleanup program.

The Amendment also modifies the reimbursement request process for programs by enabling the PHR to summarize expenditures rather than submit individual documentation as invoices, contracts, proof of payment and documentation of projects. The DHCD will review files to ensure that information is complete. All other terms and conditions of the Agreement remain in effect.

**MBE/WBE PARTICIPATION:**

The PHR will continue to comply with the MBE/WBE goals established in the original agreement.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 69,438.49	9910-903183-9588	
State Fund	Park Heights -	
VLT Video	Major Redevelopment	
Lottery		
Terminal		
68,524.25	9910-908840-9588	
State Fund	Park Heights - FY15	
VLT Video		
Lottery		
Terminal		
<u>\$137,962.74</u>	-----	9910-904130-9588
		PHR - FY16 -
		Pimlico Local
		Impact Aid VLT

## MINUTES

DHCD - cont'd

This transfer will provide appropriations to fund an amendment to the Park Heights Renaissance grant in the amount of \$137,962.74.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Grant Agreement with Park Heights Renaissance. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**Elected Officials' Retirement System (EOS) - Adoption Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Adoption Agreement with the American Core Realty Fund, LP.

**AMOUNT OF MONEY AND SOURCE:**

\$2,200,000.00 - approximately of EOS funds

No General Fund monies are involved in this transaction.

**BACKGROUND/EXPLANATION:**

All funds and expenses will be expended from the EOS. The American Realty Advisors will be managing approximately \$2,200,000.00 of the EOS assets in the American Core Realty Fund, LP, a limited partnership that makes core real estate investments.

The EOS investment consultant, Marquette Associates, recommended that the EOS increase its interest in real estate investments. Upon Marquette Associates' recommendation, the Board of Trustees voted unanimously to invest in the American Core Realty Fund, LP.

The Board has previously approved the Employees' Retirement System's investment in the predecessor fund to the American Core Realty Fund, LP. The annual fee for this contract is \$18,700.00.

**MBE/WBE PARTICIPATION:**

The annual fee for this contract is less than \$50,000.00; therefore, MBE/WBE participation does not apply.

**MINUTES**Elected Officials' Retirement System (EOS) - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Adoption Agreement with the American Core Realty Fund, LP. The President **ABSTAINED**. The Comptroller **ABSTAINED**.

**MINUTES****CITY COUNCIL BILL**

No. 16-0654 - An Ordinance concerning Sale of Property - Block 4756A, Lots 001A and 001B (2000 West Cold Spring Lane and Right of Way at West Cold Spring Lane) for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties known as Block 4756A, Lots 001A and 001B (2000 West Cold Spring Lane and right of way at West Cold Spring Lane) and no longer needed for public use; and providing for a special effective date.

**ALL REPORTS RECEIVED WERE FAVORABLE.**

UPON MOTION duly made and seconded, the Board approved Bill No. 16-0654 and directed that the bill be returned to the City Council with the recommendation that it also be approved by that Honorable Body. The President **ABSTAINED.**

**MINUTES**Department of Transportation - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	921 E. Patapsco Avenue	Patapsco Investments, LLC	Flat sign 12' x 2'
	Annual Charge:	\$ 35.20	
2.	635 President Street	Harbor East Parcel B Retail, LLC	One single face electric sign 14.5" x 11'-4.75", one bracket sign 2.81 sq. ft.
	Annual Charge:	\$123.00	

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

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Minor Privilege Applications.



**MINUTES**

Department of Transportation - Traffic Mitigation Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Traffic Mitigation Agreement with Central Avenue, LLC. The period of the agreement will commence upon Board approval and termination will be deemed in writing by the Department of Transportation.

**AMOUNT OF MONEY AND SOURCE:**

\$194,381.95 - 9950-903085-9512-000000-490375

**BACKGROUND/EXPLANATION:**

Baltimore City Ordinance 11-529, approved on May 9, 2012, determined that a Traffic Impact Study was required for the development. The Developer proposes to perform the scope of work for Central Avenue, LLC located at 711 S. Central Avenue constructing 485,176 sq. ft. consisting of 351,839 sq. ft. of 282 high-rise apartments, 89,037 sq. ft. of 35 high-rise residential condominiums, 40,835 sq. ft. of supermarket space, and 3,465 sq. ft. of specialty retail and service. The Developer agrees to make a one-time contribution in the amount of \$194,381.95 to fund the City's multimodal transportation improvements in the project's vicinity.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Traffic Mitigation Agreement with Central Avenue, LLC.

**MINUTES**

Department of Transportation - Developer's Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Developer's Agreement No. 1457 with 605 Park Apartments, LLC, Developer.

**AMOUNT OF MONEY AND SOURCE:**

\$29,243.00

**BACKGROUND/EXPLANATION:**

605 Park Apartments, LLC would like to install new water to its proposed construction located at 605 Park Avenue. This Developer's Agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Letter of Credit in the amount of \$29,243.00 has been issued to 605 Park Apartments, 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. 1457 with 605 Park Apartments, LLC, Developer.

**MINUTES**

Department of Transportation/Office - Task Assignment  
of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 4 to Johnson, Mirmiran & Thompson, Inc., Consultant, under Project 1217, On-Call Construction Project Management Services. The period of the task assignment is six months.

**AMOUNT OF MONEY AND SOURCE:**

\$130,000.00 - 2024-000000-5980-395700-603026

**BACKGROUND/EXPLANATION:**

This authorization will permit the sub-consultant to provide field maintenance support, conduit maintenance, training, technical assistance, facilities management and design services.

**MBE/WBE PARTICIPATION:**

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

**MWBOO SET GOALS OF 27% MBE AND 10% WBE.**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 4 to Johnson, Mirmiran & Thompson, Inc., Consultant, under Project 1217, On-Call Construction Project Management Services. The President voted **NO**.

**MINUTES**

Department of Transportation - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Grant Agreement with the Baltimore Metropolitan Council (BMC). The period of the Agreement is July 1, 2016 through June 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$234,228.00 - 6000-617217-2303-596000-406001

**BACKGROUND/EXPLANATION:**

The funding was provided by the Maryland Department of Transportation to the BMC. The Department of Transportation will complete work under this grant and will serve as the lead agency for the City of Baltimore.

The grant funds will also allow the City to complete population and development projections and transportation planning work to ensure that the region's transportation plans will meet federal air quality standards. The Department will provide in-kind services to match the grant.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the Baltimore Metropolitan Council.

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 9 to Whitman, Requardt & Associates, LLP under Project 1135, On-Call Consultant Services for Federal Aid Project Bridges within the City of Baltimore. The period of the task assignment is approximately two years.

**AMOUNT OF MONEY AND SOURCE:**

\$2,234,553.63 - 9950-912036-9508-900010-703032

**BACKGROUND/EXPLANATION:**

This authorization provides design engineering services in connection with the replacement of the Broening Highway Bridge over Colgate Creek and associated roadway improvements. The bridge will enable weight restricted trucks to pass through uninterrupted and facilitate truck movements to I-95. This improvement will provide neighborhood safety and quality of life by redirecting truck traffic away from residential communities.

**DBE PARTICIPATION:**

The Consultant will comply with Title 49 Federal Code of Regulation, Part 26 and the DBE goal established in the original agreement.

**DBE: 25.00%**

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

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
\$1,090,833.66 FED	9950-903752-9507 Constr. Res. Bridge Inspection	
964,955.62 FED	9950-901439-9507 Motor Vehicle Funds	
513,947.32 <u>MVR</u>	9950-903416-9507 Hawkins Point Road Bridge	
<b>\$2,569,736.60</b>	-----	9950-912036-9508-3 Design Broening Hwy. Over Colgate Cr. - Bridge Repl.

This transfer will fund the costs associated with Task No. 9 on Project No. 1135 "On-Call Design Consultant Services for Federal Aid Projects for Bridges" with Whitman, Requardt & Associates, LLP.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 9 to Whitman, Requardt & Associates, LLP under Project 1135, On-Call Consultant Services for Federal Aid Project Bridges within the City of Baltimore. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report

## MINUTES

TRANSFER OF FUNDSAMOUNTFROM ACCOUNT/STO ACCOUNT/S

Department of Transportation - cont'd

from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President voted **NO**.





MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

4. PRINT-O-STAT, INC.	\$ 37,560.00	Low Bid
Solicitation No. B50004516 - Lease of Cannon Oce Colorwave 500 System - Recreation and Parks - Req. No. R721685		

The period of award is June 22, 2016 to June 21, 2021.

5. W.A. HAMILTON COMPANY, INC.	\$27,500.00	Selected Source
Contract No. 06000 - Used Lockers - Baltimore City Police Department - Req. No. R725618		

6. TELE-TECTOR OF MARYLAND, INC.	\$3,000,000.00	Renewal
Contract No. B50001080 - CCTV Maintenance and Platform Integration - Mayor's Office on Criminal Justice - P.O. No. P508992		

On July 1, 2009, the Board approved the initial award in the amount of \$2,800,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$3,000,000.00 is for the period July 1, 2016 through June 30, 2018. The above amount is the City's estimated requirement.

**MWBOO SET GOALS OF 7% MBE AND 1% WBE.**

	Commitment	Performed	
<b>MBE:</b> Paniagua Enterprises, Inc.	7%	\$143,977.08	7%
<b>WBE:</b> Fleet Electric, Inc.	1%	\$168,500.00	8%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                                                    |         |         |
|--------------------------------------------------------------------------------------------------------------------|---------|---------|
| 7. P. FLANIGAN & SONS,<br>INCORPORATED                                                                             | \$ 0.00 | Renewal |
| Contract No. 06000 - Tipping of Milled Material for<br>Recycling - Department of Transportation - P.O. No. P521073 |         |         |

On July 11, 2012, the Board approved the initial award in the amount of \$500,000.00. The award contained two 1-year renewal options. On June 10, 2015, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period July 11, 2016 through July 10, 2017. The above amount is the City's estimated requirement.

- |                                                                                                      |         |         |
|------------------------------------------------------------------------------------------------------|---------|---------|
| 8. ALFA LAVAL INC.                                                                                   | \$ 0.00 | Renewal |
| Contract No. 08000 - Aqua Belts and Conveyor Parts -<br>Department of Public Works - Req. No. 527937 |         |         |

On July 11, 2014, the City Purchasing Agent approved the initial award in the amount of \$24,560.00. The award contained two 1-year renewal options. On May 13, 2015, the Board approved the first renewal in the amount of \$100,000.00. This final renewal in the amount of \$0.00 is for the period July 16, 2016 through July 15, 2017. The above amount is the City's estimated requirement.

- |                                                                                 |              |         |
|---------------------------------------------------------------------------------|--------------|---------|
| 9. THE B & O RAILROAD<br>MUSEUM, INC.                                           | \$ 46,000.00 | Renewal |
| Commercial Lease Agreement - Department of Transportation -<br>Req. No. R730223 |              |         |

On March 7, 2012, the Board approved a Commercial Lease Agreement with the B & O Railroad Museum, Inc. in the amount of \$69,000.00, for the period March 1, 2012 through February 28, 2015. Pursuant to Paragraph 18 of the Agreement, the City may renew the lease for an initial two-year renewal in the amount of \$23,000.00 per year.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

After this initial renewal there are four remaining renewal options, each for a five-year term for which the price will be renegotiated by the parties, but the terms and conditions will remain the same. This renewal in the amount of \$46,000.00 is for the period March 1, 2015 through February 28, 2017, with four 5-year renewal options remaining.

10. HARBOR TRUCK SALES  
AND SERVICE, INC. t/a  
BALTIMORE FREIGHTLINER \$200,000.00 Increase  
Contract No. B50003554 - OEM Parts and Service for Cummins  
Engines - Department of General Services - Fleet Management  
- P.O. No. P528193

On July 30, 2014, the Board approved the initial award in the amount of \$150,000.00. The award contained two 1-year renewal options. On August 12, 2015, the Board approved an increase in the amount of \$150,000.00. This increase in the amount of \$200,000.00 is necessary as major repairs were required on several vehicles which depleted funds sooner than anticipated. The increase will allow the agency continued use of the contract for the remainder of the term and will make the award amount \$500,000.00. The contract expires on July 31, 2017, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                                                                         |              |          |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------|----------|
| 11. WASTE EQUIPMENT SALES<br>AND SERVICE, LLC<br>MARYLAND INDUSTRIAL TRUCKS,<br>INCORPORATED                                            | \$500,000.00 | Increase |
| Contract No. B50003570 - OEM Parts and Service for New Way Trucks - General Services - Fleet Management - P.O. Nos. P528196 and P528197 |              |          |

On July 30, 2014, the Board approved the initial award in the amount of \$250,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. The agency's initial estimated expenditure amount for a three year term was underestimated, therefore, an increase in the amount of \$500,000.00 is necessary to continue use of the contract for the remainder of the term. This increase will make the award amount \$2,500,000.00. The contract expires on June 30, 2017, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |                                                                                                                  |         |           |
|------------------------------------------------------------------------------------------------------------------|---------|-----------|
| 12. JOHNS EASTERN COMPANY,<br>INC.                                                                               | \$ 0.00 | Extension |
| Contract No. B50001962 - School Bus and General Liability Claim Services - Finance Department - P.O. No. P531951 |         |           |

On June 29, 2011, the Board approved the initial award in the amount of \$205,525.00. The award contained two 1-year renewal options. Both renewals have been exercised. During fiscal year 2016, alternative arrangements were made for the various services being provided under this contract. As of July 2015, all school bus vendors under the city self-insured program have obtained their own insurance.

## 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 Purchases

This extension will allow for servicing of incurred but not reported automobile claims within the time allowed for by the Maryland Statute of Liability. The period of the extension is July 1, 2016 through June 30, 2017. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |                                                                                                                                            |         |           |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------|-----------|
| 13. HOWARD UNIFORM COMPANY                                                                                                                 | \$ 0.00 | Extension |
| Contract No. B50002404 - Uniforms for the City of Baltimore, Traffic and Safety Division - Department of Transportation - P.O. No. P520823 |         |           |

On July 11, 2012, the Board approved the initial award in the amount of \$350,000.00. The award contained two 1-year renewal options. Both renewals have been exercised. This extension is necessary to meet the agency's requirements until Solicitation No. B50004657 can be evaluated and awarded. The period of the extension is August 1, 2016 through September 30, 2016. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |                                                                                                                                           |         |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------------|
| 14. ASSOCIATED BUILDING MAINTENANCE CO. INC.                                                                                              | \$ 0.00 | Extension and Increase |
| Contract No. B50001547 - Provide Janitorial Services for Area B - Police Department and Department of General Services - P.O. No. P515603 |         |                        |

On November 24, 2010, the Board approved the initial award in the amount of \$388,032.00. The award contained two renewal options. Both renewals and subsequent actions have

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

been approved. This extension in the amount of \$0.00 is necessary to allow the Department of General Services to have all three areas, A, B and C in sync with the expiration of Area D. The period of the extension is August 1, 2016 through October 15, 2016. The above amount is the City's estimated requirement.

**MWBOO SET GOALS OF 17% MBE AND 9% WBE.**

	<u>Commitment</u>	<u>Performed</u>	
<b>MBE:</b> CJ Maintenance	17%	\$79,135.00	16.5%
<b>WBE:</b> My Cleaning Services, Inc.*	9%	\$21,312.34	7.1%

\*WBE has withdrawn from the contract. Vendor has committed to replace with another certified WBE.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Comptroller **ABSTAINED** on item no. 14.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement for Project 1224, Water and Wastewater Plants Operations Evaluation Study with PA Consulting Group, Inc., Consultant. The period of the Agreement is effective upon Board approval for one-year or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$125,000.00 - 2071-000000-5521-632312-603018  
125,000.00 - 2071-000000-5521-632322-603018  
125,000.00 - 2070-000000-5501-630041-603018  
125,000.00 - 2070-000000-5501-369841-603018  
**\$500,000.00**

**BACKGROUND/EXPLANATION:**

On December 3, 2014, the Architectural and Engineering Award Commission awarded Project 1224, Water and Wastewater Plants Operations Evaluation Study. During the study, the consultant will evaluate the efficiency of the water filtrations and wastewater treatment plants and make recommendations to improve operations and maintenance performance while reducing costs and enhancing operational efficiencies. Also, the investigation will include analyzing labor and non-labor practices and use of technology, reviewing compliance with rules, and regulations, and comparing key performance statistics and trends for consistency with best industry practices. The Consultant was approved by the Office of Boards and Commissions and Architectural and Engineering Award Commission.

**MINUTES**

DPW - cont'd

**MWBOO SET GOALS OF 27% MBE AND 10% WBE.**

**MBE:** N/A

**WBE:** Ross Technical Service, Inc. \$ 50,000.00 10.0%

MWBOO waived the MBE goal. EBA Engineering was being used as the sole contractor, however, it was determined that they have exceeded their size standards and can no longer operate as an MBE certified by the City.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for Project 1224, Water and Wastewater Plants Operations Evaluation Study with PA Consulting Group, Inc., Consultant.



**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 2 to Whitman, Requardt & Associates, LLP under Project 1505, On-Call Project and Construction Management Assistance Services. The period of the task assignment is approximately 45 months.

**AMOUNT OF MONEY AND SOURCE:**

\$1,189,130.11 - 9960-903710-9557-900020-705032

**BACKGROUND/EXPLANATION:**

The Office of Engineering and Construction is in need of assistance from Whitman, Requardt and Associates, LLP to provide construction management and on-site inspection services on WC 1173R - Guilford Finished Water Reservoir Improvements for the Bureau of Water and Wastewater, Department of Public Works.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 2 to Whitman, Requardt & Associates, LLP under Project 1505, On-Call Project and Construction Management Assistance Services. The President voted **NO**.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Amendment to Agreement with Dewberry Consultants, LLC. This Amendment will extend the agreement through September 10, 2017 or until the upset limit is reached whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On September 9, 2015 the Board approved a two-year agreement with Dewberry Consultants, LLC for engineering services through September 10, 2016. The extension is necessary to continue with design for the two water main rehabilitation contracts, WC 1212 and WC 1313 under the same project 1185.3. The design was on hold to allow the Department to perform further assessment of the assigned designed areas. Subsequent to completion of the assessment process, this extension is necessary to adequately complete the design work.

All other terms and conditions remain unchanged.

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

**MINUTES**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to Agreement with Dewberry Consultants, LLC. The President voted **NO**.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 2 to Whitman, Requardt & Associates, LLP under Project 1178W, On-Call Civil/Structural Engineering Services.

**AMOUNT OF MONEY AND SOURCE:**

\$151,651.60 - Baltimore City  
151,651.59 - Baltimore County  
**\$303,303.19** - 9956-909569-9951-900020-703032

**BACKGROUND/EXPLANATION:**

The Consultant will provide engineering and design services for the rehabilitation of Primary Settling Tanks No. 3, No. 4 and other related work at the Back River Wastewater Treatment Plant. The scope of work will include but will not be limited to field investigation and recommendations regarding the current process, design of Primary Settling Tanks concrete rehabilitation, design to replace the return sludge pump at the Return Sludge Pump Station, and design electrical and I & C to automate the control of Return Sludge Pump Stations A, B, and C. The Consultant will also design to address various related appurtenances as directed by the City, prepare preliminary contract documents, the final contract document, construction cost estimate construction sequence, construction time estimates, provide assistance to obtain all applicable permits, provide assistance during the bidding period, attend kick off meetings, and coordinate investigation/design with plant operations.

**MBE/WBE PARTICIPATION:**

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

MINUTES

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

MWBOO SET GOALS OF 27% MBE AND 10% WBE.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
1. \$200,000.00 (Wastewater Revenue Bonds)	9956-905533-9549 (Constr. Res. Annual Facilities) Construction	
200,000.00 (County)	" "	
<u>\$400,000.00</u>		
\$303,303.19	-----	9956-909569-9551-3 (Design)
<u>96,696.81</u>	-----	9956-909569-9551-9 (Administrative)
<b>\$400,000.00</b>		

The funds are needed to cover the cost of Project 1178W (Task 2), SC 954 the Back River Wastewater Treatment Plant Rehab of Primary Settling Tanks.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 2 to Whitman, Requardt & Associates, LLP

## MINUTES

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

under Project 1178W, On-Call Civil/Structural Engineering Services. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President voted **NO**.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Amendment to Agreement with Hazen & Sawyer PC. This Amendment will extend the agreement through September 9, 2017 or until the upset limit is reached whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On September 9, 2015, the Board approved a one-year agreement with Hazen & Sawyer PC for project management services. The extension is necessary to continue program management/staff augmentation for the Office of Engineering and Construction horizontal projects delivery team for design review of various water main replacement/rehabilitation and other contracts, design phase management support services, support for AMI/AMP urgent need contracts, and support for community outreach.

All other terms and conditions of the agreement will remain unchanged.

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

**MINUTES**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to Agreement with Hazen & Sawyer PC. The President voted **NO**.



**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Amendment No. 2 to Agreement with Johnson, Mirmiran & Thompson, Inc. (JMT) under Project 1182J, On-Call Environmental Engineering Services. The Amendment No. 2 extends the Agreement for 24 months effective upon Board approval, or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

N/A - to be determined with each individual task

**BACKGROUND/EXPLANATION:**

On August 14, 2013, the Board approved the original agreement with the JMT. On July 29, 2015, the Board approved amendment no. 1 to extend the agreement through August 14, 2016.

The Department needs additional time to complete the ongoing projects before the agreement expires.

**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.

**AUDITS NOTED THE TIME EXTENSION.**

**MINUTES**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 2 to Agreement with Johnson, Mirmiran & Thompson, Inc. under Project 1182J, On-Call Environmental Engineering Services. The President voted **NO**.

**MINUTES**Department of Public Works - TRANSFER OF LIFE-TO-DATE SICK LEAVE

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

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

<u>Donors</u>	<u>Days</u>
Eloise V. Black	5
Phillip Chuy	5
Wortham Hall III	2
Andre Johnson	2
India Murray	5
Angela M. Void	5
<b>Total</b>	<b><u>24</u></b>

Ms. Jones is not a member of a union sick leave bank and is not eligible for membership in a union sick leave bank. All of her leave has been used. This transfer will allow Ms. Jones to remain in pay status.

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

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

**MINUTES**

Department of Public Works - Renewable Energy Credit  
Sales Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Renewable Energy Credit Sales Agreement among the Mayor and City Council of Baltimore, Northeast Maryland Waste Disposal Authority, and WGL Energy Services, Inc. The period of the Renewable Energy Credit Sales Agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

\$51,777.00 - 2051-000000-1981-7442208-400973 (Revenue)

**BACKGROUND/EXPLANATION:**

The Renewable Energy Credit Sales Agreement is a contract for a transaction between the Mayor and City Council of Baltimore, seller, WGL Energy Services, Inc., buyer, and Northeast Maryland Waste Disposal Authority, agent for the seller, in which the Mayor and City Council will sell 4,707 Renewable Energy Credits to WGL Energy Services, Inc.

**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 Renewable Energy Credit Sales Agreement among the Mayor and City Council of Baltimore, Northeast Maryland Waste Disposal Authority, and WGL Energy Services, Inc.

**MINUTES**

Department of General Services - Ratification of Past Due Invoices

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Ratification of Past Due Invoices with Capital Beltway Environmental, LLC, for various urgent environmental work completed at various City properties.

**AMOUNT OF MONEY AND SOURCE:**

\$11,680.00 - 1001-000000-1982-192500-609036

**BACKGROUND/EXPLANATION:**

Capital Beltway Environmental, LLC is an industrial hygienist firm utilized by the Department for environmental remediation. The contract ended while preparing a formal contract for this service. Due to the nature of these services, urgent need environmental protection, the City's continuing need to remediate environmental issues remained. In order to meet the State and Federal guidelines, the Department, working with the Bureau of Purchases, developed smaller contracts to cover the ongoing work. The request of work overwhelmed the smaller contracts and funds were depleted, but the vendor was asked to continue service. The Department will continue to work with the Bureau of Purchases to resolve these issues.

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

UPON MOTION duly made and seconded, the Board ratified the past due invoices with Capital Beltway Environmental, LLC, for various urgent environmental work completed at various City properties.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

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

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

2296 - 2309

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Transfers of Funds were approved

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The City Solicitor **ABSTAINED**

on item nos. 3 and 4.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1.	TR 13321, Downtown Bicycle Network	P. Flanigan & Sons, Inc.	\$2,849,822.40
	<b>DBE:</b> Priority Constr. Corp.	\$268,024.00	9.4049%
	Shannon-Baum Signs, Inc.	<u>21,476.00</u>	<u>0.7536%</u>
	<b>Total DBE</b>	<b>\$289,500.00</b>	<b>10.1585%</b>

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$2,208,685.28 FED	9950-921019-9509 Constr. Res. Bike Master Plan	
1,211,101.60 <u>FED</u> <b>\$3,419,786.88</b>	9950-905175-9528 Constr. Res. Bike Network Strategy	
\$2,849,822.40	-----	9950-905190-9527-6 Structure & Improv.
427,473.36	-----	9950-905190-9527-5 Inspection
<u>142,491.12</u> <b>\$3,419,786.88</b>	-----	9950-905190-9527-2 Contingencies Downtown Bicycle Network

This transfer will fund the costs associated with the award of Project No. TR 13321, Downtown Bicycle Network, to P. Flanigan & Sons, Inc.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Public Works

3.	W.C. 1278, Old York Road and Vicinity Water Main Replace- ments	Spiniello Companies	\$6,683,300.00	
	<b>MBE:</b> Machado Construction Company, Inc.		\$550,000.00	8.2%
	Shekinah Group, LLC*		52,000.00	0.8%
	<b>Total MBE</b>		<b>\$602,000.00</b>	<b>9.0%</b>
	<b>WBE:</b> R&R Contracting Utilities, Inc.		\$134,000.00	2.0%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

\*Shekinah Group, LLC is not in good standing with the Department of Assessment and Taxation. The Bidder will be allowed to substitute an approved MBE if Shekinah Group, LLC is not in good standing at the time of the award.

**A PROTEST AND A SUPPLEMENTAL PROTEST WAS RECEIVED FROM R.E. HARRINGTON PLUMBING AND HEATING COMPANY, INC.**

**AN ADDITIONAL SUPPLEMENTAL PROTEST WAS RECEIVED FOR R.E. HARRINGTON PLUMBING AND HEATING COMPANY, INC. FROM HUDDLES JONES SORTEBERG & DACHIELLE.**





Plumbing and Heating Co., Inc.  
300 W 23<sup>rd</sup> Street, Baltimore, Maryland 21211  
410-466-4800 · 24 Hour Service · Fax: 410-466-0700

**VIA HAND DELIVERY**

May 20, 2016

Honorable Joan Pratt, CPA Baltimore City Comptroller  
Ms. Harriet Taylor, Deputy Comptroller/Secretary  
Baltimore City Board of Estimates - City Hall  
100 N. Holliday Street, Suite 204  
Baltimore, Maryland 21202

Clerk to the Board of Estimates  
Board of Estimates Room 204, City Hall  
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Director Rudolph S. Chow  
City of Baltimore Department of Public Works  
Abel Wolman Municipal Building, 6<sup>th</sup> Floor  
200 N. Holliday Street  
Baltimore, Maryland 21202

Minority & Women's Business Opportunity Office  
Room 101, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Shari Montgomery, Contract Administrator  
City of Baltimore Department of Public Works  
Abel Wolman Municipal Building 6<sup>th</sup> Floor  
200 N. Holliday Street  
Baltimore, MD 21202

**Solicitation No.: Water Contract No. WC1278**  
**Project: Old York Road and**  
**Replacement at Various Locations,**  
**Re: BID PROTEST**

**To the Honorable Members:**

Thank you for your letter of May 16, 2016 in reference to the above captioned solicitation. As you are aware, RE Harrington is the low bidder for this Project. RE Harrington's bid - \$6,374,320 - is \$308,980 less than the next low bidder, at \$6,683,300. Pursuant to Article VI of the City Charter, the Board of Estimates is to "award the contract, as an entirety to the lowest responsive and responsible bidder..." Charter, Article VI, §11 (h)(1)(ii).

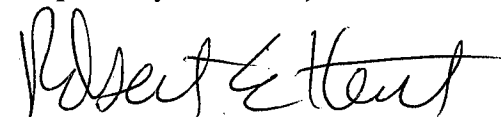
A typographical error was made within the Part C Statement of Intent to Self-Perform – R.E. Harrington will in fact be self-performing \$5,928,117.60 of the instant contract, not the \$254,972.80 wrongly indicated on Part C. In addition, \$2,964,058.80 of RE Harrington's self-performed work will count toward the MBE goal on this solicitation, for a total MBE participation of 51.5%. Enclosed is a corrected Part C: Statement of Intent to Self Perform and corrected Part D: MBE/WBE Participation Affidavit.

We ask that this matter be re-evaluated in light of the correctly filled out form. It is long-standing City procurement practice to allow for the correction of a bid when a mistake is evident on its face. The City Code expressly provides that the Board of Estimates may waive minor defects and errors in a bidder's MBE or WBE submission. Art. 5, § 28-16, Baltimore City Code. And indeed, just this past November, the City waived a near identical mistake in regard to the Part C Statement of Intent to Self Perform when it awarded B50004150, Baltimore City Building Demolition to K&K Adams, Inc., despite the notation that it "failed to properly fill out the Statement of Intent to Self Perform."<sup>1</sup>

RE Harrington has performed City water contracts for the last 10 years. Indeed, the Part C: Statement of Intent to Self Perform states expressly that RE Harrington performs "underground utilities", which is the near entirety of this water main replacement Project. As such, the indication that RE Harrington can only self-perform \$254,972.80 of its \$6,374,320 bid – or 4% of the contract – is a mistake which is self-evident directly on the face of Part C. Water main replacement is the bread and butter of RE Harrington's work, which is self-evident based upon its MBE certification to perform water and sewer line construction, specifically underground utility work, as set forth expressly on Part C, as well as RE Harrington's very name – RE Harrington Plumbing and Heating Co. Inc.

Accordingly, we respectfully request that RE Harrington be awarded the contract in question, being the lowest responsive and responsible bidder. In doing so, the City would not only be faithfully conducting its duty under the Charter to "award the contract, as an entirety to the lowest responsive and responsible bidder..." but would also be realizing a savings to the City and taxpayers of Baltimore of \$308,980, the difference between RE Harrington's bid and the next low bid.

Respectfully submitted,



Robert E. Harrington, President

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<sup>1</sup> This matter is part of the public record, and can be found within the meeting minutes of the November 4, 2015 Board of Estimates meeting.

**PART D: MBE/WBE PARTICIPATION AFFIDAVIT**

The Undersigned authorized representative of Contractor does hereby make the following Affidavit: Contractor has read the Bidder Information and Instructions regarding the MBE/WBE Program. Contractor acknowledges the MBE goal of 9% and the WBE goal of 2% for this contract. Contractor has achieved the following participation:

MBE-\$ 3,282,774.50 or 51.5 % and WBE-\$ 127,486.40 or 2 %  
of the total contract amount which is \$ 6,374,320.00

My firm has made good faith efforts to achieve the MBE and WBE participation goals for this contract. I understand that, if awarded the contract, my firm must submit to the Minority and Women's Business Opportunity Office (MWBOO) copies of all executed agreements with the MBE and WBE firms being utilized to achieve the participation goals and other requirements of Article 5, Subtitle 28 of the Baltimore City Code (2014 Edition). I understand that these documents must be submitted prior to the issuance of a notice to proceed.

I understand that, if awarded the contract, my firm must submit to the MWBOO canceled checks and any other documentation and reports required by MWBOO verifying payments to the MBE and WBE firms utilized on the contract.

I understand that, if awarded this contract and I find that I am unable to utilize the MBEs or WBEs identified in my Statements of Intent, I must substitute other certified MBE and WBE firms to meet the participation goals. I understand that I may not make a substitution until I have obtained the written approval of MWBOO.

I understand that, if awarded this contract, authorized representatives of the City of Baltimore may examine, from time to time, the books, records and files of my firm to the extent that such material is relevant to a determination of whether my firm is complying with the MBE and WBE participation requirements of this contract.

I do solemnly declare and affirm under the penalty of perjury that the contents of the foregoing Affidavit are true and correct to the best of my knowledge, information and belief.

Ret Harrington Plumbing & Heating Co. Inc. [Signature]  
Contractor Company Name Signature

300 W. 23<sup>rd</sup> St Ball. MD 2111 Robert E. Harrington  
Address Print Name and Title President

Sworn and subscribed before me this 23 day of May, in the year 2016.

[Signature]  
Notary Public



**PART C: STATEMENT OF INTENT TO SELF-PERFORM**

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

Name of Prime Contractor: Betharrington Plumbing & Heating Co. Inc.

Self-Performance to be counted toward the MBE  or WBE  goal. (Check One)

Brief Narrative Description of the Work/Service to be Self-Performed by the Prime Contractor:

Underground Utilities

Materials/Supplies to be furnished by the Prime Contractor:

Total Dollar Amount of Work/Services to be Self-Performed by the Prime Contractor on this Contract: \$ 5,928,117.60

Total Dollar Amount of Self-Performed Work to be counted toward the MBE or WBE Goal: (May count up to 50% of the total dollar amount of self-performed work): \$ 2,964,058.80

If this is a Requirements Contract, you may omit the Dollar Amount; however, the Percentage must be included.

Total Percentage of Total Contract to be Self-Performed by Prime Contractor on this Contract: 93 %

Percentage of Self-Performed Work to be counted toward the MBE or WBE Goal: (May count up to 50% of the total percentage of self-performed work): 46.5 %

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

African American: \_\_\_\_\_ %      Asian American: \_\_\_\_\_ %  
Hispanic American: \_\_\_\_\_ %      Native American: \_\_\_\_\_ %

The undersigned Prime Contractor agrees to Self-Perform the Work/Service indicated above for the Dollar Amount and/or Percentage indicated to meet the MBE/WBE participation goals, subject to the Prime Contractor's execution of a contract with the City of Baltimore. The Prime Contractor is currently certified as an MBE or WBE with the City of Baltimore Minority and Women's Business Opportunity Office to perform the work described above.

[Signature]  
Signature of Prime Contractor (REQUIRED)

5-23-16  
Date



Plumbing and Heating Co., Inc.  
300 W 23<sup>rd</sup> Street, Baltimore, Maryland 21211  
410-466-4800 · 24 Hour Service · Fax: 410-466-0700

June 17, 2016

**VIA HAND DELIVERY**

The Honorable Stephanie Rawlings-Blake  
Mayor, City of Baltimore  
City Hall, 100 N. Holliday Street  
Suite 250  
Baltimore, MD 21202

Shari Montgomery, Contract Administrator  
City of Baltimore Department of Public Works  
Abel Wolman Municipal Building 6<sup>th</sup> Floor  
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Baltimore, Maryland 21202

Minority & Women's Business Opportunity Office  
Room 101, City Hall  
Baltimore, Maryland 21202

**Solicitation Nos.:** **Water Contract No. WC1278**  
**Water Contract No. WC1343**  
**Water Contract No. WC1345**

**Re: SUPPLEMENTAL BID PROTEST**

**To the Honorable Members:**

This letter is intended as a supplement to my earlier letter dated May 20, 2016 in regard to WC 1278 and my letters of June 6, 2016 in regard to WC 1343 and 1345. As indicated in those letters, a typographical error was made within "Part C Statement of Intent to Self-Perform" – R.E. Harrington will in fact be self-performing over 90% of each contract, for a total MBE participation of over 50% for each project. If ever there was a model example of when Art. 5, § 28-16 of the Baltimore City Code should be utilized (providing for the waiver of minor defects and errors in a bidder's MBE submission), this would be it. Award of these contracts to R.E. Harrington will both save the City nearly \$1,000,000, as well as realize near-100% MBE participation, over 50% of which will accrue to the State MBE goal requirements. No other bidder can match either R.E. Harrington's price, nor its MBE participation percentage.

JUN 17 '16 PM 4:2



Moreover, that fact that RE Harrington can self-perform the vast majority of the contracts in question is self-evident. R.E. Harrington is certified by the MDOT MBE program to perform water and sewer line construction, specifically underground utility work. See, attached MBE Directory print-out. Here, the minimum R.E. Harrington would need to self-perform to be able to *itself* meet the 9% and 13% MBE goals on the WC1278 and WC1343 and 1345 contracts, respectively, would be 18% (WC 1278) and 26% (WC1343 and 1345). That R.E. Harrington, a certified MBE in the area of water and sewer line construction, specifically underground utility work, can perform 18% and 26% of a water main replacement project with its own forces, is self-evident.

However, there is even more reason to deem this error self-evident on the face of the bid. For each solicitation, R.E. Harrington included a range of other MBE subcontractors within its bid, thereby minimizing even further the percentage it would need to self-perform to be deemed compliant with the MBE goals. For WC1278, R.E. Harrington listed 7% MBE participation by others, meaning it would need to self-perform just 8% of the contract with its own forces to complete the final 4% MBE participation requirement. For WC1343 and WC1345, R.E. Harrington listed 8% MBE participation by others, meaning it would need to self-perform just 10% of the contract with its own forces to complete the final 5% MBE participation requirement. That R.E. Harrington, a certified MBE in the area of water and sewer line construction, specifically underground utility work, can perform 8% and 10% of a water main replacement project with its own forces, is most certainly self-evident. Accordingly, the error found within R.E. Harrington's Part C forms constitute clear errors on the face of the bid and are appropriately waived, in the best interests of the City and its taxpayers both on account of the nearly \$1,000,000 in savings which will be realized if R.E. Harrington was permitted to perform this work, as well as the high, 50% MBE goal participation R.E. Harrington has promised on these contracts.

Furthermore, award of these contracts to R.E. Harrington under condition that R.E. Harrington bring its MBE participation schedules into compliance within 10 days is supported by nearly 20 other decisions of the Board of Estimates in the last 24 months alone. A selection of such precedent is listed as follows:

<u>Contract No.</u>	<u>Department</u>	<u>Awardee</u>	<u>Date</u>	<u>BOE notes</u>
B50003985	Bureau of Purchasing	Arrow Systems Integration, Inc.	3/30/16	Bidder did not commit to any MBE goal - BOE granted 10 days to come into compliance; there were other bidder's but only awardee's price was deemed "fair and reasonable"
B50004346	Bureau of Purchasing	National Fire Protection, LLC	12/23/15	MWBOO found vendor in non-compliance - BOE granted vendor 10 days to come into Compliance
B50004150	Bureau of Purchasing	K&K Adams, Inc.	11/4/15	MWBOO found vendor in non-compliance for failure to properly fill out the statement of intent to self-perform; BOE awarded to vendor with 10 days to come into compliance
B50004207	Bureau of Purchasing	Aspen Building Products, Inc.	9/23/15	MWBOO found vendor in non-compliance - BOE granted 10 days to "engage MWBO to come into compliance"
TR15013	Dept. of Transportation	P. Flanigan & Sons, Inc.	6/10/15	MWBOO found vendor in non-compliance - City Council President Young motioned to award the contract to P. Flanigan "simply because this seems like an honest mistake to me..." and the motion was seconded by the mayor, which carried.

As can be seen from the above sampling, the Board has routinely exercised its inherent discretion to waive minor defects and errors in a bidder's MBE or WBE submission. Art. 5, § 28-16, Baltimore City Code. Moreover, the Board has correctly considered the best interests of the City, as it is duty-bound to do, in "award[ing] the contract, as an entirety to the lowest responsive and responsible bidder..." Charter, Article VI, §11 (h)(1)(ii).

We ask that this Board again act in the best interests of the City of Baltimore, whose citizens and taxpayers will realize a nearly \$1,000,000 savings by this Board simply exercising the authority granted to it by the City Code to waive the minor errors in R.E. Harrington's bid submission, subject to coming into full compliance within 10 days. Moreover, the nearly \$15,000,000 work of these contracts will be performed by a local firm, who pays Baltimore City property taxes, employs exclusively Baltimore City residents, and takes a leadership role in the economic revitalization of this great City.

I implore this Board to do the right thing – for the City, for the taxpayers, for R.E. Harrington, and for my employees, all of whom are your constituents.

Respectfully submitted,

A handwritten signature in black ink that reads "Robert E. Harrington". The signature is written in a cursive style with a large, prominent "R" at the beginning.

Robert E. Harrington, President



# Office of Minority Business Enterprise

Maryland Department of Transportation → Maryland's Official Certification Agency

## The MDOT Directory of Certified MBE, DBE, SBE and ACDBE Firms

[Complete Firm Profile](#)

[Frequently Asked Questions](#)

### Firm Detail

### NAICS - Product and Service Description

Firm Name:

R.E. HARRINGTON PLUMBING AND HEATING COMPANY

**237110 - MBE/DBE/SBE - WATER AND SEWER LINE AND RELATED STRUCTURES CONSTRUCTION**  
(SPECIFICALLY: UNDERGROUND UTILITIES-REPAIR AND SERVICE IN COMMERCIAL SECTOR ONLY)

Minority Status - Cert # - Date:

AFRICAN AMERICAN  
08-414  
8/18/2008

**237990 - MBE/DBE/SBE - OTHER HEAVY AND CIVIL ENGINEERING CONSTRUCTION**  
(SPECIFICALLY: HORIZONTAL DRILLING, E.G. UNDERGROUND PIPELINE, SEWER INSTALLATION)

Address:

300 WEST 23RD STREET  
BALTIMORE, MD 21211  
BALTIMORE CITY COUNTY

Contact:

ROBERT E. HARRINGTON

Phone - Fax - Email - Website:

(P) 410-466-4800  
(F) 410-466-0700  
[REHARRINGTONPHU@COMCAST.NET](mailto:REHARRINGTONPHU@COMCAST.NET)  
[WWW.REHARRINGTON.COM](http://WWW.REHARRINGTON.COM)

References:

PHIPPS CONSTRUCTION  
4300 SHANNON DRIVE  
BALTIMORE, MD 21213  
MR. PHIPPS  
410-483-6441

P & J CONTRACTING COMPANY, INC.  
3010 RIDGEWOOD AVENUE  
BALTIMORE, MD 21215

410-367-2475

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Kevin B. Mattingly (MD,DC)

◆ William M. Huddles (1945-2010) ◆

June 21, 2016

The Honorable Stephanie Rawlings-Blake  
Mayor, City of Baltimore  
City Hall, 100 N. Holliday Street  
Suite 250  
Baltimore, MD 21202

The Honorable Joan Pratt, Comptroller  
Comptroller, City of Baltimore  
City Hall, 100 N. Holiday Street  
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The Honorable Bernard C. "Jack" Young  
President, Baltimore City Council  
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**THIRD SUPPLEMENTAL BID PROTEST**

**Re: W.C. 1278 – Old York Road and Vicinity  
Water Main Replacement**

Dear Honorable Members of the Board:

Please be advised that the undersigned represents R.E. Harrington Plumbing and Heating Co., Inc. (hereinafter "R.E. Harrington") with regard to the bid protest over Water Contract 1278, Old York Road and Vicinity Water Main Replacement (hereinafter the "Contract").

The purpose of this letter is to file formal protest of the rejection of R.E. Harrington's bid for the Contract. R.E. Harrington protests the award of this Contract to any party *other than* R.E. Harrington, and specifically protests award to Spiniello Companies (hereinafter "Spiniello") at a price of \$6,683,300, which is \$308,980 *higher than* R.E. Harrington's bid of \$6,374,320.

410.720.0072 ◆ Fax 410.720.0329

10211 Wincopin Circle ◆ Suite 200  
Columbia, Maryland 21044

301.621.4120 ◆ Fax 301.621.4473

◆ www.constructionlaw.com ◆

Third Supplemental Bid Protest of  
R.E. Harrington Plumbing & Heating Co., Inc.  
W.C. 1278  
June 21, 2016  
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For the below reasons, R.E. Harrington formally protests the rejection of its bid, and the recommendation of the Department of Public Works to award the Contract to Spiniello.

Executive Summary

R.E. Harrington's bid contains a minor irregularity in the numbers, circled below, in an MBE Form.

<b>Total Dollar Amount of Work/Services to be Self-Performed by the Prime Contractor on this Contract:</b>	\$ <u>254,972.80</u>
<b>Total Dollar Amount of Self-Performed Work to be counted toward the MBE or WBE Goal:</b> <i>(May count up to 50% of the total dollar amount of self-performed work):</i>	\$ <u>254,972.80</u>
If this is a Requirements Contract, you may omit the Dollar Amount; however, the Percentage must be included.	
<b>Total Percentage of Total Contract to be Self-Performed by Prime Contractor on this Contract:</b>	<u>4</u> %
<b>Percentage of Self-Performed Work to be counted toward the MBE or WBE Goal:</b> <i>(May count up to 50% of the total percentage of self-performed work):</i>	<u>4</u> %

Figure 1

The Form called on MBE prime contractors to fill in the "Total Dollar Amount of Work/Services to be Self-Performed by the Prime Contractor on this Contract." R.E. Harrington understated the amount \$254,972 as the Total Dollar Amount of Work.

The total amount of Contract is \$6,374,320 and this is shown as the bottom line price on the Bid Form. R.E. Harrington is obligated to self-perform at least 51% of the work, which means, R.E. Harrington must self-perform at least \$3 million of the total \$6 million Contract. While this calculation is easily done by reading the bid as a whole, it is more convenient for the MWBOO professional staff if the bidder fills in the information along with the other MBE forms.

The Total Percentage of Total Contract to be Self-Performed by Prime Contractor on this Contract is 4%; that is, 4% of the actual \$6 million Contract but it is not 4% of the mistaken \$254,972 amount.

The result is, R.E. Harrington promises to meet the full 9% goal. R.E. Harrington requests the Board of Estimates to treat the mistakes as a minor irregularity. Corrections to these mistaken figures will not affect price, quality of work, quantity of work, or time of delivery of construction work.

The thing that really counts is that 4% is Total Percentage of Self-Performed Work to be counted toward the MBE or WBE goal. Award to Harrington will save \$308,980 over the

Third Supplemental Bid Protest of  
R.E. Harrington Plumbing & Heating Co., Inc.  
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second low bidder. It is not worth \$308,980 to withhold forgiveness of these honest mistakes in filling out the form.

Background Facts

1. R.E. Harrington is a certified Minority Business Enterprise (hereinafter "MBE") by the City of Baltimore Minority and Women's Business Opportunity Office (hereinafter "MWBOO") MBE program. R.E. Harrington is certified for, *inter alia*, the following service: underground utilities, concrete construction, demolition, curbs, gutters and sidewalks, drainage structures, earthwork and site preparation, fencing and guardrails, erosion control, insulation, grading, concrete finishing, and repair and replace underground utility structures. A copy of R.E. Harrington's profile as listed in MWBOO's MBE Directory is attached hereto as **EXHIBIT 1**.

2. The Contract contained an MBE goal of 9%, and a WBE goal of 2%.

3. Seven (7) bids were received in response to the Contract. R.E. Harrington was the low bidder by \$308,980. The bids, as opened on April 27, 2016, were as follows:

R.E. Harrington	\$6,374,320.00
Spiniello	\$6,683,300.00
Anchor Construction	\$7,316,940.01
J. Fletcher Creamer	\$7,448,190.00
Monumental	\$7,730,476.93
Metra	\$9,232,880.00
Civil	\$9,447,039.00

4. R.E. Harrington's MBE goal of 9% was achieved using three subcontractors for an aggregate 5% contract percentage, and the final 4% was made up of a self-performance value of at least \$254,972.80.

5. R.E. Harrington was notified by letter dated May 17, 2016 that MWBOO found its bid submission package for the Contract to be non-compliant. The letter further indicated:

The reason stated was: Bidder did not achieve the MBE goals.  
\*indicates Self-Performing. Bidder did not meet the MBE goal.  
Bidder failed to properly execute the Statement of Intent to Self-Perform. The Department does not recommend contract awards to firms whose bids do not comply with Article 5, Section 28 of the Baltimore City Code.

6. The "failure to properly execute the Statement of Intent to Self-Perform" as referenced by MWBOO referred to the identical dollar amount being filled in on both the "total dollar amount of work/services to be self-performed" and the "total dollar amount of self-performed work to be counted toward the MBE or WBE goal" lines as set forth within Part C: Statement of Intent to Self-Perform, as well as the identical percentage being filled in on both the

Third Supplemental Bid Protest of  
R.E. Harrington Plumbing & Heating Co., Inc.  
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“total percentage of total contract to be self-performed” and “total percentage of self-performed work to be counted toward the MBE or WBE goal” lines. A copy of R.E. Harrington’s Part C form is attached hereto as **EXHIBIT 2**.

7. The circled figures below represent the purported basis for MWBOO’s finding of non-compliance:

Total Dollar Amount of Work/Services to be Self-Performed by the Prime Contractor on this Contract:	\$ <u>354,972.80</u>
Total Dollar Amount of Self-Performed Work to be counted toward the MBE or WBE Goal: (May count up to 50% of the total dollar amount of self-performed work):	\$ <u>254,972.80</u>
If this is a Requirements Contract, you may omit the Dollar Amount; however, the Percentage must be included.	
Total Percentage of Total Contract to be Self-Performed by Prime Contractor on this Contract:	<u>4</u> %
Percentage of Self-Performed Work to be counted toward the MBE or WBE Goal: (May count up to 50% of the total percentage of self-performed work):	<u>4</u> %

Figure 1

8. Baltimore City Code, Article 5, § 28-31(d)(1) provides the following with regard to MBE/WBE credit for self-performance by a certified MBE or WBE prime contractor:

Subject to limitation in paragraph (2) of this subsection,<sup>1</sup> a certified MBE or WBE that has been awarded a contract as a prime contractor may count up to 50% of the dollar value of the work it intends to self perform with its own forces toward the applicable MBE or WBE goal.

Grounds of Protest

**A. R.E. HARRINGTON’S BID IS FULLY COMPLIANT WITH THE MBE GOAL REQUIREMENTS, AS IT IS COUNTING LESS THAN 50% OF THE DOLLAR VALUE OF THE WORK IT INTENDS TO SELF-PERFORM WITH ITS OWN FORCES.**

R.E. Harrington will fully abide by Baltimore City Code, Article 5, § 28-31(d)(1), and will not credit more than 50% of the work it self-performs toward the applicable MBE goal requirement if awarded the Contract. In this regard, the material portions of R.E. Harrington’s Part C form –

<sup>1</sup> Section (2) provides that the credit for self-performance may not exceed the contractor’s available work capacity.

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the representations as to the dollar amount of self-performed work *to be counted toward the MBE goal* (\$254,972.80) and the percentage of self-performed work *to be counted toward the MBE goal* (4%) - were correctly completed.

Specifically, the second and fourth lines set forth in Figure 1 above - the entries which are not circled - were correctly completed. The first and third lines - the circled entries - were incorrectly completed. However, those parts which were incorrectly completed were simply a clerical error, and are not material to R.E. Harrington's bid. At all times, the material portion as required by Baltimore City Code, Article 5, § 28-31(d)(1) remains accurate - R.E. Harrington will be counting \$254,972.80 of self-performed work toward the MBE goal, which is 4% of R.E. Harrington's bid. As such, it is the lowest responsible and responsive bidder, and this Board is duty-bound to award the Contract to R.E. Harrington.

- i. The errors within R.E. Harrington's Part C form are clerical in nature and pose no prejudice to other bidders.

Concededly, R.E. Harrington's Part C form contained an error, in that it misstated the total amount of work to be self-performed, and the total percentage of work to be self-performed. However, this error is clerical in nature, and is immaterial to R.E. Harrington's bid. The only relevant question before this Board with respect to self-performance of MBE goals is whether R.E. Harrington will abide by Baltimore City Code, Article 5, § 28-31(d)(1) if awarded this Contract. Its submitted Part C form indicated it will, as illustrated below:

Total Dollar Amount of Work/Services to be Self-Performed by the Prime Contractor on this Contract: \$ 354,972.80

Total Dollar Amount of Self-Performed Work to be counted toward the MBE or WBE Goal: 254,972.80  
(May count up to 50% of the total dollar amount of self-performed work): \$

If this is a Requirements Contract, you may omit the Dollar Amount, however, the Percentage must be included.

Total Percentage of Total Contract to be Self-Performed by Prime Contractor on this Contract: 4 %

Percentage of Self-Performed Work to be counted toward the MBE or WBE Goal: 4 %  
(May count up to 50% of the total percentage of self-performed work): %

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

Figure 2

As indicated above, R.E. Harrington committed to count no more than 50% of the total dollar amount and percentage of self-performed work toward the MBE goal. On its face, therefore, R.E. Harrington's bid is compliant with the self-performance requirements set forth in Article 5, § 28-31(d)(1). Consequently, as the lowest responsive and responsible bidder, R.E. Harrington is appropriately awarded the Contract. See Baltimore City Charter, Article VI, §11 (h)(1)(ii)

Third Supplemental Bid Protest of  
R.E. Harrington Plumbing & Heating Co., Inc.  
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(providing that the Board of Estimates is to “award the contract, as an entirety to the lowest responsive and responsible bidder...”); *also see, e.g., Packard v. Hayes*, 94 Md. 233, 51 A. 32 (1902) (holding that award to the second low bidder is *ultra vires* and void, in that “[t]he one single thing to be done is that the Board [of Estimates] shall open the bids and declare who has offered to furnish the materials or do the work, as the case may be, for the lowest price, subject only to seeing that the bidder is responsible....For the reasons given we are constrained to hold the action of The Board of Awards in awarding the contract in question to the [second low bidder] to be *ultra vires* and void, and we think its execution should have been enjoined by the trial Court.”)

Here, the errors contained within the Part C form – lines items 1 and 3 as circled in Figure 1 above - are clerical in nature. R.E. Harrington will, in fact, be self-performing at least \$509,945.60 of the total amount of its bid, being at least 8%. Significantly, Baltimore City Code, Article 5, § 28-31(d)(1) does not require a bidder to represent either its total dollar value of self-performance, or its total percentage of self-performance. As such, this information cannot possibly be deemed material to the bid. Stated otherwise, it is presumptively improper to penalize R.E. Harrington on account of additional, erroneous information it was not required to supply under the City Code and which poses no prejudice to either the City or other bidders.

- ii. R.E. Harrington committed to self-perform at least fifty one percent of its bid with its own forces.

Pursuant to Baltimore City Specification 00 51 00.8.B, R.E. Harrington committed to self-perform at least fifty one percent (51%) of the contract bid with its own forces. A copy of Specification 00 51 00.8.B is attached hereto as **EXHIBIT 3**. On its cover page as well as elsewhere throughout its bid, R.E. Harrington certified that it familiarized itself with the requirements and stipulations of the contract documents, and committed to achieve the same. Accordingly, the portions of the Part C form which indicate \$254,972.80 and 4% as the total amount of self-performance by R.E. Harrington are self-evident as a clerical error on the face of the bid, as R.E. Harrington committed within the bid documents to self-perform at least 51% of its contract bid with its own forces. This commitment is evident through an examination of the entire bid documents, which include the requirements of Specification 00 51 00.8.B, to which R.E. Harrington committed to abide.

It is well-settled that in Maryland, contracts are construed as a whole to determine the parties' intentions. *See, e.g., Sullivan v. Allstate Ins. Co.*, 340 Md. 503, 508, 667 A.2d 617 (1995). Indeed, the Maryland State Board of Contract Appeals has long held that in determining whether a bidder has committed itself to the minimum affirmative action requirements, the entire contents of the bid must be scrutinized to determine whether the required commitment has been met. *See, Rommel Engineering & Construction*, MSBCA 2398, \_\_\_ MSBCA ¶\_\_\_ (2004) (citing *Track Materials*, MSBCA 1097, 1 MSBCA ¶30 (1982) for the proposition that “the responsiveness of

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the low bid must be measured not by IFB language warning against a determination of non-responsiveness in the event of a failure to sign an affirmative action form, but rather by the presence or absence in the bid package of a bidder's commitment to the affirmative action plan" or to "otherwise demonstrate the bidder's intent to pursue the required level of minority business participation under an awarded contract.")

**B. THE REJECTION OF R.E. HARRINGTON'S BID IN FAVOR OF SPINIELLO'S BID IS ARBITRARY AND CAPRICIOUS.**

Baltimore City Code, Article 5, § 28-14(b) provides as follows:

At its discretion, the Board of Estimates may waive minor defects and errors in a bidder's MBE or WBE submission.

Here, as set forth above, the "error" in R.E. Harrington's MBE submission affects only that portion of the work R.E. Harrington is performing *which does not count toward its MBE goal* – the dollar amount and percentage of self-performance R.E. Harrington indicated it will be counting toward its MBE goal remains unchanged. As such, the error is minor, as it is immaterial to R.E. Harrington's price, quantity or quality, and poses no prejudice to other bidders. Moreover, as demonstrated within R.E. Harrington's Supplemental Protest dated June 17, 2016, this Board has routinely permitted non-compliant bidders to come into compliance within 10 days. At minimum, R.E. Harrington is entitled to equal treatment by this Board, and should be provided 10 days to appropriately correct the clerical errors within its Part C form.

By way of example, C.O.M.A.R. 21.06.02.04 provides as follows with regard to minor irregularities in bids or proposals (emphasis supplied):

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

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

C. The procurement officer shall either give the bidder or offeror an opportunity to cure any deficiency resulting from a minor

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informality or irregularity in a bid or proposal or waive the deficiency, whichever is to the advantage of the State.

Significantly, Department of Public Works acknowledges that "Shekinah Group, LLC" is not in good standing with the State Department of Assessments and Taxation, but indicated that Spiniello "will be allowed to substitute an approved MBE if Shekinah Group, LLC is not in good standing at the time of award."

The Department of Public Work's recommendation to reject R.E. Harrington's bid without any provision of time to come into compliance, while favoring Spiniello's bid and providing it an opportunity to substitute its MBE subcontractor, is disparate treatment. R.E. Harrington is entitled, at minimum, to equal protection under the law, and its low bid should not be passed over in favor of a higher bid which is facially non-compliant.

In Maryland, even when a tribunal is permitted to act at its discretion, its conduct must still be in accordance with the correct legal standard. *See, e.g., LeJeune v. Coin Acceptors, Inc.*, 381 Md. 288, 301, 849 A.2d 451 (2004). Similarly, "arbitrary" is defined as, *inter alia*, a failure to be governed by any fixed rules or standard. *See, Harvey v. Marshall*, 389 Md. 243, 884 A.2d 1171 (2005) (also defining "arbitrary and capricious as, *inter alia*, "without determining principle").

The Department of Public Work's harsh treatment of R.E. Harrington, the low bidder, and its favorable treatment of Spiniello, an out-of-state firm whose bid is over \$300,000 higher than R.E. Harrington, is arbitrary and capricious. This treatment is particularly disparate in light of the Mayor's recent executive order to increase procurement from small business by 5% over the current year, together with proposed policies which would give preference in awarding contracts to firms who can demonstrate local economic impact. Indeed, the Department of Public Works' recommendation of award to Spiniello is not governed by any fixed rule or standard, and is in clear contravention of the Mayor's "determining principle." We believe that rejection of R.E. Harrington's bid and award by this Board to Spiniello would constitute as an abuse of the discretion provided this Board to waive minor defects and errors in a bidder's MBE submission by Baltimore City Code, Article 5, § 28-14(b), and accordingly, would be subject to injunctive and other relief.

#### Conclusion

R.E. Harrington's bid is fully compliant with the MBE goal requirements, as it is counting less than 50% of the dollar value of the work it will self-perform with its own forces toward the 9% MBE goal. The errors within R.E. Harrington's Part C form are clerical in nature, and apply only to those portions not counting toward the MBE goal. As such, they are immaterial, and pose no prejudice. Moreover, R.E. Harrington committed to self-perform at least 51% of its contract bid with its own forces pursuant to Specification 00 51 00.8.B – as such, that portion of the Part C form which indicates otherwise is a clear error, self-evident on the face of the bid. Furthermore, the Board can correctly substitute 51% percent in its place, as inferable from Specification 00 51

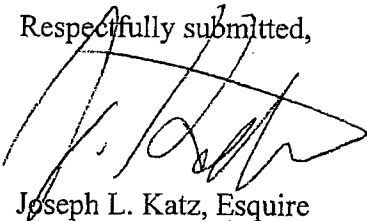


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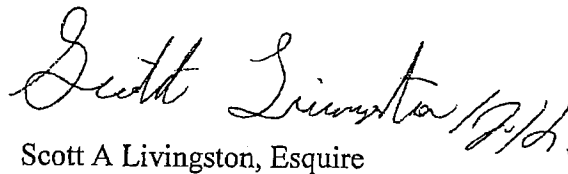
00.8.B. Finally, the rejection of R.E. Harrington's bid for non-compliance with the MBE requirements but the acceptance of Spiniello's bid while providing Spiniello an opportunity to substitute its MBE subcontractor is arbitrary, capricious and if so voted by this Board, would constitute an abuse of discretion.

For all of the above reasons, R.E. Harrington protests the award of W.C. 1278 to any bidder other than R.E. Harrington, and requests that it be awarded the Contract as the lowest responsive and responsible bidder.

Respectfully submitted,



Joseph L. Katz, Esquire



Scott A Livingston, Esquire

**Attorneys for R.E. Harrington Plumbing & Heating Co., Inc.**

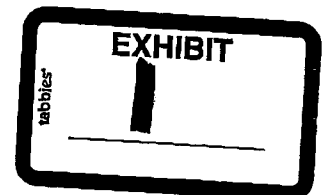
Enclosures

cc: R.E. Harrington Plumbing & Heating Co., Inc.

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

Printed Results from Search

Company	Cert No	Type
<b>R E Harrington Plumbing &amp; Heating Company, Inc.</b>	00-003905	MBE- African American
Address: 300 W. 23Rd Street Baltimore, Md 21211-		
Title: Mr. Robert E. Harrington E-Mail: REHarringtonPHU@comcast.net Phone: Phone: (410)466-4800 Fax: (410)466-0700 Fax: (410)466-0700		
Certified Date: Sep 3 2015		
Expiration Date: Sep 2 2017		
Extension Date:		
Services: UNDERGROUND UTILITIES; CONCRETE CONSTRUCTION; DEMOLITION; CURBS, GUTTERS, AND SIDEWALKS; DRAINAGE STRUCTURES; EARTHWORK AND SITE PREPARATION; FENCING AND GUARDRAILS; EROSION CONTROL; INSULATION; GRADING; CONCRETE FINISHING; REPAIR AND REPLACE UNDERGROUND UTILITY STRUCTURES; DUCT LINE CONSTRUCTION; GABION CONSTRUCTION; AUTOMATIC METER READER INSTALLATION, SANITARY SEWER BYPASS PUMPING		



**PART C: STATEMENT OF INTENT TO SELF-PERFORM**

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

Name of Prime Contractor: R.E. Harrington Plumbing & Heating Co., Inc

Self-Performance to be counted toward the (MBE)  or WBE \_\_\_\_\_ goal. (Check One)

Brief Narrative Description of the Work/Service to be Self-Performed by the Prime Contractor:  
Underground UTILITIES

Materials/Supplies to be furnished by the Prime Contractor:  
\_\_\_\_\_

Total Dollar Amount of Work/Services to be Self-Performed by the Prime Contractor on this Contract: \$ 554,972.80

Total Dollar Amount of Self-Performed Work to be counted toward the MBE or WBE Goal: (May count up to 50% of the total dollar amount of self-performed work): \$ 254,972.80

If this is a Requirements Contract, you may omit the Dollar Amount; however, the Percentage must be included.

Total Percentage of Total Contract to be Self-Performed by Prime Contractor on this Contract: 4 %

Percentage of Self-Performed Work to be counted toward the MBE or WBE Goal: (May count up to 50% of the total percentage of self-performed work): 4 %

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

African American: \_\_\_\_\_% Asian American: \_\_\_\_\_%  
Hispanic American: \_\_\_\_\_% Native American: \_\_\_\_\_%

The undersigned Prime Contractor agrees to Self-Perform the Work/Service indicated above for the Dollar Amount and/or Percentage indicated to meet the MBE/WBE participation goals, subject to the Prime Contractor's execution of a contract with the City of Baltimore. The Prime Contractor is currently certified as an MBE or WBE with the City of Baltimore Minority and Women's Business Opportunity Office to perform the work described above.

Robert E. Harrington  
Signature of Prime Contractor (REQUIRED)

4-20-16  
Date



shall be just cause for the annulment of the Award. It is understood and agreed that in the event of annulment of the Award, the Bidder shall immediately forfeit, to the use of the City, the amount of the certified check and/or Bid bond deposited with its Proposal, not as penalty, but as liquidated damages. As an alternative remedy, the City may elect to start the running of the Contract time (without allowing the Contractor to start work) or to pursue any other remedy allowed to the City under the law or equity.

**00 51 00.08 SUBMISSIONS PRIOR TO AWARD**

- A. Prior to award, the Bidder must submit a Work capacity statement, under oath. These forms must be fully completed and returned within five (5) days after the date of receipt of those forms by the Contractor. The Work capacity statement shall show the volume of Work actually being performed for the City and for others as of the date Bid. The total dollar volume will be a charge against the Contractor's Work capacity after credit for Work performed has been allowed.
- B. Subletting will be permitted within the limits of the Specifications when prequalified Subcontractors are proposed following the opening of Bids. Request for subletting by a Contractor must be accompanied by a Work capacity statement and consent of Surety for each Subcontractor requested. The Prime Contractor must perform at least fifty one percent (51%) of the Contract Bid total with its own forces.
- C. Only prequalified Subcontractors will be approved to perform subcontract Work.

**00 55 00 NOTICE TO PROCEED**

**00 55 00.01 NOTICE TO PROCEED AND PROSECUTION OF WORK**

Subject to the provisions of 00 51 00.07 (Contractor to execute required documents and start Work promptly). The Contractor shall begin the Work to be performed under the Contract at the time and/or on the date stated in the "Notice to Proceed" given by the Engineer to the Contractor. Commencement of Work by the Contractor prior to Notice to Proceed shall be deemed and taken as a waiver of this notice on the Contractor's part, and the Contractor accepts sole responsibility for any such early commencement of Work prior to receipt of Notice to Proceed and the specified commencement date set forth therein. The place where the Work is to be started either will be stated in the Notice to Proceed or the Contract Documents and/or marked on the job site. The Work shall be prosecuted from as many different points, in such part or parts and at such times as may be directed and/or permitted in the Contract Documents, and shall be conducted in such a manner and with sufficient materials, equipment and labor as is considered necessary to insure its completion within the time set forth in the Contract Documents. Should the prosecution of the Work for any reason be discontinued by the Contractor with the consent of the Engineer, it shall notify the Engineer at least twenty-four (24) hours before again resuming operation.



MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works

TRANSFER OF FUNDS- cont'd

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$9,358,245.00</b>	9960-909100-9558	
Water Revenue	Constr. Res.	
Bonds	Water Infrastruc-	
	ture Rehab	
\$ 668,330.00	-----	9960-905668-9557-2
		Extra Work
668,330.00	-----	9960-905668-9557-3
		Engineering
937,605.00	-----	9960-905668-9557-5
		Inspection
6,683,000.00	-----	9960-905668-9557-6
		Construction
<u>400,980.00</u>	-----	9960-905668-9557-9
<b>\$9,358,245.00</b>		Administration

The funds are required to cover the cost of the award for W.C. 1278, Old York Road and Vicinity Water Main Replacement.

President: "The first item on the non-routine agenda can be found on page 74, items 3 and 4, Contract Awards and Transfer of Funds, W.C. 1278, Old York Road and Vicinity Water Main Replacements. Will the parties please come forward?"

Mr. Art Shapiro: "Good Morning Council President."

President: "Good Morning."

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

Department of Public Works - W.C. 1278 - cont'd

Mr. Shapiro: "Madam Mayor. I'm Art Shapiro, representing the Department of Public Works, Engineering and Construction Office. Uh -- we're here to recommend the award for WC 1278 which is the Old York um -- Old York Road and Vicinity Water Main Replacement project. The low bid uh -- was received from R.E. Harrington. That was considered non-compliant by MWBOO office. So, we recommend the award go to the next low bidder, which is Spiniello um -- as their bid was deemed compliant by the MWBOO office in the amount of \$6,683,300.00."

President: "Okay."

Mr. Scott Livingston: "Good Morning -- Good Morning to all --"

President: "Speak into the mic."

Mr. Livingston: "My name is Scott Livingston, I'm an attorney and I represent R.E. Harrington. The purpose of my remarks today are to persuade you that my client R.E. Harrington to bid was appropriate. They made two clerical mistakes, it's easier to show you than it is to describe and if the Board doesn't mind, I'm going to hand it to you. Okay."

Mayor: "We have that."

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works - W.C. 1278 - cont'd

Mr. Livingston: "Oh, you have that. Okay. The actual bid was not \$254,000.00. The bid is expressed in the bid when you look at the bottom line of the bid sheet. The bid is expressed correctly in the bid that we submitted and the bid that was submitted shows that we bid \$6.3 million dollars. So, that was a clerical error but it's not a harmful area -- error, it's more of a harmless error cause after all, if the bid is taken as a whole, you would find the \$6.3 million dollar bid at the bid page. But as a clerical matter, the -- these documents prefer to have that written down correctly and it was incorrect. But our bid is at 6.3 million, so is our bid bond. The next thing is that the other 4% -- 4% of the \$6.3 million is \$259,000.00. But, 4% is not um -- but the -- the amount of 259 multiply times 4% is not the tiny little bit of MBE participation. So, it would have required the agency to look at the entire bid and recognize that our bid price at \$6.3 million would yield the result that we're the low bidder and we're committed to reaching the MBE goals. Mr. Harring-- Harrington itself -- uh -- Harrington itself is an MBE. It's a certified MBE for quite some

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

Department of Public Works - W.C. 1278 - cont'd

time and it realized that it could have self-performed a whole lot more of this work but elected to so-call share the wealth and that's why it got uh -- percentages of MBE and WBE percent by other parties. But, it could have elected, like I said, to reach all of the MBE goals itself, but it did not do so. It recognizes that spirit of the MBE program which it's been a beneficiary of for some time. So, under the circumstances, I would treat this as a harmless error. Uh -- In the Parliaments of State Procurement Law which does not govern this Body, it would be called a minor irregularity. And the Parliaments of the City, is -- uh -- the green, you know, the bright green book with all the specs in it, says that when it comes to MBE participation, that the Board of Estimates has the discretion to waive errors like this. You have the discretion to waive errors like this, you have the authority to waive errors like this but I prefer it, of course, if you don't exert that authority, instead save \$380,000.00 and have the MBE con -- prime contractor whose committed to achieving the entire MBE goal but



## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works - W.C. 1278 - cont'd

didn't fill out the form right. To be awarded to Harrington. Thank you, and my colleague Joe Katz has a -- a -- couple more points and if you may -- if you allow me, I'd like him to have an opportunity to speak."

Mr. Joseph Katz: "Thank you. Mr. President, Madam Mayor, Mr. Solicitor, Honorable Members. My name is Joseph Katz and I also represent R.E. Harrington Plumbing and Heating -- uh -- with regards to the protest of Water Contract 1278. Uh - Honor -- Honorable members, the bid complies with the MBE goals. Because, there's 5% from up from sub-contractors as well as 4% from R.E. Harrington. The total amount of self-performed work, \$254,972.80 is incorrect. It's a mistake, we acknowledged that. Honorable members, it's a clerical error and you have in front of you -- in front -- in the bid book, you know what number to fill in there, because under specification uh -- 81.5, it's in the protest uh -- mor -- more precisely.

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

Department of Public Works - W.C. 1278 - cont'd

There's a requirement in Baltimore City that all prime contractors self-perform 51% of the work. R.E. Harrington has committed in signing the bid, to comply with the contract, the specifications, and all the requirements. So, Honorable Members, you can substitute the correct numbers because you have them in front of you, 51% of the \$6,683,300 -- 300 \$6,683,300.00 at minimum will be self-performed by R.E. Harrington. You know that because they committed to meet the requirements of the contract which include 51% self-performance. So, this error is clear on its face, it's -- it -- it can be calculated by the members and corrected in that sense because you have it in other places of the bid. I ask you to exercise your discretion to waive minor errors particularly because you know what the numbers at minimal will be, 51% self-performance. R.E. Harrington is, from my understanding, perhaps the only minority prime-contractor performing capital construction work for the Department of Public Works.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works - W.C. 1278 - cont'd

The other um -- the -- the next low \$300,000.00 um -- higher, is a New Jersey company. Madam Mayor, uh -- you yourself have indicated that you support local economic growth and have proposed policies before this Board to highlight that which -- which we -- we, of course, support that vision as well. R.E. Harrington being the only minority prime contractor doing capital construction -- it -- it --"

Mr. Livingston: "Utility work."

Mr. Katz: "-- utility work, water, sewer, etcetera. Being the only minority contrac-- prime contractor here in the City doing that kind of work, is it -- is it the first step in that vision, and we ask that the Board vote in favor of the determining principle of this administration. To act otherwise would be arbitrary and capricious to the extent that the determining principle of this administration has been made clear and any vote contrary to that determining principle, more local economic growth particularly when that -- when that bidder is the low bidder and it's only a minor error that is re-calculable on its face within the bid book. We ask that this Board utilize its discretion to waive the error and award this contract to the low bidder, R.E. Harrington."

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

Department of Public Works - W.C. 1278 - cont'd

President: "Madam Mayor."

Mayor: "If anybody any questions, we can do that -- if you don't mind -- I mean -- anybody have any questions? So uh -- So, first I want to thank you for acknowledging the fact that -- I think that -- that my administration has shown that um -- we support -- I support the administration across the Board supports um -- local businesses. Uh -- and we work very hard uh -- to make sure that the work that is done by the City - that the tax payers dollars that are being used whether is for -- whether it's the water utility fund or general funds or whatever the -- the things that are being used, that we -- that we focus on trying to make the most local impact, whether it's um -- MBE, WBE, small business -- all of those things. So, I appreciate that. The challenge that -- the uh -- I don't want to -- the challenge that I have and that I know that is shared um -- by at least the Director of DPW, I don't want to speak for anyone else, is that while you're calling it -- a -- a minor um -- mistake, I've lost count on how many times that R.E. Harrington has been here for the same exact thing, and -- and -- one time, I get it."

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

Department of Public Works - W.C. 1278 - cont'd

When it happened, it was uh -- I forget the amount that was the -- the next bidder it was significant enough that I asked my -- my team to make um -- intentional uh -- outreach and overages to R.E. Harrington so something like this wouldn't happen again, and I know my team reached out. It happened again and we were put in the -- you know -- same position um -- where we're looking at what, in many of -- uh our estimations was avoidable errors on the contracts and -- you know, we're being asked to make a decision, well, do you care about local business or not? Absolutely we care about local business. But, this is not -- we're talking about um -- you know, hundreds of thousands and at some -- at some point, millions of dollars in contracts and there is a way to do business and all we're asking is R.E. Harrington com -- confir -- uh -- comply with that way to do business. Time after time after time it's the same exact thing so it's sending up a red flag. You all are -- are -- I'm sure you're very capable attorneys. No, I don't understand why --

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

Department of Public Works - W.C. 1278 - cont'd

you know, somebody's not sitting down that's representing his interest and going through this. I mean -- I -- I -- that -- that I think he'd be better serve by having somebody with better technical skills and um -- writing skills help him before we get to this position. I don't think any of us take any delight in being in this position again but we're in this position because of work that R.E. Harrington submitted and -- and submitted again incorrectly."

Mr. Katz: "Madam Mayor, I appreciate your comments and I will tell you I -- I will waive the attorney-client privilege to the extent that I will tell you that the first thing I told Mr. Harrington is that we will be involved in future bids and we will ensure that they're as correct as -- as they can be. So, I -- I don't think we will be in here again on this -- on these issues. I ask that they be given the opportunity to continue their business and their -- their -- their financial constraints are such that um -- they need the contract and they're the low bidder on the contract and we ask that for \$300,000.00, the Board waive the minor and harmless error."

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works - W.C. 1278 - cont'd

President: "I entertain a MOTION."

Director of Public Works: "MOVE to award WC 1278 to Spin -- uh -- Spiniello Companies."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

\* \* \* \* \*

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- |    |                                |                                                |    |      |
|----|--------------------------------|------------------------------------------------|----|------|
| 5. | B50002361, Compressed<br>Gases | Airgas USA, LLC,<br>d/b/a Airgas East,<br>Inc. | \$ | 0.00 |
|----|--------------------------------|------------------------------------------------|----|------|

(Dept. of General Services, etc.)

**MWBOO GRANTED A WAIVER.**

- |    |                                                                                                                                          |                                                                                                                          |  |                |
|----|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|--|----------------|
| 6. | B50004568, Provide<br>Various Rental<br>Vehicles<br><br>(Police Department,<br>Sheriff's Office,<br>Department of<br>Recreation & Parks) | Acme Auto Leasing,<br>LLC<br>All Car Leasing,<br>Inc. d/b/a<br>Nextcar<br>Enterprise RAC<br>Company of<br>Baltimore, LLC |  | \$3,500,000.00 |
|----|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|--|----------------|

**MWBOO GRANTED A WAIVER.**



**MINUTES**

Bureau of Purchases - Open Price Proposals

**ACTION REQUESTED OF B/E:**

The Board is requested to accept the technical proposals submitted in response to Solicitation No. B50004357, Provide Water Taxi/Commuter Services in Baltimore Harbor by HMS Ferries, Inc. and Harbor Boating, Inc. The Board is further requested to open the envelope "B" containing the Price Proposals.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On April 27, 2016, the Board opened the Technical proposals for the above referenced solicitation for the Department of Transportation. The two technical proposals received were scored by an evaluation committee and each achieved the minimum technical score.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board accepted the technical proposals submitted in response to Solicitation No. B50004357, Provide Water Taxi/Commuter Services in Baltimore Harbor by HMS Ferries, Inc. and Harbor Boating, Inc.

## MINUTES

Department of Transportation - Stipend Agreements

The Board is requested to approve and authorize execution of the following Stipend Agreements with the Prime Contractors to pay the contractors who submitted acceptable proposals for TR 12317, for Central Avenue Streetscape and Harbor Point Connector Bridge (Design-Build) but were not selected for award.

<u>Prime Contractor</u>	<u>Percentage</u>	<u>Amount</u>
1. <b>CORMAN CONSTRUCTION CO.</b>		<b>\$35,000.00</b>
<u>Subcontractors:</u>		
Whitney, Bailey, Cox & Magnani	63.95%	\$22,384.03
EBA Engineering, Inc.	21.21%	\$ 7,423.85
Schnebel Engineering	7.57%	\$ 2,648.98
KGP Design Studio	4.71%	\$ 1,649.71
Sidhu Associates, Inc.	2.03%	\$ 710.09
Floura Teeter Landscape Architects	0.52%	\$ 183.35
2. <b>JOSEPH B. FAY CO.</b>		<b>\$35,000.00</b>
<u>Subcontractors:</u>		
Wallace Montgomery & Associates, LLC	60.00%	\$21,000.00
Century Engineering, Inc.	40.00%	\$14,000.00

Account: 9950-905023-9508-900010-706001

On Wednesday, March 30, 2016, the Board approved the award of TR 12317 to Allan Meyers-MD. The Design Build Resolution approved by the Board on November 12, 2011 and the Special Provisions of the contract documents, Section TC-2.13 Stipend, authorizes a stipend to the above-listed prime contractors for the work product they submitted for the technical and price proposal.

**MINUTES**

Department of Transportation - cont'd

Section TC-2.13 Stipend, in the contract documents informed bidders that Baltimore City understands that firms invited to submit price proposals on Design-Build projects may incur higher than normal bid preparation costs in the engineering effort to submit responsive bids for the project. A stipend in the amount of \$35,000.00 will be made available to proposers who submit an acceptable proposal and are not selected for award of the contract.

The above-listed prime contractors submitted all materials, electronic files, marked-up drawings, cross sections, quantity list, and other materials used in the development and submission of the price proposals, which are now the property of the City. The Contractors have agreed to distribute the stipend to their subcontractors.

**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 Stipend Agreements with the above-listed Contractors to pay the contractors who submitted acceptable proposals for TR 12317, for Central Avenue Streetscape and Harbor Point Connector Bridge (Design-Build), but were not selected for award.

## MINUTES

Mayor's Office of Human Services (MOHS) - Continuum of Care  
Program Agreements

The Board is requested to approve and authorize execution of the Continuum of Care Program Agreements.

1. **AIDS INTERFAITH RESIDENTIAL SERVICES, INC.** **\$1,101,748.00**

Account: 4000-407016-3571-757001-603051

On March 16, 2016, the Board approved a three-month advance of funds in the amount of \$360,509.00 to allow the organization to provide support services to homeless individuals. The agreement includes an additional \$1,101,748.00 making the total contract amount \$1,462,257.00. Under the terms of this agreement, in the amount of \$1,462,257.00, AIDS Interfaith Residential, Inc. will provide housing assistance to 108 households. The period of the agreement is April 1, 2016 through March 31, 2017.

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

**MWBOO GRANTED A WAIVER.**

2. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$ 84,187.50**

Account: 4000-407016-3571-757301-603051

On March 16, 2016, the Board approved a three-month advance of funds in the amount of \$29,269.00 to allow the organization to provide support services to homeless individuals. Under the terms of this agreement in the amount of \$113,456.50, Associated Catholic Charities, Inc. will use the funds to provide support to 76 households under its Project BELIEVE Program, which provides a permanent housing program for homeless men and women returning to the community after incarceration and/or other reasons for homelessness.

**MINUTES**

MOHS - cont'd

Participants are housed in scattered site units throughout Baltimore City. Additional services include, case management and referrals to primary and mental health care and other supportive services. The goals for the program include increasing housing stability, increasing skills and/or income and enhancing self-determination. Clients will participate in programs and services currently offered at Our Daily Bread Employment Center, including job readiness training, GED referral, and other client services. The period of the agreement is February 1, 2016 through January 31, 2017.

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

**MWBOO GRANTED A WAIVER.**

**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 Continuum of Care Program Agreements.

**MINUTES**

Bureau of the Budget &  
Management Research (BBMR)

- FY 2017 Budget & Property  
 Tax Surcharge Rate - Midtown  
Community Benefits District

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Midtown Community Benefits District (MCBD) FY 2017 budget and property tax surcharge rate.

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2017 property tax surcharge rate is \$0.132 per \$100.00 of assessable value. The surcharge rate is the same as it was for FY 2016.

**BACKGROUND/EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rate for the Midtown Community Benefits District. The MCBD has submitted its plan for Fiscal 2017. Property owners in the District will pay the same surcharge rate on their property taxes in Fiscal 2017 as in Fiscal 2016. The rate is set at \$0.132/\$100.00 of assessable value.

The Fiscal 2017 estimated surcharge tax revenues have decreased 1.79% or \$55,771.00 to \$1,183,710.00 compared to \$1,205,239.00 in Fiscal 2016. The budget includes a \$59,186.00 allowance of over-estimated surcharge tax revenue, resulting in a net income of \$1,124,525.00. The MCBD will augment this revenue with additional grant contributions and service fees. The MCBD has also corrected the budgeted allowance for uncollectable surcharge tax revenue from 10% to 5% of total projected revenue, a change from \$120,524.00 in Fiscal 2016 to \$59,186.00 in Fiscal 2017. This reduction, based on a study of historic actuals over the last 5 fiscal years, nullifies the dip in anticipated revenue for Fiscal 2017. As of April 30, 2016, the total cash reserves for the MCBD were \$422,874.00. This represents approximately three-months of operating expenses.

**MINUTES**

BBMR - cont'd

The MCBBD provides the Bolton Hill, Charles North, Madison Park, and Mount Vernon neighborhoods with enhanced cleaning, safety, and maintenance services, including: daily sidewalk cleaning; alley trash collection and weeding; leaf collection; public green space maintenance and; increased safety patrols.

The management team for the MCBBD has been a positive force in the Midtown area since it began operations. The BBMR recommends that the Board approve the budget plan and surcharge tax rate.

MIDTOWN COMMUNITY BENEFITS DISTRICT  
Proposed FY2017 Budget Summary

Budget adopted by the  
Midtown Board on 4/6/16

Projected Income	Clean	Green	Safe	Admin	FY2017 TOTAL	FY2016 Budget
1 Property Tax surcharge					\$ 1,183,710	\$ 1,205,238.73
Allowance for over-estimated surtax 5%					(59,186)	(120,524)
2 Net Income					\$ 1,124,525	\$ 1,084,715
3 Contributions					69,812	69,812
4 Interest Earned					500	500
5 Service fees					20,000	15,000
6 Total Income					\$ 1,214,837	\$ 1,170,027
Projected Expenses	Clean	Green	Safe	Admin	TOTAL	TOTAL
7 Accounting	5,073	1,326	1,900	1,401	9,700	9,700
8 Advertising	418	109	157	116	800	800
9 Audit	4,706	1,231	1,763	1,300	9,000	9,000
10 Bank service charges	131	34	49	36	250	250
12 Computer expenses	784	205	294	217	1,500	1,500
13 Consultants	2,092	547	784	578	4,000	2,000
14 Depreciation	15,649	4,092	5,862	4,323	29,926	36,432
15 Dues & Subscriptions	157	41	69	43	300	300
16 Employee benefits	47,535	12,430	17,805	13,130	90,900	97,800
17 Equipment rental	183	48	69	51	350	350
18 Fuel Expense	15,186	3,971	5,688	4,195	29,040	35,000
19 Fundraising Expense	1,307	342	490	361	2,500	500
20 Insurance - Gen liability	27,033	7,069	10,126	7,467	51,694	41,800
21 Insurance - Workers Comp	19,765	5,168	7,403	5,459	37,796	33,000
22 Interest paid	2,285	597	856	631	4,369	800
23 Leased Equipment	11,818	3,940	0	2,000	18,012	7,878
24 Legal fees	261	68	98	72	500	500
25 Licenses & Permits	261	68	98	72	500	500
26 Miscellaneous	198	52	74	55	378	200
27 Newsletter	288	75	108	79	550	550
28 Meals	523	137	196	144	1,000	1,000
29 Meetings & Conferences	941	246	353	260	1,800	2,150
30 Moving Expenses	0	0	0	0	0	5,550
31 Occupancy (rent, etc.)	27,231	7,120	10,200	7,521	52,072	47,600
32 Office expenses	1,935	506	725	534	3,700	5,200
33 Payroll Service	3,244	848	1,215	896	6,204	6,000
34 Postage	1,883	482	705	520	3,600	3,600
35 Printing	2,092	547	784	578	4,000	2,800
36 Program Exp - Clean/Green	16,140	3,000	0	0	19,140	25,162
37 Program Exp- temporary labor	4,000	2,000	0	0	6,000	6,000
38 Program Exp - Safety	0	0	7,528	0	7,528	3,000
39 Program Exp - Outreach	2,000	1,000	0	1,000	4,000	1,000
40 Repair & maint. - facility	0	0	0	0	0	1,800
41 Repair & maint. - equipment	4,675	1,222	0	1,291	8,939	10,319
42 Repair & maint. - vehicles	5,046	1,319	0	1,394	9,649	9,000
43 Salaries	273,991	137,637	162,180	111,051	684,859	658,789
44 Simple IRA	2,615	684	979	722	5,000	5,000
45 Small equipment	1,569	410	588	433	3,000	1,500
46 Telephone & DSL	2,353	615	881	650	4,500	4,500
47 Telecommunications system	8,106	2,119	3,036	2,239	15,500	14,500
48 Taxes - payroll	34,661	9,063	12,983	9,574	66,281	63,697
49 Training expenses	784	205	294	217	1,500	1,500
50 Travel	261	68	98	72	500	1,000
51 Uniforms	7,321	1,914	2,742	2,022	14,000	\$ 10,500
51 Total Expenses	\$ 556,501	\$ 212,569	\$ 259,167	\$ 182,705	\$ 1,214,837	\$ 1,170,027
52 NET					\$ (0)	\$ 0
53 FY2017 % of total budget	46%	17%	21%	15%	100%	100%



**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved the Midtown Community Benefits District FY 2017 budget and property tax surcharge rate.

**MINUTES**

Bureau of the Budget &  
Management Research (BBMR)

- FY 2017 Budget and Property  
Tax Surcharge Rate - Waterfront  
 Management District

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Waterfront Management District (District) FY 2017 budget and property tax surcharge rate.

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2017 surcharge rate is set at \$0.17 per \$100.00 of assessable value. The surcharge rate is the same as it was for FY 2016.

**BACKGROUND/EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rate for the Waterfront Management District. The District has submitted its plan for Fiscal Year 2017. Property owners in the District will pay the same surcharge rate on their property taxes in Fiscal 2017 as in Fiscal 2016. The rate is set at \$0.17 per \$100.00 of assessable value. Surcharge fee revenues have increased 13.2% or \$228,910.00 from \$1,731,264.00 in Fiscal 2016 to \$1,960,174.00 in Fiscal 2017. The increased surcharge revenue reflects the additional expansion area that was approved during Fiscal 2016.

Revenue from the surcharge tax collections represents 66.5% of the District's total \$2,948,270.00 budget. The District will also receive \$356,663.00 in funding from the City of Baltimore as a grant payment from the Baltimore Development Corporation. As of May 13, 2016, the Waterfront Management District has \$716,095.00 in reserve funding, which represents a total value of three months of its annual budget.

**MINUTES**

BBMR - cont'd

The District has continued to provide services of significant value to the City and citizens of Baltimore, including: performing safety and hospitality services; landscaping; cleaning; creation of family friendly events; marketing the waterfront to local residents; and more recently, creating new attractions and adding amenities to existing Park areas. All services provided are intended to attract and retain local families to the area.

The District's fiscal management is a positive force in the Waterfront area. The BBMR recommends that the Board approve the proposed budget plan and surcharge tax rate.

## MINUTES

*W0 - Waterfront Partnership Unrestricted*

	<u>07/01/2016 - 06/30/2017</u>	<u>Comaprisn to</u>
	<u>FY 2017 Budget</u>	<u>FY 2016 Budget</u>
Revenue and support		
Private taxable property owners	1,960,174.40	1,731,264.12
Baltimore City contract	425,000.00	425,000.00
Nonprofit property owners	66,000.00	66,000.00
Corporate partners	150,000.00	182,000.00
Transportation	155,000.00	-
Sponsorship - Events & Park Prog.	39,948.00	141,975.00
WLIFE	0.00	-
Event coordination fee	34,606.00	23,748.98
Food and beverage sales	6,000.00	5,700.00
Tickets	23,471.06	7,722.65
Contract service fees	69,070.20	101,898.20
Interest income	<u>19,000.00</u>	<u>15,000.00</u>
Total Revenue and support	<u>2,948,269.66</u>	<u>2,700,308.95</u>
Expenses		
Hospitality and Safety	809,354.36	780,956.00
Exterior Janitorial	741,002.35	631,566.84
Landscaping	386,539.77	381,547.00
Marketing	146,116.88	147,273.00
Marketing Waterfront Life	0.00	70,000.00
Park Programming & Events	219,503.00	150,458.90
WSP Programming	0.00	7,176.00
Corporate Cultivation	0.00	63,298.21
Fells Point Main Street	0.00	75,990.00
Federal Hill Park	42,548.26	-
Healthy Harbor	141,434.00	124,740.00
Transportation	155,000.00	-
Waterwheel	36,000.00	37,027.00
Administration	243,071.04	222,576.00
Fundraising	<u>27,700.00</u>	7,700.00
Total Expenses	<u>2,948,269.66</u>	<u>2,700,308.95</u>
Change in Net Assets before non-operating expenses	(0.00)	(0.00)
Non-operating expenses		
Waterwheel Depreciation	71,000.00	65,000.00
Harris Creek Waterwheel Depreciation	<u>27,620.00</u>	-
Total Non-operating expenses	<u>98,620.00</u>	<u>65,000.00</u>
Change in Net Assets	<u>(98,620.00)</u>	<u>(65,000.00)</u>

**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved the Waterfront Management District FY 2017 budget and property tax surcharge rate.

**MINUTES**

Bureau of the Budget &  
Management Research (BBMR)

- FY 2017 Budget & Property Tax  
 Surcharge Rate - Charles Village  
Benefits District

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Charles Village Community Benefits District (CVCBD) FY 2017 budget and property tax surcharge rate.

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2017 property tax surcharge rate is \$0.12 per \$100.00 of assessable value. The surcharge rate is the same as it was for FY 2016.

**BACKGROUND/EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rate for the Charles Village Benefits District. The CVCBD has submitted its plan for Fiscal 2017. Property owners in the CVCBD will pay the same surcharge rate on their property taxes in Fiscal 2017 as in Fiscal 2016. The rate is set at \$0.12 per \$100.00 of assessable value.

The Fiscal 2017 estimated surcharge tax revenues have decreased 1% or \$6,980.00 to \$719,804.00 compared to Fiscal 2016. The CVCBD will augment this revenue with funding from an existing contract with Johns Hopkins University and an existing grant from the Goldseker Foundation both of which will continue in Fiscal 2017. Under these agreements, the CVCBD will provide enhanced safety services including safety patrols (increased to 132 hours per week from 130 in Fiscal 2016) and safety-related support services for residents and businesses including neighborhood walkers on patrol, safety audits, victims' assistance and court watch. The CVCBD will provide sanitation services, which will include sweeping sidewalks and gutters, maintaining 91 CVCBD trash cans, removing bulk trash, and monitoring its Rat Abatement project contractor.

**MINUTES**

BBMR - cont'd

The CVCBD outreach services will include issuing a weekly crime alert, a monthly sanitation alert and an Annual Report, and regularly maintaining a website that includes minutes of Board meetings, financial statements, Executive Director's Reports and safety and sanitation services data.

The CVCBD has taken positive steps to assure a sound financial operation. As of mid-April 2016, the organization's reserve balance has increased from last year by 3.5% to \$151,178.00, which represents 2 months of expenditures. At this time last year, the CVCBD's reserve balance was \$142,075.00. The Budget Bureau encourages the Charles Village Benefits District to work towards building a reserve fund at a minimum of 25% of its annual budget (or approximately three months of the annual operating budget).

## MINUTES

Charles Village Community Benefits District Proposed Budget FY 2016-2017										
Income/Expense	FY'17 Proposed Budget	Admin	%	Sanitation	%	Safety	%	Outreach	%	FY'16 Budget Comparison
<b>ANTICIPATED INCOME</b>										
Property Tax Surcharge - current year	719,804	58,209		329,673		309,276		22,646		726,784
Property Tax Surcharge - recover from prior yrs	50,000	3,000		18,500		26,000		2,500		-
Exempt Property Contributions	83,000	6,030		35,370		40,030		1,570		71,000
<i>Johns Hopkins University</i>	68,000									68,000
<i>All others</i>	15,000									3,000
Grants	69,630			9,630		60,000				-
<i>Goldseker Foundation Public Safety Project</i>	60,000									
<i>HCPI Spruce Up- Dog Waste Station Project</i>	9,630									
Program Revenue	70,260			5,700		64,560				96,388
<i>JHU - HCPI North Charles Street Safety Alliance</i>	64,560									90,688
<i>CSX - sanitation services</i>	2,700									2,700
<i>Jenkins Associates. - Vineyard Reading Garden</i>	900									900
<i>Miscellaneous Fee for Service</i>	2,100									2,100
<b>Total Anticipated Income</b>	<b>\$992,694</b>	<b>\$67,239</b>	<b>7%</b>	<b>\$398,873</b>	<b>40%</b>	<b>\$499,866</b>	<b>50%</b>	<b>\$26,716</b>	<b>3%</b>	<b>\$894,172</b>
<b>ANTICIPATED EXPENSES</b>										
<b>Personnel Expenses: Compensation</b>										
Salaries/wages (all F/T and P/T regular staff)	397,126	50,660		266,266		60,332		19,868		363,972
Contract Labor (Police Officers & Dir. of Safety)	312,744					312,744				265,060
<b>Subtotal Compensation</b>	<b>709,870</b>	<b>50,660</b>	<b>7.1%</b>	<b>266,266</b>	<b>37.5%</b>	<b>373,076</b>	<b>52.6%</b>	<b>19,868</b>	<b>2.8%</b>	<b>629,032</b>
<b>Personnel Expenses: Benefits</b>										
Payroll Taxes	41,000	2,870		15,785		21,115		1,230		42,000
Workers' Comp. Insurance	24,699	1,729		9,509		12,720		741		20,700
Payroll Service Fees	5,200	364		2,002		2,678		156		4,500
Health Insurance	55,000	3,850		21,175		28,325		1,650		48,000
<b>Subtotal Benefit</b>	<b>125,899</b>	<b>8,813</b>		<b>48,471</b>		<b>64,838</b>		<b>3,777</b>		<b>115,200</b>
<b>Subtotal Personnel</b>	<b>835,769</b>	<b>59,473</b>		<b>314,737</b>		<b>437,914</b>		<b>23,645</b>		<b>744,232</b>
<b>Program Expenses</b>										
Printing/Publishing/Web	3,000	210		1,155		1,553		82		3,000
Supplies	18,000	1,260		6,930		9,317		493		18,000
Uniforms	8,400	588		3,250		4,332		230		8,400
Contracts	26,130			19,380		6,750				17,000
<i>Rat Abatement Project - pest control</i>	13,500									15,000
<i>CV Tree Canopy Project - tree watering</i>	3,000									2,000
<i>Dog Waste Station Project</i>	9,630									-
Auto Insurance	11,153			11,153						5,000
Vehicle Op. (fuel, maint., etc)	12,000			12,000						12,000
<b>Subtotal Program</b>	<b>78,683</b>	<b>2,058</b>		<b>53,868</b>		<b>21,952</b>		<b>805</b>		<b>63,400</b>
<b>Facility Expenses</b>										
Janitorial/Cleaning	500	35		200		250		15		1,500
Maintenance/Additions	500	35		200		250		15		1,000
Rent	32,208	2,255		12,400		16,671		882		31,034
Telephone	4,800	336		1,848		2,484		132		4,800
Utilities	5,700	399		2,195		2,950		156		3,000
<b>Subtotal Facilities</b>	<b>43,708</b>	<b>3,060</b>		<b>16,843</b>		<b>22,605</b>		<b>1,200</b>		<b>41,334</b>
<b>Overhead Expenses</b>										
Accounting/Legal	14,000	980		5,390		7,246		384		14,000
Advertising	1,500	105		578		776		41		1,500
Bank Charges	1,000	80		540		340		40		1,000
Computer Support	7,200	504		2,772		3,727		197		7,200
D and O Insurance	2,800	196		1,078		1,449		77		2,700
Property and Liability Ins.	5,400	378		2,079		2,795		148		13,121
Misc.	500	35		193		258		14		4500
<b>Subtotal Overhead</b>	<b>32,400</b>	<b>2,278</b>		<b>12,630</b>		<b>16,591</b>		<b>901</b>		<b>44,021</b>
<b>Total Anticipated Expenses</b>	<b>\$990,560</b>	<b>\$66,869</b>	<b>6.8%</b>	<b>\$398,078</b>	<b>40.2%</b>	<b>\$499,062</b>	<b>50.4%</b>	<b>\$26,551</b>	<b>2.7%</b>	<b>\$892,987</b>
<b>Excess Income Over Expense</b>	<b>2,134</b>	<b>370</b>		<b>795</b>		<b>804</b>		<b>165</b>		<b>1,185</b>



**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Charles Village Community Benefits District FY 2017 budget and property tax surcharge rate.

**MINUTES**

Bureau of the Budget & Management Research (BBMR) - FY 2017 Budget & Property Tax Surcharge Rate - Downtown Management Authority

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Downtown Benefits District the approval of the Downtown Management Authority (DMA) FY 2017 budget and property tax surcharge rate.

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2017 property tax surcharge rate is \$22.39 per \$100.00 of assessable value. This a 1.0 cent increase per \$100 assessable value from FY 2016.

**BACKGROUND/EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rate for the Downtown Management Authority (DMA). The DMA's proposed Fiscal 2017 budget includes a 1.0 cent increase per \$100.00 assessed value to the Fiscal 2017 special benefits district surcharge tax rate for all properties located within DMA's property tax system. This is a change from 21.39 cents to 22.39 cents per \$100.00 of assessed value. In Fiscal 2016, the DMA's assessable tax base was set at \$2,900,180,008.00 in Fiscal 2017, the projected assessable tax base has increased by \$102,665,425.00 to \$3,002,845,433.00. Based on the Fiscal 2017 assessed rate, the proposed rate increase would result in total property surcharge revenue of \$6,700,371.00 (less \$23K surcharge discount allowance) versus the Fiscal 2016 budgeted amount of \$6,203,485.00.

## MINUTES

BBMR - cont'd

In addition to the property surcharge tax, DMA is authorized to impose a surcharge on public utilities. For public utilities, the Fiscal 2016 surcharge was set at 53.47 cents per \$100.00 of assessed value. The Fiscal 2017 proposal will increase the rate to 55.97 cents per \$100.00 of assessed value, which is 2.5 times the real property tax rate set by Maryland Code 6-302.

The total Fiscal 2017 budgeted surcharge revenue for DMA is \$6,906,419.00. This is a proposed increase of 9.6% or \$607,185.00 over the Fiscal 2016 budget of \$6,299,234.00. After the unrest of April 2015, the DMA's Board of Directors created a

Task Force to consider an increase in the DMA's surcharge in order to empower the Downtown Partnership to direct more money into its community outreach programs. The Task Force came back with a recommendation to increase the surcharge by one cent, which, in Fiscal 2017, would generate approximately \$300,000.00 in additional funds. The funding will be used to support the following programs: 1) Employment of Ex-Offenders, Homeless, City Residents; 2) Employment skills training; 3) Internships, Youthworks, and Hire One Youth; 4) Grants to local businesses (Operation: Storefront, façade grants); 5) Assistance to homeless individuals (housing, transit); 6) Support for substance abuse outreach; 7) Inner Harbor Project - teen ambassadors; 8) Vendor opportunities - locally owned businesses, and; 9) Use of MBE/WBE contractors.

Estimated property tax surcharge revenue for Fiscal 2016 had previously increased \$236,342.00 or 3.90% to \$6,299,234.00, compared to \$6,062,892.00 for Fiscal 2015. In addition to property surcharge revenue, the proposed budget includes \$1,106,312.00 in budgeted revenue from other sources, including a \$350,000.00 grant from the City's Department of Public Works.

## MINUTES

BBMR - cont'd

Per the June 2015 audit report, DMA held \$871,136.00 in the Management Restricted Operating Reserve fund, which is equal to approximately two months of operating expenses. At this time last year, the Reserve fund held a balance of \$1,016,624.00 this amounts to a current decrease from Fiscal 2015 of \$145,488.00. The current Reserve fund represents a total value of 10.87% of the DMA's annual budget. The Budget Bureau encourages the DMA to work towards building a reserve fund at a minimum of at least 25% of its annual budget (or approximately three months of the annual operating budget).

The Downtown Management Authority's fiscal management has been sound and it has been a positive force in the Downtown area since it began operations. The Finance Department recommends that the Board approve the budget plan and surcharge tax rate.

## MINUTES

Downtown Management Authority for Baltimore City Proposed Budget Fiscal Year 2017		
Revenue	Fiscal 2017 Proposed	Fiscal 2016 Budgeted
Property Surcharge	6,906,419	6,299,234
DPW Grant	350,000	340,000
Tax-Exempt Properties	110,500	80,000
State Agency contributions	40,000	50,000
Federal GSA Contract	50,733	48,426
Interest Income	2,400	3,000
Center Plaza Contract Services	266,376	70,000
Late Payment Fees	40,000	40,000
Parks Activation	39,100	30,600
Contract Services	204,203	84,243
Supplemental Services	3,000	3,000
<b>Total Revenue</b>	<b>\$ 8,012,731</b>	<b>\$ 7,048,503</b>
<b>Summary of Expenses</b>		
Hospitality	2,357,179	2,116,155
Public Space Maintenance	2,299,985	2,114,953
Beautification	555,324	528,842
Communications	472,200	462,579
Events & Programming	776,547	399,452
Administration	956,509	911,536
Special Projects	594,986	514,986
<b>Total Expenses</b>	<b>\$ 8,012,730</b>	<b>\$ 7,048,503</b>

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Downtown Benefits District the approval of the Downtown Management Authority FY 2017 budget and property tax surcharge rate.

**MINUTES**

Baltimore Development - Fourth Amendment to Disposition and  
Corporation      Development Agreement and Fourth  
Amendment to the Construction,  
Operation and Reciprocal Easement  
Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the 1) Fourth Amendment to Disposition and Development Agreement (DDA) and, 2) Fourth Amendment to the Construction, Operation and Reciprocal Easement Agreement (COREA) among the City, Baltimore Center Associates Limited Partnership (BCA), Baltimore Center Garage Limited Partnership (BCG), and Sunstone East Pratt, L.P. (SEP), for the property located on Development Areas 5 and 6 of the Inner Harbor Project I Urban Renewal Plan Area (Block 673, Lot 001).

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The City, BCA, and BCG are parties to a Disposition and Development Agreement (DDA) and Construction, Operation and Reciprocal Easement Agreement (COREA) for property located on Development Areas 5 and 6 of the Inner Harbor Project I Urban Renewal Plan Area, Commonly known as The Gallery and the Gallery Garage, the development on the site consists of Hotel, Retail, Office and Garage uses (the Development), each of which are specifically defined to have certain uses and locations under the agreement.

The BCA, BCG, and SEP wish to amend the DDA and COREA so that the fourth floor of the Retail Facilities can be renovated and used for the same uses permitted for the Office Facilities, and that the escalators between the fourth and fifth floor of the Development be permitted to be removed in the course of this renovation.

**MINUTES**

BDC - cont'd

The Fourth Amendment makes the necessary changes to the DDA and COREA to allow for this fourth floor renovated and updated building program.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 1) Fourth Amendment to Disposition and Development Agreement and, 2) Fourth Amendment to the Construction, Operation and Reciprocal Easement Agreement among the City, Baltimore Center Associates Limited Partnership, Baltimore Center Garage Limited Partnership, and Sunstone East Pratt, L.P., for the property located on Development Areas 5 and 6 of the Inner Harbor Project I Urban Renewal Plan Area (Block 673, Lot 001).

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office</u>			
1. Stephanie Rawlings-Blake	The U.S. Conf. of Mayors Annual Meeting (USCM) Indianapolis, IN June 23 - 28, 2016	General Fund	\$ 423.96

The registration and hotel costs were paid by the USCM. The airfare in the amount of \$223.96 was prepaid by a City-issued procurement card assigned to Ms. Kathe Hammond. The Mayor's Office is requesting \$40.00 per day for meals and incidentals. Therefore, the amount to be disbursed to Ms. Rawlings-Blake is \$200.00.

2. Andrew Smullian	The U.S. Conf. of Mayors Annual Meeting (USCM) Indianapolis, IN June 23 - 28, 2016 (Reg. Fee \$800.00)	General Fund	\$2,389.61
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The subsistence rate for this location is \$161.00 per day. The hotel cost is \$189.00 per night, plus hotel taxes of \$32.13 per night. The Mayor's Office is requesting additional subsistence in the amount \$28.00 per night for the balance of the hotel and \$40.00 per day for meals and incidentals. The airfare in the amount of \$223.96, hotel cost of \$1,105.65, and registration fee of \$800.00 were prepaid by a City-issued procurement card assigned to Ms. Kathe Hammond. Therefore, the amount to be disbursed to Mr. Smullian is \$260.00.



**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office</u>			
3. Nicholas Blendy	Maryland Municipal League Summer Conference Ocean City, MD June 26 - 29, 2016 (Reg. Fee \$680.00)	General Funds	\$1,657.58

The hotel cost for two nights in the amount of \$358.00 and the registration fee in the amount of \$680.00 were prepaid using a City-issued procurement card assigned to Kathe Hammond. Therefore, the disbursement to Mr. Blendy is \$619.58.

Mayor's Office of Emergency Management

4. Brian Bovaird	National Homeland Security Conference 2016 Tampa, FL June 26 - 30, 2016 (Reg. Fee \$455.00)	Urban Area Security Initiative Grant	\$1,490.16
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The airfare in the amount of \$313.96 and the registration fee in the amount of \$455.00 were prepaid on a City issued procurement card assigned to David McMillan. Therefore, the disbursement to Mr. Bovaird is \$750.88.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Board of Elections</u>			
5. Ann Macneille	Maryland Association of Elected Officials Annual Conference Cambridge, MD June 20 - 21, 2016 (Reg. Fee \$150.00)	General Funds	\$481.28

Department of Human Resources

6. Mary Talley Pervis Lee	Society of Human Resources Annual Conference and Exposition Washington, DC June 19 - 22, 2016 (Reg. Fee \$1,520.00 ea.)	General Funds	\$5,068.51
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The Department is requesting the cost for hotel accommodations in the amount of \$627.00 and hotel taxes in the amount of \$81.51 for Ms. Talley only.

The registration fee in the amount of \$1,520.00 and the workshop fees in the amount of \$660.00 for Ms. Talley have been prepaid on EA000185137. Therefore, Ms. Talley will be disbursed \$708.51.

The registration fee in the amount of \$1,520.00 and the workshop fees in the amount of \$660.00 for Mr. Lee have been prepaid on EA000185135. No funds will be disbursed to Mr. Lee.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>			
7. Victor Miranda	2016 ESRI User Conference San Diego, CA June 26 - July 1, 2016 (Reg. Fee \$0.00)	Special Funds	\$1,988.70

The airfare in the amount of \$903.70 was prepaid on a City-issued credit card assigned to Mr. Kenn L. King. The user conference registration fee was complimentary. Mr. Miranda will leave on June 26, 2016 because of the early start of the conference on June 27, 2016. Therefore, Mr. Miranda will be disbursed \$1,085.00.

Police Department

8. Darryl De Sousa	2016 National Organization of Black Law Enforcement Executives Training Conference and Exhibition Washington, DC July 16 - 21, 2016 (Reg. Fee \$525.00)	Asset Forfeiture Fund	\$1,508.57
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The allowed subsistence rate for this location is \$291.00 per day. However, the Department is only requesting the hotel costs in amount of \$199.00 per night from July 18-21, plus taxes in the amount of \$28.86 per night, meals, and incidentals in the amount of \$40.00 per day, and parking in the amount of \$20.00 per day. Mr. De Sousa will use a department vehicle and will commute on July 16-17.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office of Employment Development</u>			
9. Jason Perkins-Cohen	The U.S. Conf. of Mayors Annual Meeting Workforce Development Council Indianapolis, IN June 23 - 25, 2016 (Reg. Fee \$800.00)	Combi- nation of State, Federal, & Local Funds	\$1,846.22

The subsistence rate for this location is \$161.00 per day. The hotel cost is \$189.00 per night, plus hotel taxes of \$32.13 per night. The Mayor's Office of Employment Development is requesting additional subsistence in the amount \$28.00 per night for the balance of the hotel and \$40.00 per day for meals and incidentals. The registration in the amount of \$800.00 was paid by EA No. 000188158. Therefore, the amount to be disbursed to Mr. Perkins-Cohen is \$1,046.22.

UPON MOTION duly made and seconded, the Board approved the foregoing travel requests and **DEFERRED** Item no. 6 for 1 week. The Mayor **ABSTAINED** on item nos. 1, 2, and 3.

**MINUTES****PROPOSALS AND SPECIFICATIONS**

1. Department of Public Works/  
Department of Recreation and  
Parks  

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- RP 16806, Canton Parking Lot  
Resurfacing  
**BIDS TO BE RECV'D: 07/20/2016**  
**BIDS TO BE OPENED: 07/20/2016**
  
2. Department of Public Works/  
Office of Engineering and  
Construction  

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- SC 892, Structural  
Rehabilitation of Chlorine  
Contact Chambers at  
Patapsco Wastewater Treatment  
Plant  
**BIDS TO BE RECV'D: 07/27/2016**  
**BIDS TO BE OPENED: 07/27/2016**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above-listed Proposals and Specifications to be advertised for receipt and opening of bids on the date indicated.

MINUTES

President: "If there be no more business before the Board, the Board will recess until bid opening at twelve o'clock noon for the receiving and opening of bids."

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## MINUTES

Clerk: "The Board is now in session for the receiving and opening of bids."

**BIDS, PROPOSALS, AND CONTRACT AWARDS**

Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that the following agency had issued an Addendum extending the date for receipt and opening of bids on the following contract. There were no objections.

Bureau of Purchases - B50004530, Baltimore City  
Shuttle Transit Service  
**BIDS TO BE RECV'D: 07/20/2016**  
**BIDS TO BE OPENED: 07/20/2016**

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

Department of Transportation - TR 16010, Structural Repairs  
on Bridges Citywide JOC 1

Allied Contractors, Inc.

MINUTES

Bureau of Purchases

- B50004615, Cold Milling Machine

JESCO, Inc.  
Elliott & Franz, Inc.

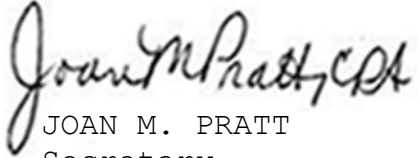
Bureau of Purchases

- B50004357, Provide Water Taxi/Commuter Services in the Baltimore Harbor - **PRICE OPENING**

HMS Ferries, Inc.  
Harbor Boating, Inc.

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There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next scheduled meeting on Thursday, June 23, 2016 at 5 pm.



JOAN M. PRATT  
Secretary