

MINUTES**REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President
Honorable Stephanie Rawlings-Blake, Mayor - **ABSENT**
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 - **ABSENT**
Steve Kraus, Deputy Director of Finance

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Stephanie Rawlings-Blake, in her absence during the meeting, designated Mr. Steve Kraus, Deputy Director of Finance, to represent the Mayor and exercise her power at this Board meeting.

President: "Good morning, the July 20, 2016, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiency of these hearings, persons who are disruptive to the hearing 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.

MINUTES

I will direct the Board members attention to - to the memorandum from my office dated July 18, 2016, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy -- by the Comptroller. I will entertain a Motion to ap -- 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 those opposed, NAY. The Motion carries. The routine agenda has been adopted."

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MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 30, 1991, the following contractors are recommended:

Adrian L. Merton, Inc.	\$ 188,676,000.00
Benfield Electric Co., Inc.	\$ 8,000,000.00
Corman Construction, Inc.	\$ 215,694,000.00
E. Pikounis Construction Co., Inc.	\$ 25,650,000.00
Freyssinet, Inc.	\$ 39,726,000.00
Hydrostructures, LLC	\$ 8,000,000.00
Potts & Callahan, Inc.	\$ 112,572,000.00
Preload, LLC	\$ 110,000,000.00
Work Capacity Rating Underwritten by Blanket Guarantee of \$110,000,000.00 from the Parent Corporation Caldwell Group, LLC	
The Whiting-Turner Contracting Company	\$6,069,114,000.00

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:

CV, Inc.	Engineer Land Survey Landscape Architect
GHD, Inc.	Engineer Architect

MINUTES

BOARDS AND COMMISSIONS - cont'd

Hydrostructures, LLC	Engineer
So-Deep, Inc.	Engineer Property Line Survey
Straughan Environmental, Inc.	Engineer
Wallace, Montgomery & Associates, LLP	Engineer Land Survey

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

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2653 - 2656

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>Baltimore Development Corporation</u>		
1. \$ 14,008.26 19 th EDF	9910-904115-9600 Constr. Res. Westside Initiative	9910-906835-9603 Westside Project Initiative
15,801.65 22 nd EDF	9910-904115-9600 Constr. Res. Westside Initiative	9910-906835-9603 Westside Project Initiative
30,190.09 24 th EDF <u>\$ 60,000.00</u>	9910-925013-9600 Constr. Res. Façade Improvements	9910-906835-9603 Westside Project Initiative

This transfer will provide funds in order for the Department of Transportation to oversee the installation of Acorn pedestrian lights on the 100 through 800 blocks of North Howard Street. This lighting project will provide aesthetic improvements to pedestrian lighting along this commercial corridor.

2. \$ 75,000.00 23 rd EDF	9910-906993-9600 Constr. Res. Inner Harbor Area	9910-923100-9601 Ind. & Coml. Financing
285,000.00 23 rd EDF	9910-913990-9600 Constr. Res. Commercial Revitalization	9910-923100-9601 Ind. & Coml. Financing
140,000.00 24 th EDF <u>\$500,000.00</u>	9910-906995-9600 Constr. Res. Ind. & Coml. Financing	9910-923100-9601 Ind. & Coml. Financing

This transfer will provide funds to reimburse the Baltimore Development Corporation for eligible staff-related capital expenditures associated with Citywide economic development projects for FY 2017.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>		
3. \$375,078.45	9910-910063-9600	9910-905360-9601
1 st Comm. & Eco.	Constr. Res.	Public Market
Dev. Fund	(Lexington Market)	Improvements

This transfer will provide funds to Lexington Market, Inc. to assist in various upgrades and improvements to Lexington Market. The repairs/improvements to this iconic Baltimore City public market include: asbestos abatement, lighting, renovations, and additions to the existing market space.

4. \$2,000,000.00	9910-908061-9600	9910-919300-9601
Casino Area Local	Constr. Res.	Casino-Warner
Impact Aid	(Infrastructure	Street
	Upgrades)	

This transfer will provide funds for the reimbursement of infrastructure costs related to the redevelopment of the VLT Facility and Garage to CBAC Gaming, Inc.

Department of Housing and Community Development

5. \$100,000.00	9910-907109-9588	9910-910017-9588
General Funds	Booster Program	Buy into Baltimore
	V2V	Program

This transfer will provide funds for Baltimore Housing's Homeownership Incentive Program for fiscal year 2016.

6. \$ 80,000.00	9996-932013-9593	9996-907088-9593
Comm. Dev. Block	Deferred Loan	Emergency Roof
Grant 41	Program	Repair Program

This transfer will provide funding for the continuation of Baltimore Housing's Emergency Roof Repair program.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development - cont'd</u>		
7. \$50,000.00 UDAG	9910-902985-9587 Housing Dev. (Reserve)	9910-906712-9588 O'Donnell Heights Demolition

This transfer will provide additional funds to continue the work being done for the Key's Point Project in the O'Donnell Heights area.

Department of Transportation

8. \$175,984.00 FED	9950-924080-9513 Constr. Res. Traffic Safety Improvements Citywide	9950-903057-9512 Geometric Improvements
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This transfer will match the appropriation and cover the deficit on project "Geometric Improvements."

9. \$ 60,000.00 MVR	9950-902575-9509 Constr. Res. Hanover Street Drawbridge	9950-901299-9508 Hanover Street Bridge Control System
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This transfer will cover the deficit and other related cost on project "Hanover Street Bridge Control System."

10. \$150,000.00 23 rd Econ. Dev.	9950-903516-9507 Constr. Res. Annapolis Bridge over BW Parkway	9950-901882-9508 Annapolis Road Bridge
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This transfer will cover the deficit and other related cost on project "Annapolis Road Bridge."

MINUTES**TRANSFERS OF FUNDS.**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation - cont'd</u>		
11. \$40,000.00 Other	9950-904100-9504 Constr. Res. Footway Paving	9950-907463-9504 Reconstruction Alleys Citywide
This transfer will cover the deficit and other related cost on project TR 15004 "Reconstruction Alleys Citywide."		
12. \$30,000.00 GF (HUR)	9950-903550-9509 Constr. Res. Neighborhood Street Reconstruction	9950-909670-9508 ADA Ramp Replacement/ Installation
This transfer will cover the deficit and other related cost on project "ADA Ramp Replacement/Installation."		
13. \$150,000.00 GF (HUR)	9950-931013-9528 Constr. Res. Broadway Square	9950-904393-9527 Broadway Square Renovation
This transfer will cover the design and other related cost on project TR 13015 "Broadway Square Renovation."		
<u>Department of Recreation and Parks</u>		
14. \$119,000.00 Other funds	9938-913001-9475 Unallocated Res. FY 2016 Tree Baltimore Program	9938-911060-9474 Active - FY 2016 Tree Baltimore Program
This transfer will provide funds to cover the costs associated with the forest Management Plan for Gwynns Falls Leakin Park.		

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

	<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options</u>				
1.	New Freedom Corporation	1108 Appleton St.	G/R \$60.00	\$ 550.00
2.	William S. Braverman and Ethel Braverman	619 N. Franklinton Rd.	G/R \$90.00	\$ 750.00
3.	Kuyakie Allen	2613 Hafer St.	L/H	\$34,687.00
4.	Lee and Joyce, Inc.	2212 Henneman St.	G/R \$66.00	\$ 605.00

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

5.	Mary I. Faison	3100 Virginia Ave.	L/H	\$14,360.00
6.	Samuel Pottash, Personal Representative of David Pottash a/k/a David Potash	3100 Virginia Ave.	G/R \$96.00	\$ 640.00
7.	Bluefield Financial LLP	3108 Virginia Ave.	G/R \$90.00	\$ 600.00
8.	TTT Rentals, LLC	3118 Virginia Ave.	L/H	\$14,360.00
9.	Kicheba Florence Mhina	3120 Virginia Ave.	L/H	\$13,596.00

Funds are available in account 9910-903183-9588-900000-704040, Park Heights Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

	<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>				
10.	Amy S. Nochumowitz, Substitute Trustee Under the Deed of Trust for Jayne Hope Nochumowitz dated Nov. 30, 1990	936 N. Patterson Park Avenue	G/R \$96.00	\$ 880.00
11.	Paul Wye Nochumowitz and Amy Sue Nochumowtiz	2228 E. Madison St.	G/R \$38.50	\$ 353.00
		939 N. Castle St.	G/R \$27.50	\$ 252.00
	" "	918 N. Castle St.	G/R \$90.00	\$ 825.00
	" "	920 N. Chester St.	G/R \$72.00	\$ 660.00
	" "	943 N. Washington St.	G/R \$90.00	\$ 825.00
	" "	918 N. Collington Ave.	G/R \$45.00	\$ 413.00
	" "	923 N. Duncan St.	G/R \$36.00	\$ 330.00

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options - cont'd</u>			
" "	915 N. Duncan St.	G/R \$36.00	\$ 330.00
" "	2214 E. Eager St.	G/R \$90.00	\$ 825.00

Funds are available in account 9910-906416-9588-900000-704040, EBDI Phase II Project.

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

DHCD - Condemnations

12. Gloria Gainous 820 N. Bradford St. F/S \$20,000.00

Funds are available in account 9910-908636-9588-900000-704040, FY 16 Whole Block Demolition Project.

13. NB11 Business 1824 Division St. L/H \$ 7,040.00
Trust

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

14. Juggernaut 3108 Virginia Ave. L/H \$12,400.00
Properties,
LLC

Funds are available in account 9910-903183-9588-900000-704040, Park Heights Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

	<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Rescission and Approval</u>				
15.	Cesare M. Caughan	555 Laurens St.	L/H	\$ 9,867.00

Funds are available in account 9910-908044-9588-900000-704040.

On May 11, 2016, the Board approved the acquisition by condemnation of the leasehold interest in 555 Laurens Street in the amount of \$6,567.00. The Board is requested to rescind the original request and approve the acquisition by condemnation of the leasehold in the amount of \$9,867.00.

The fair market values were substantiated in appraisals made by independent appraisers contracted by the City. This will permit the City to have title to, and if necessary immediate possession of, the subject properties interest in conformity with the applicable law.

Law Department - Settlement

16.	Kwang E. Lee and Ok S. Lee	4804 Park Heights Ave.	F/S	\$85,000.00
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Funds are available in account 9910-903183-9588-900000-704040.

On September 15, 2015, the City filed a condemnation to acquire the fee simple interest in the property located at 4804 Park Heights Avenue. On August 26, 2015, the Board approved the condemnation of the fee simple interest for the fair market value of \$75,000.00, based on an independent appraisal report of the property. The State Department of Assessments and Taxation reflected the value of the property as \$209,000.00. The owner produced a report valuing the property at \$235,000.00. After formal mediation, the parties agreed to settle the case for \$160,000.00. Therefore, the Board is requested to approve an additional \$85,000.00.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing Options, Condemnations, Rescission and Approval, and Settlement.

MINUTES

Department of Public Works - Employee Expense Reports

The Board is requested to approve the various expense reports for the following employees.

- | | |
|--------------------|----------|
| 1. ALPHONSO FOSTER | \$100.00 |
| 2. GLENN GRIER | \$100.00 |
| 3. GREG PETERSON | \$100.00 |

Account: 2070-000000-5501-630001-603020

- | | |
|------------------|----------|
| 4. WILLIAM OWENS | \$100.00 |
|------------------|----------|

Account: 2070-000000-5501-396901-603020

- | | |
|---------------------|----------|
| 5. BRANDON RANDOLPH | \$100.00 |
| 6. DAVID WILLIAMS | \$100.00 |

Account: 2070-000000-5501-396901-603020

The above-listed employees stated that they received their Operators Certification from the Maryland Department of the Environment more than 30 days after they had paid.

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the various expense reports for the listed employees.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Agreement with Moffatt & Nichol, Inc. Design Services. The period of the agreement is effective upon Board approval for five years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$2,000,000.00 - to be determined with each individual project.

BACKGROUND/EXPLANATION:

On December 27, 2013, the Maryland Department of the Environment (MDE) reissued a National Pollutant Discharge Elimination System (NPDES) (Municipal Separate Storm Sewer System (MS4) Permit to the City of Baltimore. The City prepared and submitted the Watershed Implementation Plan (WIP) as required by the MS4 Permit. The WIP projects must be designed and constructed before the MS4 permit expires on December 26, 2018, to avoid stipulated penalties. Moffatt & Nichol, Inc. will design and prepare biddable documents for storm water drainage systems and storm water management project listed in the WIP.

MBE/WBE PARTICIPATION:

MBE: Sabra, Wang & Associates, Inc.	\$0-540,000.00	0-27%
NMP Engineering Consultants, Inc.	\$0-540,000.00	0-27%
Findling, Inc.	\$0-540,000.00	0-27%
Brightwater, Inc.	\$0-540,000.00	0-27%

(In the Aggregate Amount)

WBE: Idesign Engineering, Inc.	\$0-200,000.00	0-10%
Chesapeake Environmental Management, Inc.	\$0-200,000.00	0-10%

(In the Aggregate Amount)

MWBOO FOUND VENDOR IN COMPLIANCE.

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

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 On-Call Agreement with Moffatt & Nichol, Inc. Design Services.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 001 to Hazen & Sawyer, P.C., under Project No. 1502, Project and Construction Management Assistance Services.

AMOUNT OF MONEY AND SOURCE:

\$709,619.00 - 9960-901916-9557-900020-705032

BACKGROUND/EXPLANATION:

The original contract will expire December 8, 2019. The duration of this task is approximately 24 months.

The Office of Engineering and Construction is in need of assistance from Hazen & Sawyer, P.C. to provide on-site inspection service on W.C. 1183, Loch Raven Dam Environmental Operations Facility Improvements for the Department of Public Works, Office of Engineering & Construction.

MWBOO FOUND VENDOR IN COMPLIANCE.

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. 001 to Hazen & Sawyer, P.C., under Project No. 1502, Project and Construction Management Assistance Services.

MINUTES

Department of Public Works - Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to Agreement with the United States Department of the Interior US Geological Survey (USGS).

AMOUNT OF MONEY AND SOURCE:

\$1,575.00 - 2070-000000-5181-399700-603026

BACKGROUND/EXPLANATION:

On October 8, 2015, the USGS was awarded an agreement to operate continuous record gauging stations at sites being upgraded. The USGS has been under contract to operate the City's Reservoir Stream Gauging Network since 1982. The scope has expanded to include the installation of continuous monitoring water temperature and pH sensors and data collection as required by the City's MS4 permit. This required data has increased the project's upset limit by \$1,575.00. The Moores Run station is required under the National Pollution Discharge Elimination System Permit program and has been in service since 1995.

The original agreement was approved by the Board on October 1, 2015 in the amount of \$177,175.00, for the period October 1, 2015 through September 30, 2016. This amendment increases the agreement by \$1,575.00; making the total agreement \$178,750.00.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Agreement with the United States Department of the Interior US Geological Survey.

MINUTES

Department of Public Works - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Right-of-Entry Agreement with St. Mary of the Assumption Roman Catholic Congregation, Incorporated. The period of the agreement is effective from the actual date of entry for two years.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Mayor and City Council is proposing to perform stream restoration improvements on a stream running through the property located at 245 and 301 Homeland Avenue, and SS Homeland Avenue, Rear 301 Homeland Avenue (Block 7900B, Lots 7, 8, and 8A) owned by St. Mary of the Assumption Roman Catholic Congregation, Incorporated. This agreement will allow the City's contractor (when chosen) construction access to restore the stream in conjunction with the Department of Public Works Project No. ER 4035.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Right-of-Entry Agreement with St. Mary of the Assumption Roman Catholic Congregation, Incorporated.

MINUTES

Department of Public Works - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve the Expenditure of Funds for the renewal of the annual membership for the Maryland Association of Municipal Wastewater Agencies, Inc. (MAMWA).

AMOUNT OF MONEY AND SOURCE:

\$19,728.00 - FY 2017 Dues
23,536.36 - Assessment for ongoing technical research support
\$43,264.36 - 2070-000000-5501-397101-603022

BACKGROUND/EXPLANATION:

The MAMWA is an association of City and County utilities in Maryland that operate wastewater collection systems and treatment plants. The organization exists to share information regarding regulatory efforts and funding opportunities that benefit the operation of these facilities. The organization is a strong advocate on the local level for appropriate and common sense regulations governing point source discharges.

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

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds for the renewal of the annual membership for the Maryland Association of Municipal Wastewater Agencies, Inc.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

as listed on the following pages:

2670 - 2672

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved **SUBJECT**

to receipt of a favorable report from

the Planning Commission, the Director

of Finance having reported favorably thereon,

as required by the provisions

of the City Charter.

MINUTES**EXTRA WORK ORDERS**

Contract	Prev. Apprvd.	Time	%
Awd. Amt.	Extra Work	Contractor	Ext. Compl.

Department of Transportation/DOT Eng. & Construction

1. EWO #004, \$0.00 - TR 11320, Greyhound Intermodal Terminal,
2110 Haines Street
\$6,694,743.95 \$283,978.62 Commercial 180 80%
 Interiors, days
 Inc.

This authorization is requested on behalf of the Contractor for a 180-day non-compensable time extension due to direct delays to the critical path of the project schedule. Greyhound, Inc. initiated changes to the electrical, mechanical, plumbing, and millwork resulting in changes to the procurement of equipment and materials along with the preparation and review time for submittals and actual installation of revisions in the field. This work requires an additional 90 days.

The national Verizon strike precluded the installation of the data and communication system in the new terminal resulting in the delay in relocating the bus operation in the existing facility to the new building. This work requires an additional 60 days. The contractor failed to furnish a 30-day notice for the demolition and removal of the existing prefabricated building modules. The Board previously approved two time extensions for a total of 240 days. This third request for a time extension will result in a completion date of December 28, 2016.

MINUTES**EXTRA WORK ORDERS**

Contract	Prev. Apprvd.	Time	%
Awd. Amt.	Extra Work	Contractor	Ext. Compl.

Department of Transportation - cont'd

The work under this change order has not been completed. An Engineer's Certificate of Completion of Work has not been issued on this contract.

Department of Public Works/Office of Eng. & Construction

2. EWO #001, \$2,508,500.00 - W.C. 1330, Water Appurtenances Installations & Small Main Repairs and Installations at Various Locations

\$3,736,175.00	\$0.00	R.E. Harrington Plumbing & Heating, Inc.	-	-
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The Office of Engineering & Construction is requesting this change order to cover additional urgent work that addresses broken water mains, damaged hydrants, and inoperable or leaking valves. The work was referred by Utility Maintenance to the Office of Engineering & Construction's on-call contractor due to the number and complexity of emergency repairs and water main breaks that occurred during the winter of 2015.

MINUTES**EXTRA WORK ORDERS**

Contract	Prev. Apprvd.	Time	%
Awd. Amt.	Extra Work	Contractor	Ext. Compl.

Depart. of Public Works/Office of Eng. & Construction - cont'd

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 700,000.00	9960-903130-9558	
Water Utility	Constr. Reserve	
Funds	Cathodic Protection	
86,320.00	"	"
Counties		
1,813,680.00	9960-909100-9558	
Water Utility	Constr. Res.	
Funds	Water Infrastructure	
\$2,600,000.00	-----	9960-905748-9557-2
		(Extra Work)

The funds are required to cover the cost for the award of WC 1330, Water Appurtenances Installations & Small Main Repairs and Installations at Various Locations.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTION

* * * * *

On the recommendations of the City agency

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

2674 - 2684

to the low bidders meeting the specifications,

and rejected the bid as indicated

for the reasons stated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation

1. TR 08313, East Baltimore P. Flanigan & \$1,731,597.35
 Life Science Park - Sons, Inc.
 Phase 1D

DBE:	Priority Construction Corp.	\$213,488.85	12.33%
	Powell's Trucking Co. Inc.	57,120.00	3.30%
	Fallsway Construction Co., LLC.	57,120.00	3.30%
	William T. King, Inc.	9,500.00	0.55%
	Road Safety, LLC	9,472.00	0.54%
		<u>\$346,700.85</u>	<u>20.02%</u>

A PROTEST WAS RECEIVED FROM CIVIL CONSTRUCTION, LLC.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,507,436.09	9950-903335-9528	
FED	Construction Reserve	
	EBDI Life Science	
	Park Phase 1	
<u>195,607.45</u>	9950-904176-9528	
\$1,703,043.54	Jones Falls Inner	
	Harbor Trail	
\$1,385,277.88	-----	9950-916052-9527-6
		Structure & Improvements
207,791.68	-----	9950-916052-9527-5
		Inspection
<u>109,973.98</u>	-----	9950-916052-9527-6
\$1,703,043.54		Contingencies
		EBDI Life Science
		Park Phase 1D

This transfer will partially fund the cost associated with the award of project TR 08313, East Baltimore Life Science Park-Phase 1D.

BENNETT & BENNETT LAW GROUP, LLC
4920 NIAGARA ROAD, SUITE 206
COLLEGE PARK, MARYLAND 20740

ADMITTED TO THE
DISTRICT OF COLUMBIA
& MARYLAND BAR

T (240) 398-3140
F (202) 379-9067
LEONARD@BBLEGAL.NET

JULY 19, 2016

By Hand Delivery

Clerk, Board of Estimates
Room 204, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: BID PROTEST and Previous Letter dated 4/13/16 from
Civil Construction, LLC's for the project known as:
East Baltimore Life Science Park – Phase 1D
F.A.P. No. HP-1571(3)E
SHA No. BC440004
Contract No. TR08313

To whom it may concern,

I represent Civil Construction, LLC and have been authorized by it to protest the award of the above project to T. Flanigan or any other contractor. As set forth in my earlier letter dated 4/13/2016 (a copy of which is attached hereto) Civil's bid was compliant with the requirements of the City of Baltimore's qualifications or at best any mistake in Civil's bid was minor and/or a slight irregularity since its intended purposes had been acknowledged otherwise (by the various other attachments to the Bid and the fact that Civil has a Certificate of prequalification with the City of Baltimore). Finally, Civil will be irreparably harmed by the proposed board action as it should have been awarded the above captioned contract.

Please feel free to contact me should you have any additional questions or concerns regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leonard C. Bennett', with a large, sweeping flourish at the end.

Leonard C. Bennett
Counsel for Civil Construction, LLC

Enclosures:

- April 13, 2016 letter from Bennett & Bennett Law Group, LLC to City of Baltimore on behalf of Civil Construction, LLC in response to April 5, 2016 letter.

BENNETT & BENNETT LAW GROUP, LLC
1920 NIAGARA ROAD, SUITE 206
COLLEGE PARK, MARYLAND 20740

ADMITTED TO THE
DISTRICT OF COLUMBIA
& MARYLAND BAR

T (240) 398-3140
F (202) 379-9067
LEONARD@BBLEGAL.NET

APRIL 13, 2016

By Hand Delivery

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

By Hand Delivery

City of Baltimore
Department of Transportation
Attn: Laetitia Griffin
417 E. Fayette Street, 5th Floor
Baltimore, Maryland 21202

Re: BID PROTEST and/or Supplement to Bid from
Civil Construction, LLC's for the project known as:
East Baltimore Life Science Park – Phase 1D
F.A.P. No. HP-1571(3)E
SHA No. BC440004
Contract No. TR08313

To whom it may concern,

My client and I have reviewed your letter dated 4/5/16 regarding your preliminary (incorrect) determination that Civil Construction, LLC's ("Civil") did not comply with contract specifications when it submitted its Bid on the above captioned project. Due to a clerical mistake, Civil inadvertently left out 3 forms which were not included in the bid package submitted last month. Civil timely executed the 3 forms before submitting its bid and is producing the originals (the missing 3 forms) herein. The combined effect of Civil's aforementioned clerical mistake was not a material defect. Moreover, Civil's mistake was minor and/or a slight irregularity since its intended purposes had been acknowledged otherwise (by the various other attachments to the Bid and the fact that Civil has a Certificate of prequalification

with the City of Baltimore). Finally, Civil's minor and/or slight irregularity has neither changed its bid amount, the bidding processes, and most importantly it has not injured other bidders.

Detailed Analysis of each minor and/or a slight irregularity to Civil's Bid Package:

Page 544, It is utilized to confirm the receipt of addendum. Civil's bid as submitted acknowledged the addenda in two ways: 1) Civil stapled the entire addenda package to the front of the bid book and 2) Civil used the revised pages of the addendum where the line items have been affected.


Page 545, is utilized to announce the company certification no, this oversight is extremely minor and the fact we are certified should fix this slight irregularity. Civil's current certificate of prequalification was effective on 3/3/2016 and expires on 3/3/2017 and its certification number is 4208. A copy of Civil's current certificate has been included herein.

Page 546, is used to indicate if Civil has worked on projects where it was subject to the equal opportunity clause. This too is an oversight that is extremely minor and the fact we have and currently are performing contracts for the state of Maryland and the city of Baltimore all of which are subject to this clause. Moreover, Civil is currently working on several contracts for the city of Baltimore and Civil has an approved Affirmative action plan & equal employment opportunity policy with the city.

Considering the weight of evidence we request that this project be awarded to civil construction without further delay.

Please feel free to contact me should you have any additional questions or concerns regarding this matter.

Sincerely,



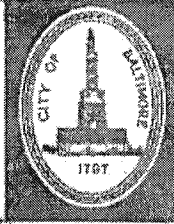
Leonard C. Bennett
Counsel for Civil Construction, LLC

Enclosures:

- April 5, 2016 letter from City of Baltimore to Civil Construction, LLC
- Cover Sheet to East Baltimore Life Science Park Phase 1D Project
- Civil Construction, LLC's Certification of Prequalification 3/2/16 to 3/3/2017
- Page 544
- Page 545
- Page 546

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKF, Mayor



DEPARTMENT OF TRANSPORTATION

WILLIAM M. JOHNSON, Director
417 E. Fayette Street, 5th Floor
Baltimore, Maryland 21202

April 5, 2016

Civil Construction, LLC
2413 Schuster Drive
Cheverly, Maryland 20781

Re: Project: TR08313 – East Baltimore Life Science Park – Phase 1D

Gentlemen:

On March 17, 2016, the Department of Transportation sought legal opinion as to whether your bid for TR08313 – East Baltimore Life Science Park – Phase 1D was in compliant with the contract specification. Upon routine processing of the Bid, it was discovered that you failed to fill out and sign pages 544 through 546 of the Bid Book.

As of April 4, 2016, The City of Baltimore Department of Law found that your bid submission as non-compliant and recommends that your bid be rejected. The Law Department states that the failure to fill out and sign three required forms in the Bid book, each of which is required information to be filled in and had to be properly executed, is not a slight irregularity or technical defect which may be disregarded. It is a material defect that renders Civil bid non-responsive. The Law Department further states that Civil's incomplete Bid does not comply with the Charter requirements, bidding instructions and legal precedent and must be rejected.

If you require further clarification of this decision, please contact the Department of Transportation, Contract Administration/Civil Rights Division at (410) 396-6816. As courtesy a, your firm will be contacted prior to the recommendation to award this contract.

Very truly yours,

Laetitia Griffin, Chief
Contract Administration/Civil Rights Division
Department of Transportation

Cc: Bimal Devkota
Roy Weil
Robert O'Brien

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CITY OF BALTIMORE

DEPARTMENT OF TRANSPORTATION



F.A.P. NO. HP-1571(3)E
S.H.A. NO. BC440004
CONTRACT NO. TR08313

EAST BALTIMORE LIFE
SCIENCE PARK - PHASE 1D

CITY OF BALTIMORE

CONTRACTORS QUALIFICATION COMMITTEE

CERTIFICATE OF PREQUALIFICATION

This Certifies that: **Civil Construction, LLC**
2413 Schuster Drive
Hyattsville, MD, 20781
Siavash Salehi, President

Number: **4208**
Effective Date: **3/2/2016**
Expiration Date: **3/3/2017 12:00 AM**

has filed prequalification papers with the City of Baltimore in accordance with the Charter Amendment and is hereby prequalified to perform work in City of Baltimore projects not to exceed **\$39,852,000.00** less the contractual amount of all uncompleted work under contract.

This Certificate limits the holder to the classification of work indicated below:

A. PAVING

A02210 Grading

A02601 Portland Cement Concrete Paving

A02602 Bituminous Concrete Paving

B. UTILITIES

B02551 Water Mains

B02552 Sewer Construction

B02553 Duct Line Construction

March 02, 2016

Approved



Signature of Authorization
Contractors Qualification Committee

CITY OF BALTIMORE

CONTRACTORS QUALIFICATION COMMITTEE

CERTIFICATE OF PREQUALIFICATION

This Certifies that: **Civil Construction, LLC**
2413 Schuster Drive
Hyattsville, MD. 20781
Siavash Salehi, President

Number: 4208
Effective Date: 3/2/2016
Expiration Date: 3/3/2017 12:00 AM

B02554 Drainage Structures (Manholes, Inlets, Etc.)

C. HIGHWAY BRIDGES AND HIGHWAY GRADE SEPARATION STRUCTURES

C02300 Pile Driving

C03300 Concrete Construction

C03420 Precast Concrete Construction

C05100 Structural Steel Erection

D. ROADSIDE IMPROVEMENTS

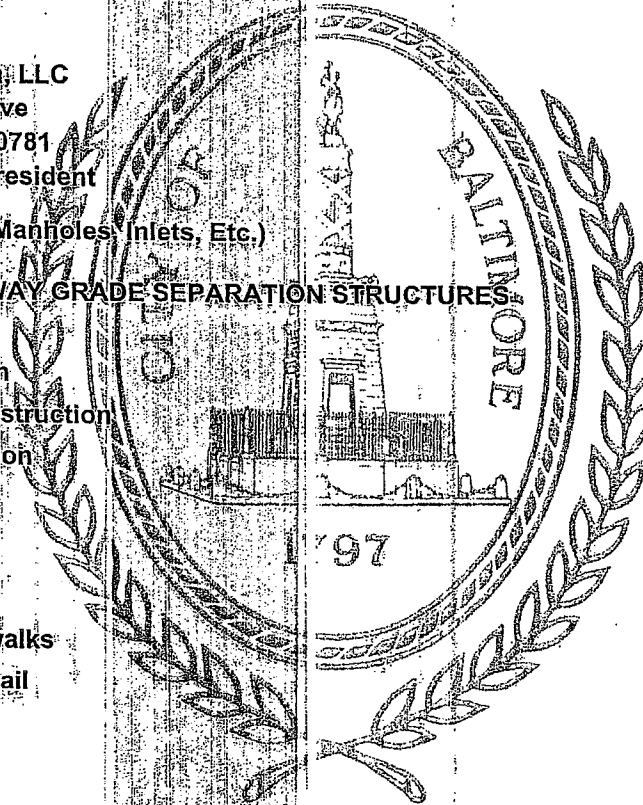
D02240 Erosion Control

D02241 Gabion Construction

D02620 Curbs, Gutters, Sidewalks

D02710 Fencing And Guard Rail

D02800 Landscaping



March 02, 2016

Approved

Signature of Authorization
Contractors Qualification Committee

CITY OF BALTIMORE

CONTRACTORS QUALIFICATION COMMITTEE

CERTIFICATE OF PREQUALIFICATION

This Certifies that: **Civil Construction, LLC**
2413 Schuster Drive
Hyattsville, MD 20781
Siavash Salehi, President

Number: 4208
Effective Date: 3/2/2016
Expiration Date: 3/3/2017 12:00 AM

F. BUILDING CONSTRUCTION AND MAINTENANCE SPECIALTIES

F02110 Building And Structure Demolition
F04200 Masonry
F04500 Masonry Restoration, Cleaning, Repointing
F16000 Electrical

G. OTHER SPECIALTIES

G90004 Concrete Median Barriers
G90006 Scarifying, Planing, Recycling And Repairing Exist. Asphalt Pavements
G90009 Foundations, Underpinning, Drilled-In Caissons
G90017 Brick Pavers, Architectural Paving
G90025 Street Lighting And Power Lines
G90026 Highway And Bridge Deck Grooving And Saw Cutting

March 02, 2016

Approved



Signature of Authorization
Contractors Qualification Committee

CITY OF BALTIMORE

CONTRACTORS' QUALIFICATION COMMITTEE

CERTIFICATE OF PREQUALIFICATION

This Certifies that: **Civil Construction, LLC**
2413 Schuster Drive
Hyattsville, MD 20781
Siavash Salehi, President

Number: 4208
Effective Date: 3/2/2016
Expiration Date: 3/3/2017 12:00 AM

G90027 Highway Signing And Lighting
G90039 Concrete And Masonry Structural Repairs
G90045 Clearing and Grubbing
G90046 Concrete And Brick Retaining Walls
G90061 Tree Removal And Pruning
G90079 Impact Attenuators
G90085 Cathodic Protection/Corrosion Control
G90130 Sewer House Connection Rehabilitation Contractors



March 02, 2016

Approved

Kumari Vio

Signature of Authorization
Contractors' Qualification Committee

CITY OF BALTIMORE
STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF PUBLIC WORKS

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

March 07, 2016

Mr. Siavash Salehi
President
Civil Construction, LLC
2413 Schuster Drive
Hyattsville, MD 20781

Dear Mr. Salehi:

Congratulations! Your firm's prequalification application has been approved. You will now be able to bid on and/or perform work with the City of Baltimore.

Prequalification with the City of Baltimore must be renewed annually. Applications for renewal must be submitted no less than 40 days prior to the expiration date printed on the enclosed Certificate of Prequalification. As a courtesy, the Office of Boards and Commissions will notify your company electronically of its upcoming prequalification expiration if you have provided a working email address for your file. Applications are available online via the Department of Public Works' website (<http://publicworks.baltimorecity.gov>). Hard copies of the application are also available in our office. Extensions will not be granted for late or incomplete submittals.

The Office of Boards and Commissions' website also contains other useful information including the current list of all qualified contractors and consultants, current consultant project advertisements, and a link to the City's MBE/WBE Directory.

If you have questions or concerns, please contact the Office of Boards and Commissions at 410-396-6883 or OBC.Contractors@baltimorecity.gov for Contractors and OBC.Consultants@baltimorecity.gov for Consultants.

We look forward to working with you towards creating a better Baltimore.

Sincerely,

Kumasi Vines
Acting Bureau Head
Water and Wastewater

Enclosure
KV/MLA/gj

The foregoing prices are to include and cover the furnishing of all materials and labor requisite and proper, and the providing of all necessary machinery, tools, apparatus and means for performing the work and the doing of all the above mentioned work as set forth and described in the Contract Documents.

Note: Each and every person Bidding and Named above must sign here. In case of Firms, give the first and last name of each member, in full, with residence.

In case a Bid shall be submitted by or in behalf of any Corporation, it must be signed in the name of such Corporation by some authorized Officer or Agent, thereof, who shall also subscribe his Name and Office. If practicable, the Seal of the Corporation shall be affixed.

Addendum Numbers 1 X 2 3 4 5 6 7 8 9 10

I understand that failure to confirm the receipt of Addendum(s) may be cause for rejection of bids.

WITNESS

E. Baker

(SIGNED)

E. Baker

(TITLE)

Estimator Administrator

(ADDRESS) 2413 Schuster Dr. Cheverly MD 2078

WITNESS

(SIGNED)

(TITLE)

(ADDRESS)

WITNESS

(SIGNED)

(TITLE)

(ADDRESS)

**A. BIDDER CERTIFICATION OF WORK CAPACITY AND
PREQUALIFICATION CLASSIFICATIONS**

We Hold Certificate No. 4208 Expires: 3-3-2017

We have the Work Capacity to perform this Contract as provided in the Standard Specifications and in accordance with the rules, regulations and requirements of the Baltimore City Contractors Qualification Committee.

Our current Certificate of Prequalification includes work Classifications covering Contract items to a total of at least Fifty Percent (50%) of the Aggregate Amount Bid.

CIVIL CONSTRUCTION - LLC
BIDDER

By: _____

Signature

Title

Managing Partner

Subscribe and sworn to before me this 16th day of MARCH 20 16

[Signature]

(Notary Public)

My Commission Expires OCTOBER 18, 20 16

Certification CM 32-34

Certification With Regard To The Performance Of Previous Contracts Or Subcontracts Clause
And The Filing Of

Required Reports

The Bidder Civil Construction LLC proposed subcontractor gll, hereby certifies that he has ✓, has not , participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he has ✓, has not , filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

CIVIL CONSTRUCTION LLC

(Company)

By [Signature]

Managing Partner

(Title)

Date: 3/16/16

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations. Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60.17(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

MINUTES

President: "The first item on the non-routine agenda can be found on Page 23 item 1 to 2, Department of Public Works Office of Engineering and Construction. Um -- TR 08313, will the parties please come forward."

Director of Public Works: "It's Transportation not DPW, DOT."

Comptroller: "Transportation not DPW."

President: "Department of Transportation."

Mr. Leonard Bennett: "Good morning, Leonard Bennett for Civil Construction and John Shuffler is here."

Mr. Shuffler: "Civil Construction."

Mr. Bimal Devkota: "I'm Bimal Devkota Chief of Transportation Engineering and Construction. The Department of Trans -- Transportation recommends the Board of Estimates award this contract TR 08313 to P. Flanigan and Sons."

Mr. Bennett: "Your Honor, Civil Construction is protesting this award based on the fact that it was the low bidder uh -- by \$152,772.60. Um -- the Department of Transportation has based their umm -- denial or -- or the fact that they have not considered Civil's bid based on some slight irreg -- irregularities and technical defects that were not material."

MINUTES

They did not change bids. Uh -- Civil's price, their quantity, their quality or their delivery of their contract. They also cited the fact that Civil did not certify that it was a um -- certified contractor but Civil has been a certified contractor for a number of years. Has a number of uh -- ongoing projects for the City of Baltimore and part of picking up the bid documents, um -- was the certification that Civil was in fact um -- a qualified or a pre-qualified entity for the project. Um -- I do have Mr. Schufler here who can testify to some of the -- some of his personal knowledge regarding the matter, but ultimately I think it would be a huge disservice to award this project to P. Flanigan at an additional \$152,772.60 to the City um -- when Civil was in compliance. There were just some slight irregularities that were not material to its bid package."

President: "Okay"

Ms. Lara Simon: "From the Law Department. It's fairly clear in this case --."

President: "Can you speak into the mic."

MINUTES

Ms. Simon: "Sorry. Is that better. It's really clear in this case the City provided very clear instructions to all bidders about how to fill out the bid form and how to submit their bids. Unfortunately, Civil Construction did not follow these instructions and they acknowledge this in their letter to the Board. Um -- this Board has historically thrown out these types of bids in the past and this is something that would be upheld by a Court for not being arbitrary and capri -- capricious."

President: "Okay so um -- they're rejected because they failed to fill out and sign the um -- the pages on uh -- 554 and 546 of the bid book --."

Ms. Simon: "Three pages."

President: "Three pages of the bid book, okay."

Ms. Simon: "And one of them is speaking to the fact that they affirm their prices. So that's an important page."

President: "Okay."

Ms. Simon: "Um -- As well as acknowledging the addendum."

President: "Okay."

Mr. Bennett: "Your Honor, part of the bid that was actually submitted had the addendum connected to it. Um -- I -- I believe that should be a prima facie proof that uh -- Civil did um --

MINUTES

agree to the addendum. Um -- all of Civil's prices were connected to that addendum. None of the prices have changed. All of their prices have stayed the same and um you know, I - I think some of the key factors in whether there's a slight irregularity or -- or a slight technical um -- defect that's not material is whether the price changes, the quantity changes, the quality or the delivery -- none of those things changed. Um -- Civil's been a long time contractor for the City. Um -- so the City was on notice that uh -- it -- it's prequalified that it's in compliance with the equal employment certifications and um -- again you know it's -- it's a \$152,000.00 that's the difference between the P. Flanigan who the Department of Transportation is submitting should get the project and Civil Construction. It's not a small amount um -- and all of the defects or the irregularities are not material."

President: "So, you are saying that um --- Civil filled out and signed all three pages in the bid book. Is that what you're saying?"

MINUTES

Mr. Bennett: "They filled out and signed them. They didn't submit them initially. Essentially, they submitted the forms in the bid package that were not signed because they were in their bid package back at the office."

President: "But that's a part of the bid process. Am I correct?"

Ms. Simon: "Yes."

President: "Because any other --."

Ms. Simon: "Per the instructions --."

President: "Bidder would be you know thrown out for the same thing that you are arguing that he should get it for."

Mr. Bennett: "Well I think -- I think you would be correct if it was a material um -- defect. If -- if because these items weren't signed the numbers would change, the -- the quality of the project or the quantities would change. None of these things have changed. It was simply a slight irregularity and when we look at um - the letter from the City on April 5th, it -- those were the terms of our-- the City uses, a slight irregularity or technical defect, and that's what we believe this was."

MINUTES

It was just a slight irregularity or technical defect."

President: "Mr. Nilson."

City Solicitor: "Well you would agree that -- that material that's required to be submitted with a bid has to be submitted by the date the bid is due. Would you agree with that?"

Mr. Bennett: "My position is that there was a slight irregularity um -- you know, none of the numbers have changed. Ah - Civil's been a long time contractor, it does good work for the City and quite frankly, there's a \$152,000.00 in the balance."

City Solicitor: "I very much appreciate the \$152,000.00. Is it your position that nothing in the bid package other than price matters?"

Mr. Bennett: "No. Um -- it does matter that the contractors are in compliance the Equal Employment Opportunities which Civil is and they are --."

City Solicitor: "Does it matter that they have the capacity to do the work?"

Mr. Bennett: "It does."

City Solicitor: "So there are things other than price?"

Mr. Bennett: "Of course."

MINUTES

City Solicitor: "But you are saying that the things on these three pages that were admittedly submitted late you say didn't affect price therefore, they're not material."

Mr. Bennett: "I'm -- I'm saying they are not material and they did not affect the price. Yes."

City Solicitor: "Do you have, could you cite us to any instance where the Board of Estimates has approved the failure to submit documents like this?"

Mr. Bennett: "I cannot today."

President: "Anything else?"

Comptroller: "You can call for the vote."

President: "Sir, do you want say something?"

Mr. John Shuffler: "Yes sir I'm the Project Manager for Civil Construction."

Comptroller: "State your name."

Mr. John Shuffler: "Project Manager for Civil Construction. I work on several uh -- contracts with the City. Um -- I feel that this is detrimental to just give the \$152,000.00 away just because of some little ah -- minor paperwork issue. That um -- I pick up documents every week and before I hand the lady the check over there I have to be prequalified before she uh -- gives me the package, before she takes it. So um -- I just

MINUTES

really would like to have this contract based on that. You know and yes Civil Construction can do this work."

President: "It's not a matter of whether Civil can do the work, it's a matter that three documents that were not signed which um -- was clearly stated that all these documents must be signed, and it's not um - immaterial. It's a material defect and we normally don't even typically uh -- reverse that. You know because if we start doing that then we would be here every day all day with contractors coming in saying that the three pages that I did not sign does not matter. It does matter."

Mr. Shuffler: "Yes that's clearly understood sir, I understand that."

President: "Okay."

Mr. Shuffler: "It does matter."

President: "Right. I'll entertain a Motion."

City Solicitor: "I MOVE to deny the bid protest and approve the award as recommended by the Department."

Comptroller: "Second."

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

* * * * *

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Department of General Services

3. GS 15806, Restrooms & Roof Replacement - Baltimore Police Southeast District	Trionfo Builders, Inc.	\$298,000.00
------------------------------------------------------------------------------------------	---------------------------	--------------

MBE: New Century Construction, Inc.	\$81,000.00	27.18%
--------------------------------------------	-------------	--------

WBE: Finishes, Inc.	\$18,000.00	6.04%
Eastwood Painting & Contracting, Inc.	6,000.00	2.01%
	<u>\$24,000.00</u>	<u>8.05%</u>

MWBOO FOUND VENDOR IN COMPLIANCEDepartment of Public Works

4. ER 4036, Urgent Need Stream Repair I	REJECTION - On June 29, 2016, the Board opened two bids for ER 4036, Urgent Need Stream Repair 1. The Department has determined it is in the best interest of the City to reject the bids. The two bids received are 198% and 223% respectively higher than the Engineer's estimate exceeding the budget. Permission to re-advertise will be requested at a later date.
--------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

MINUTES

Department of Planning - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Agreement with the Maryland Historical Trust (MHT). The period of the agreement is June 20, 2016 through September 29, 2017.

AMOUNT OF MONEY AND SOURCE:

\$30,390.00 - 5000-500017-1875-188500-603026

BACKGROUND/EXPLANATION:

Baltimore is highly vulnerable to a range of natural hazards, including coastal storms and flooding. These types of extreme events are likely to increase in frequency and magnitude over the coming years. More than 330 acres of Baltimore's designated historic districts are located within the mapped floodplain. In the last two years, the City has experienced massive flooding events from heavy precipitation. The Disaster Preparedness Project and Plan (DP3), approved by the Planning Commission on October 3, 2013, include a risk assessment that combines a thorough historical hazard assessment with a proactive evaluation of anticipated impacts due to climate change. It is imperative to capitalize on this assessment and combine it with the analysis generated from this work to determine the resources that are most at-risk and develop tangible recommendations for their continued preservation in Baltimore City.

Funding from the MHT will be utilized to implement the following specific elements:

1. Complete preliminary best practices research and conduct an assessment of historic and cultural resources to identify high priority historic areas and buildings that are most significantly impacted by natural hazards and climate changes.

MINUTES

Dept. of Planning - cont'd

2. Develop a tangible resiliency toolkit for historic buildings based on building type and vulnerabilities to natural hazards. The guidelines will help to craft new CHAP Design Guidelines. A development document will be created to guide specific preservation and conservation efforts for historic structures vulnerable to flooding events.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the Maryland Historical Trust.

MINUTES

Dept. of Communication Services, - UMove License Renewal
Municipal Post Office

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the UMove License with Siemens Industry, Inc. and to authorize payment by expenditure authorization. The period of the renewal is July 01, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$ 9,834.60 - 2032-000000-1360-159115-605001

BACKGROUND/EXPLANATION:

On July 28, 2010, the Board approved the UMove Master and Standard Maintenance Agreement with Siemens Industry, Inc. The agreement contained automatic annual renewals for the license fees. UMove identifies mail that has been processed on a sorter that contains a change of address filing with the United States Postal Service. UMove attempts to identify and correct any address that has not been updated with the change of address filing. This aids in mail being delivered to the correct address.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the UMove License with Siemens Industry, Inc. and authorized payment by expenditure authorization.

MINUTES

Department of Communication Services - 2016 Amendment to
Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the 2016 Amendment to Agreement with Millennium Technologies, LLC (Millennium). The Amendment to Agreement extends the period of the agreement through June 30, 2017. The Board is further requested to approve and authorize the payment to Millennium by Expenditure Authorization.

AMOUNT OF MONEY AND SOURCE:

\$407,904.00 - Maintenance services (\$33,992.00 per month)
7,000.00 - Monthly estimated equipment services charged to
various agency accounts
\$414,904.00 - 2039-000000-1330-158400-603084

BACKGROUND/EXPLANATION:

On March 30, 2016, the Board approved the contract award for the Telecommunications Improvements and Procurement Project (TIPP) to Arrow Systems Integration to replace the current Centrex Telephone system with Voiceover Over Internet Protocol (VoIP) for a period of three years. As a result of the VoIP award, the City will maintain two parallel systems.

Millennium has been providing installation of equipment and changes to equipment and maintenance, as needed. Millennium has extensive knowledge of the conditions of the City's poor voice infrastructure and existing equipment. As the City begins implementation of new technology, continued maintenance and service by this vendor is necessary because of the age of the City's system. Millennium technicians will provide maintenance on the old systems during the first year of transition.

MINUTES

Department of Communication Services - cont'd

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

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

THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 2016 Amendment to Agreement with Millennium Technologies, LLC.

MINUTES

Baltimore City Police Department - Grant Awards

The Board is requested to approve and authorize acceptance of the Grants Awards.

1. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION** **\$176,493.00**

Account: 5000-588217-2013-688600-600000

The Baltimore Police Department (BPD) "Sex Offender Compliance and Enforcement" program monitors the compliance of local sex offenders who are mandated to register, and/or re-register with the Maryland Sex Offender Registry. The funding for the BPD Sex Offender Registry Unit will provide support staff to work in an overtime capacity. It also allows the BPD to acquire essential equipment to prevent the future victimization of children. The period of the grant award is July 1, 2016 through June 30, 2017.

2. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION** **\$ 65,000.00**

Account: 5000-588117-2013-212900-600000

The Department's Gun Violence Reduction program assists in developing and implementing strategies specifically intended to reduce gun related crimes in the State of Maryland. The goal is to reduce firearm related crimes by supporting the Multi-Jurisdictional Gun Trace Task Force and Baltimore's Gun Offender Registry. The funds from this award will allow for a Data Entry Operator and a Gun Trace Analyst within the Crime Laboratory Firearms Unit in the Department and overtime expenses. The period of the grant award is July 1, 2016 through June 30, 2017.

MINUTES

Baltimore City Police Department - cont'd

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and
authorized acceptance of the foregoing Grant Awards.

MINUTES

Baltimore City Police Department - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Grant Adjustment Notice (GAN) with the Governor's Office of Crime Control and Prevention for the Urban Area Security Initiative.

AMOUNT OF MONEY AND SOURCE:

(\$15,000.00) - 4000-481216-2023-212600-600000

BACKGROUND/EXPLANATION:

On January 27, 2016, the Board approved and authorized acceptance of the original grant award for \$1,654,810.00 for the period of September 1, 2015 through June 30, 2017. This GAN reduces the award by \$15,000.00 making the total award amount \$1,639,810.00.

The grant is intended to facilitate and strengthen the nation and Maryland against risks associated with potential terrorist attacks while concentrating on developing integrated systems for prevention, protection, response, and recovery.

All other terms and conditions of the grant award remain the same.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

MINUTES

Baltimore City Police Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Adjustment Notice with the Governor's Office of Crime Control and Prevention for the Urban Area Security Initiative.

MINUTES

Health Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an Employee Expense Statement to reimburse Ms. Cindy Carr for expenses incurred during the month of February 2016.

AMOUNT OF MONEY AND SOURCE:

\$63.72 - 4000-422516-3030-271500-603002

BACKGROUND/EXPLANATION:

Ms. Carr failed to submit her expense form for February 2016. The expense form is now outside of the guidelines set for by the AM-240-11.

The Administrative Manual, Section 240-11, states the Employee Expense Reports that are submitted more than 40 work days after the calendar day of the month in which the expenses were incurred require the Board's approval.

The Department apologizes for the lateness.

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

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statement to reimburse Ms. Cindy Carr for expenses incurred during the month of February 2016.

MINUTESHealth Department - Agreements and Ratification to the Agreement

The Board is requested to approve and authorize execution of the agreements and to ratify an agreement.

AGREEMENTS

1. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$594,227.00**

Accounts: 1001-000000-3030-271500-603051	\$390,155.00
1001-000000-3030-271700-603051	\$204,072.00

The JHU's School of Medicine will provide the services of clinicians and other skilled medical staff for the clinics operated by the Department: Druid Disease Control Center, Eastern Health Clinic, Healthy Teen and Young Adult Clinic, and the Immunization program. The period of the agreement is July 1, 2015 through June 30, 2016.

The agreement is late because protracted budget negotiations delayed processing.

MWBOO GRANTED A WAIVER.

2. **ASSOCIATED CATHOLIC CHARITIES, INC. \$ 8,000.00**

Account: 6000-617816-3044-273300-603051

The organization, through the Department's Economic Security Initiative program, will provide economic casework for participants, complete economic checkup screenings, assessments, referrals, follow-ups as required, and conduct economic checkup outreach to consumers throughout the City. The period of the agreement is May 1, 2016 through December 31, 2016.

The agreement is late because it was recently finalized.

MINUTES

Health Department - cont'd

RATIFICATION OF AGREEMENT

3. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$6,746.00**

Account: 5000-569716-3023-274448-603051

The JHU's School of Medicine will provide psychosocial support services to accommodate the increasing number of insured and underinsured HIV infected clients, from childhood to age 25, access needed health and support services. The funds will be used to support a Clinical Social Worker to provide psychosocial assessments, counseling, and support programs for HIV infected children, adolescents, and young adults. The period of the agreement is July 1, 2015 through July 31, 2015.

On September 22, 2015, the Department was notified by the Department of Health and Mental Hygiene's Prevention and Health Promotion Administration that the State Fiscal Year (SFY) 2016 Unified Grant Award for all local health departments would be revised to a single funding stream, and the total amount of the SFY 2016 allocation would be reduced.

Because of reduced funding, the State Special Women, Infants, Children and Youth (WICY) awards to several providers were rescinded or reduced to reflect the State Special WICY funding period of July 1, 2015 through July 31, 2015.

The agreement is late because the providers had to modify their budgets to reflect a one-month budget period, which delayed processing the agreement on time.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

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

MINUTES

Health Department - Notice of Grant Award and Cooperative Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Notice of Grant Award (NGA) and approve and authorize execution of the Cooperative Agreement from the Department of Health and Human Services (HHS), Office of Adolescent Health (OAH) Teen Pregnancy Prevention (TPP) program. The period of the award is July 1, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$1,749,000.00 - 4000-480617-3030-294500-404001

BACKGROUND/EXPLANATION:

This Grant Award and Cooperative Agreement provide funding to support the "Baltimore City U Choose Evidence-Based TPP" services in the City. The U-Choose Coalition, led by the Department, intends to decrease the overall teen birth rate of 43.3 per 1,000 teen girls by 30% by the end of the five-year project through reductions in disparities between African American and Hispanic Teens, and to ensure sustainable delivery of evidence-based TPP programs in the City. Through this project, the Department in partnership with the City schools and a network of seven Title X clinics, plans to reach 15,890 adolescents aged 12-19 each year with evidence-based TPP programs implemented in middle schools, high schools, and Title X clinics in the City.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Notice of Grant Award and approved and authorized execution of the Cooperative Agreement from the Department of Health and Human Services, Office of Adolescent Health Teen Pregnancy Prevention program.

MINUTES

Department of Housing and - Second Modification to Mortgage
Community Development Servicing Settlement Fund
Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Second Modification to Mortgage Servicing Settlement Fund Memorandum of Understanding (MOU) between the Maryland Office of the Attorney General and the Maryland Department of Housing and Community Development (MD-DHCD). The Second Modification will extend the MOU through December 31, 2016.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In 2013, the Maryland Office of the Attorney General, along with other Attorney Generals throughout the country, entered into a settlement with the nation's top five banks following an investigation into foreclosure abuses, fraud, and practices such as "robo-signing." Among other benefits, the settlement provided funds to the State of Maryland for housing-related services and activities. Through the Mortgage Servicing Settlement Fund MOU, the State awarded Baltimore City \$10 million of these funds to spend on acquisition, relocation, demolition, stabilization, and homeowner incentives throughout Baltimore.

In the past three years, the City has asked for reimbursement of \$8.2 million out of the total \$10 million. The Baltimore City Department of Housing and Community Development has completed all work related to these funds except the demolition of 112 properties. The demolition costs for these remaining properties have been encumbered and the work released to demolition contractors.

MINUTES

DHCD - cont'd

The City is asking for a six-month extension beyond the previous May 30, 2016 expiration date in order to complete the pending demolitions and process payments to the contractors and subsequent reimbursement requests to the State. The City has been working with the State on the terms of the extension since early May.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Modification to Mortgage Servicing Settlement Fund Memorandum of Understanding between the Maryland Office of the Attorney General and the Maryland Department of Housing and Community Development.

MINUTES

Department of Housing and - Expenditure of Funds
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the Expenditure of Funds to authorize payment to the Housing Authority of Baltimore City.

AMOUNT OF MONEY AND SOURCE:

\$111,549.96 - 1001-000000-1773-179900-603080

BACKGROUND/EXPLANATION:

The funds will be used to pay the Department's share of the cost to comply with Microsoft Software Licenses True-up.

This payment will support DHCD's share of the cost only. The HABC is procuring the Microsoft Software Licenses True-Up in accordance with the agreement entered into between the HABC and the City approved by the Board on February 27, 2013.

This agreement permits the HABC to procure contracts on behalf of both HABC and DHCD where the service is considered Shared Ordinary Operating Services. Shared Operating Services are limited to those services where DHCD and HABC anticipates 20% or more of the benefit of such services and will be paying 20% or more of their cost. This Software License True-Up service is covered under the Microsoft Select and Enterprise software license EA #8034575 that were procured by HABC under federal guidelines and approved by the Board on March 2016.

APPROVED FOR FUNDS BY FINANCE.

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds and authorized payment to the Housing Authority of Baltimore City.

MINUTES

Baltimore City Fire Department - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the Grant Award from the State of Maryland Office of the Governor.

AMOUNT OF MONEY AND SOURCE:

\$20,000.00 - 5000-558517-2121-226500-606004 - State Funds
20,000.00 - 1001-000000-2121-226500-606004 - City matching funds
\$40,000.00

BACKGROUND/EXPLANATION:

This is a State grant administered through the Department of Natural Resources Program Open Spaces. The grant amount is \$20,000.00 with a City match of \$20,000.00. This grant will provide for the purchase of a new marine fire/rescue boat.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Award from the State of Maryland Office of the Governor.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the Assignment of Task No. 4 to Toole Design Group, LLC under Project No. 1179, On-Call Livable Streets Planning and Engineering Services. The duration of the Task is 12 months.

AMOUNT OF MONEY AND SOURCE:

\$47,874.46 - 9950-905088-9512-900020-703032

BACKGROUND/EXPLANATION:

This authorization will allow the Consultant to assist the City with the development and design plan for Potomac Street Separated Bicycle Facility.

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 original agreement.

MWBOO SET GOALS OF 27% MBE AND 9% WBE.

MWBOO FOUND VENDOR IN COMPLIANCE.

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

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$59,107.35	9950-902071-9512	9950-905088-9512-5
Other	SE Transportation	Inspection Traffic
	Action Plan	Mitigation SE Zone C

This transfer will fund the costs associated with Task No. 4, Project 1179, On-Call Livable Street Planning and Engineering Services with Toole Design Group, LLC.

UPON MOTION duly made and seconded, the Board approved the Assignment of Task No. 4 to Toole Design Group, LLC under Project No. 1179, On-Call Livable Streets Planning and Engineering Services. The Transfer of Funds was approved **SUBJECT** to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the Assignment of Task No. 26 to Whitman, Requardt & Associates, Inc. under Project No. 1134, On-Call Traffic Engineering Studies. The duration of the task is nine months.

AMOUNT OF MONEY AND SOURCE:

\$159,879.48 - 2026-000000-2303-733800-603026

BACKGROUND/EXPLANATION:

This authorization will allow the Consultant to conduct a parking study in order to analyze parking conditions in the neighborhoods of Otterbein, Sharp-Leadenhall, Federal Hill, South Baltimore and Riverside, and to develop a plan to address any availing parking issues.

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 original agreement.

MWBOO SET GOALS OF 27% MBE AND 9% WBE.

MWBOO FOUND VENDOR IN COMPLIANCE.

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. 26 to Whitman, Requardt & Associates, Inc. under Project No. 1134, On-Call Traffic Engineering Studies.

MINUTES

Department of Transportation - Developer's Agreement No. 1455

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Developer's Agreement no. 1455 with 500 Park Avenue, LLC.

AMOUNT OF MONEY AND SOURCE:

\$267,895.00

BACKGROUND/EXPLANATION:

The developer will install new water, storm drain, conduit, and road improvements to their proposed construction located 500 Park Avenue. This developer's agreement will allow the organization to do their own installation in accordance with City Standards.

An Irrevocable Letter of Credit in the amount of \$267,895.00 has been issued to 500 Park Avenue, 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 the Developer's Agreement no. 1455 with 500 Park Avenue, LLC.

MINUTES

Department of Transportation - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an employee expense statement to reimburse Mr. Patrick Fleming for expenses incurred during the month of April 2016 for mileage and parking.

AMOUNT OF MONEY AND SOURCE:

\$147.94 - 1001-000000-2301-249000-603002

BACKGROUND/EXPLANATION:

The Department received this request past the submission date allowed by the Department of Finance.

The Administrative Manual, Section 240-11, states the Employee Expense Reports that are submitted more than 40 work days after the calendar day of the month in which the expenses were incurred require the Board's approval.

The Department apologizes for the lateness.

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

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds to reimburse Mr. Patrick Fleming for expenses incurred during the month of April 2016 for mileage and parking.

MINUTES

Department of Recreation & Parks - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 004 to GWWO, Inc., under Project No. 1234, On-Call Architectural Design Services.

AMOUNT OF MONEY AND SOURCE:

\$330,895.76 - 9938-908779-9474-900000-703032

BACKGROUND/EXPLANATION:

This task will include Schematic Design and Design Development Services for the Druid Hill Park Bathhouse and Pool Renovation.

MBE/WBE PARTICIPATION:

The Contractor has achieved 16.07% MBE and 15.18% WBE.

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. 004 to GWWO, Inc., under Project No. 1234, On-Call Architectural Design Services.

MINUTES

Department of Recreation & Parks - On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Agreement with Rummel Klepper & Kahl, LLP, under Project No. 1232, On-Call Engineering Services. The period of the On-Call Agreement is effective upon Board approval for three years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,500,000.00 - Upset limit

BACKGROUND/EXPLANATION:

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

MBE/WBE PARTICIPATION:**MWBOO SET GOALS OF 25% FOR MBE AND 10% FOR WBE.**

MBE: Sidhu Associates, Inc.	0-25%
Navarro & Wright Consulting Engineers, Inc.	0-25%
Spartan Engineering, LLC	<u>0-25%</u>
Total MBE	25%
WBE: Carroll Engineering, Inc.	0-10%
Axiom Engineering Design, LLC	<u>0-10%</u>
Total WBE	10%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

Department of Recreation & Parks - cont'd

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the On-Call Agreement with Rummel Klepper & Kahl, LLP, under Project No. 1232, On-Call Engineering Services.

MINUTES

Department of Recreation & Parks - Joint-Use Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Joint-Use Agreement among East Baltimore Development, Inc. (EBDI), New East Baltimore Community Association (Association), and the Maryland Department of Natural Resources (DNR), Program Open Space. The period of the Joint-Use Agreement is effective upon Board approval for 20 years.

AMOUNT OF MONEY AND SOURCE:

\$4,036,000.00 - 9938-909070-9474

BACKGROUND/EXPLANATION:

The purpose of this Joint-Use Agreement is to develop and sustain an open public park at 900 North Wolfe Street, to be known as Eager Park, within the EBDI development area. The City, through the DNR, is applying for capital improvement funds from the DNR for Eager Park where the granting of these funds by the DNR is contingent upon Board approval of this Joint-Use Agreement.

The DNR will then provide these same funds to the EBDI for the capital development of Eager Park as a public open-space. The local government, through the DNR, will operate and maintain (or have the Project operated and maintained by the EBDI or the Association), the Project throughout its estimated life of 20 years from the date of conveyance of the Park.

The EBDI is a private non-profit corporation organized in 2003 to oversee the development of approximately 88 acres in East Baltimore. Eager Park will be a public park within the overall EBDI master plan and will be developed using State Program Open Space funding. Eager Park will be maintained as a public open space by the EBDI under all mandated guidelines set forth by the

MINUTES

Department of Recreation & Parks - cont'd

DNR and the Department of Recreation and Parks, including public access and standards of care and safety included in the submitted Joint-Use Agreement.

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 Joint-Use Agreement among East Baltimore Development, Inc., New East Baltimore Community Association, and the Maryland Department of Natural Resources, Program Open Space.

MINUTES

Department of Recreation & Parks - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding with the Maryland Department of Natural Resources. The period of the Memorandum of Understanding is June 27, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$200,465.00 - 5000-577717-4781-363900-603026

BACKGROUND/EXPLANATION:

The Department of Recreation & Parks and the Maryland Department of Natural Resources desire to work together to bring the Maryland State Park Service's youth program, and the Conservation Jobs Corp to the City's parks in an effort to expose Baltimore City youth to job training in arboriculture and landscaping with an outcome of enhancing the natural environment and urban waterways of the City.

The Department of Recreation & Parks will hire 100 talented youth workers to help maintain our parks and trails. This year, the Department of Recreation & Parks is partnering with the Maryland State Department of Natural Resources to make this experience even more beneficial for the youth by expanding their understanding of the biology and ecology of their work. This value added partnership will increase the level of learning and workforce development of the youth workers working in our parks with educational curricula in biology, ecology, stream ecology, etc. Outdoor experiences include camping trips, canoeing and hiking at state forests.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Department of Recreation and Parks - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding with the Maryland Department of Natural Resources.

MINUTES

Baltimore Development - Ground Lease Agreement
Corporation

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Ground Lease Agreement with Ronald McDonald House Charities of Baltimore, Inc., for a portion of the City-owned property consisting of 23,456 sq. ft., located at 1200 East Baltimore Street, Block 1339, Lot 001. The period of the Ground Lease Agreement is 50 years, with an option to renew for an additional 25 years.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annual Rent

BACKGROUND/EXPLANATION:

The City-owned land (a portion of McKim Park) is within the boundaries of the Jonestown Urban Renewal Area, having a lot size of approximately 23,456 square feet. The ground lease agreement will allow the construction and operation of a 55,000 square foot, multi-level building, with approximately 56 rooms, and to be used as a short-term residential and support facility for families with seriously ill children being treated in local hospitals. The Ronald McDonald House has outgrown its current facility, and this expansion will allow for them to increase the number of families by 50 percent. Construction is scheduled to start fall 2016.

In addition, Ronald McDonald House will contribute \$250,000.00 towards renovation of McKim Park that will include a basketball court, playground, open green space, fixtures, furnishings, and other amenities for a modern public park appropriate for the size of McKim Park.

MINUTES

BDC - cont'd

Following completion of McKim Park Improvements, Ronald McDonald House will assume responsibility for some maintenance services, consistent with the City's "Adopt-A-Park" program.

MBE/WBE PARTICIPATION:

Ronald McDonald House Charities of Baltimore, Inc. has signed the commitment to comply with the City's Minority Business Enterprise Program goals of 27% MBE and 10% WBE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Ground Lease Agreement with Ronald McDonald House Charities of Baltimore, Inc., for a portion of the City-owned property consisting of 23,456 sq. ft., located at 1200 East Baltimore Street, Block 1339, Lot 001.

MINUTES

Baltimore Development Corporation - Office Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Office Lease Agreement with Johnson's Total Services, Inc., Tenant for the rental of 680 square feet in Suite 300, at the Business Center @ Park Circle located at 2901 Druid Park Drive. The period of the Office Lease Agreement is effective upon Board approval for two years with an option to renew for one additional 2-year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$10,341.48	\$861.79

After year one, the base rent will escalate at a rate of 4% annually in order to allow for any increases in building expenses.

BACKGROUND/EXPLANATION:

Johnson's Total Services, Inc. has been in business for approximately seven years and has been a tenant at the Business Center at Park Circle for five years. The company provides maintenance, janitorial and contracting services and currently has three employees. The space will be used as an Administrative Office.

The space is leased on an "As-Is" basis and does not require the Landlord to make any modifications. The Tenant will be responsible for any improvements or build-out of the premises.

All other Landlord services such as utilities, limited janitorial services, maintenance, and repairs to the premises are included in the initial base rent.

MINUTES

BDC - cont'd

In addition, the Tenant is obligated to maintain and keep in force general public liability, contractual liability and property damage insurance protection for the premises and name the City as additionally insured under said insurance policies.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Office Lease Agreement with Johnson's Total Services, Inc., Tenant, for the rental of 680 square feet in Suite 300, at the Business Center @ Park Circle located at 2901 Druid Park Drive.

MINUTESBaltimore Development Corporation - Office Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Office Lease Agreement with Building Communities Today for Tomorrow, Inc., Tenant for the rental of 1,200 square feet in Suite A207, at the Business Center @ Park Circle located at 2901 Druid Park Drive. The period of the Office Lease Agreement is effective upon Board approval for one year with an option to renew for one additional 1-year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$16,872.96	\$1,406.08

After year one, the base rent will escalate at a rate of 4% annually in order to allow for any increases in building expenses.

BACKGROUND/EXPLANATION:

Building Communities Today for Tomorrow, Inc. (BCTT) is a private minority-owned and operated corporation servicing children, adolescents, adults, and seniors who are at-risk for removal from the home or community, or who are transitioning from residential settings back into the community. BCTT has been in business since 2000 and a tenant in the building since July 2008. BCTT serves clients in Baltimore City, Prince Georges, and Montgomery Counties and currently has eight employees in Baltimore City.

The space is leased on an "As-Is" basis and does not require the Landlord to make any modifications. The Tenant will be responsible for any improvements or build-out of the premises.

All other Landlord services such as utilities, limited janitorial services, maintenance, and repairs to the premises are included in the initial base rent.

MINUTES

BDC - cont'd

In addition, the Tenant is obligated to maintain and keep in force general public liability, contractual liability and property damage insurance protection for the premises and name the City as additionally insured under said insurance policies.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Office Lease Agreement with Building Communities Today for Tomorrow, Inc., Tenant, for the rental of 1,200 square feet in Suite A207, at the Business Center @ Park Circle located at 2901 Druid Park Drive.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
--------	-----------------	-------------

Bureau of Purchases

- | | | |
|----------------------------------------------------------|-------------|--------------|
| 1. KRONOS SYSTEMS INCORPORATED | | Sole Source/ |
| a/k/a KRONOS INCORPORATED | \$28,926.20 | Agreement |
| Solicitation No. 08000 - Telestaff Maintenance & Support | | |
| System - Fire Department - Req. No. 725907 | | |

The Board is requested to approve and authorize execution of an Agreement with Kronos Systems Incorporated a/k/a Kronos Incorporated. The period of the agreement is July 20, 2016 through July 19, 2017, with two 1-year renewal options remaining.

Kronos Systems Incorporated is the developer and sole distributor of the Telestaff System that is currently in use by the Fire Department. This is a requirement for an annual maintenance contract to maintain 24/7 software protection on the system for staff time keeping.

- | | | |
|---------------------------------------------------------------|-------------|---------|
| 2. JACOBSEN a Division | | |
| of TEXTRON, INC. | \$33,793.20 | Low Bid |
| Solicitation No. B50004611 - Zero Turn Sand Rake - Department | | |
| of General Services - Fleet Management - Req. R715681 | | |

Vendors were solicited by posting on CitiBuy, eMaryland Marketplace, and in local newspapers. The three bids received were opened on June 08, 2016. The award is recommended to the low bidder. The amount requested is for three units being purchased as part of Fleet Management's planned replacement program. The period covered is July 20, 2016 through July 19, 2017.

The total amount of \$33,793.20 will be financed through the City's Master Lease program administered by the Bureau of Treasury Management.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
--------	-----------------	-------------

Bureau of Purchases

- | | | |
|------------------------------------------------------------------------------------------|--------------|-------------|
| 3. KEISER CORPORATION | \$ 72,480.61 | Sole Source |
| Solicitation No. 08000 - Keiser Fitness Equipment - Health Department - Req. No. R732143 | | |

As part of the Health Department's remodel of the Waxter Senior Center, approval is requested to purchase Keiser Fitness Equipment. This equipment is being purchased with grant funds.

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

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|---------------------------------------------------------------------------------------|--------------|-------------|
| 4. FITNESS RESOURCE | | Cooperative |
| RETAIL LLC | \$ 79,470.99 | Contract |
| Contract No. 4400004432 - (Fairfax County, VA) - Health Department - Req. No. R732087 | | |

A requisition has been received from the Health Department for the purchase of exercise equipment for the Waxter Senior Center as part of the center's remodel. The County of Fairfax, VA has competitively bid and awarded Contract No. 4400004432 to Fitness Resource Retail LLC. This equipment is being purchased with a grant that expired and has been extended. Therefore, authority is requested to issue a purchase order to Fitness Resource Retail LLC in the amount of \$79,470.99.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------------|
| 5. ALTURA COMMUNICATION SOLUTIONS, LLC | \$ 28,892.88 | First Amendment to Agreement |
| Contract No. 06000 - Voice Mail Maintenance and Xpress Care Software Services - Municipal Telephone Exchange and Comptroller's Office - P.O. No. P520592 | | |

The Board is requested to approve and authorize execution of a First Amendment to Agreement with Altura Communication Solutions, LLC. The current contract expires on June 12, 2017, with no renewal options remaining.

On June 13, 2012, the Board approved the initial award in the amount of \$41,742.00. The award contained two 1-year renewal options. All renewals have been exercised. This amendment will also allow for the implementation of an upgrade of current AVST CX-E Advanced Messaging Platform/Voice Mail System to work with the new Mitel VoIP System.

- | | | |
|----------------------------------------------------------------------------------------------------------|--------------|----------------------------------|
| 6. CLEAR IMPACT LLC | \$ 75,000.00 | Assignment Agreement and Renewal |
| Contract No. 06000 - Results Based Accountability Agreement - Finance - Budget Bureau - Req. No. P528179 | | |

The Board is requested to approve and authorize execution of an Assignment Agreement with Clear Impact LLC. The period of the agreement is July 23, 2016 through July 22, 2017, with one 1-year renewal option.

On July 23, 2014, the Board approved the initial award in the amount of \$133,400.00 to The Results Leadership Group, LLC for a "Turn the Curves" strategic planning process, which consists of required software and licensing.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

The award contained three 1-year renewal options. On June 24, 2015, the Board approved the first renewal in the amount of \$171,175.00. Clear Impact, LLC has acquired all rights, title, obligations, and interests in The Results Leadership Group, LLC. This is the second renewal. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | |
|---------------------------------------------------------------------------------------------------------|--------------|---------|
| 7. FRANKLIN MILLER, INC. | \$ 50,000.00 | Renewal |
| Contract No. 08000 - Franklin Miller Shredder and Parts - Department of Public Works - P.O. No. P524568 | | |

On August 14, 2013, the Board approved the initial award in the amount of \$200,000.00. The award contained two 1-year renewal options. The vendor is the sole manufacturer of the Franklin Miller Shredder and the only supplier of OEM parts. This renewal is for the period August 14, 2016 through August 13, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

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|----------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 8. SOUTHERN IONICS
INCORPORATED | \$200,000.00 | Renewal |
| Contract No. B50002491 - Liquid Sodium Bisulfide - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P521128 | | |

On August 15, 2012, the Board approved the initial award in the amount of \$144,000.00. The award contained four 1-year renewal options. Three renewal options have been exercised. This final renewal in the amount of \$200,000.00 is for the period September 3, 2016 through September 2, 2017. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---------------------------------------------------------------------------------------------------------|--------------|----------|
| 9. ROCKY MOUNTAIN HOLDINGS, LLC | \$452,542.00 | Increase |
| Solicitation No. 06000 - Non-Emergent Air Transportation Services - Health Department - Req. No. 535700 | | |

On June 01, 2016, the Board approved the initial award in the amount of \$452,542.00 on a selected source basis. The Board is requested to approve an increase in the amount of \$452,542.00 to cover invoices for claims, which were originally declined but later approved on appeal. This increase will make the total award amount \$905,084.00. The contract expires on May 31, 2017. The above amount is the City's estimated requirement.

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

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------|
| 10. <u>For Trainers:</u> | \$100,000.00 | |
| OPERATIONAL PERFORMANCE SOLUTIONS, INC. | | |
| <u>For Facilitators:</u> | \$200,000.00 | |
| OPERATIONAL PERFORMANCE SOLUTIONS, INC. | | |
| NEOVISTA CONSULTING, LLC | | |
| GLOBAL PRODUCTIVITY SOLUTIONS, LLC | | |
| | <u>\$300,000.00</u> | Renewal |
| Contract Number B50003322 - Lean Consultants, Facilitators and Trainers - Department of Finance - P.O. Nos. P528413, P528420, P528427, P528428 | | |

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

On August 13, 2014, the Board approved the initial award in the amount of \$599,500.00. The Board is requested to approve the first renewal in the amount of \$300,000.00. The first renewal will make the total award amount \$899,500.00. This renewal is for the period July 23, 2016 through July 22, 2017, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

11. CORRELLI INCORPORATED
FLEETPRIDE, INC.
WASTE EQUIPMENT SALES
AND SERVICE, LLC
THC ENTERPRISES, INC.
d/b/a MID-ATLANTIC
WASTE SYSTEMS

\$1,000,000.00

Increase

Contract Number B50002613- Aftermarket Parts and Service for Heavy Trucks and Equipment - P.O. Nos. 522357, P522358, P522359, P522360

On December 05, 2012, the Board approved the initial award in the amount of \$2,500,000.00. On August 13, 2014, the Board approved an increase in the amount of \$1,000,000.00. On March 04, 2015, the Board approved an increase in the amount of \$900,000.00. On August 26, 2015, the Board approved an increase in the amount of \$1,000,000.00. On January 20, 2016, the Board approved the first renewal in the amount of \$1,000,000.00. The Board is requested to approve an increase in the amount of \$1,000,000.00. Due to extensive repairs on heavy duty trucks and equipment, which resulted in a depletion of funds, an increase in the amount of \$1,000,000.00 is necessary to continue utilizing services from the contract. This increase will make the total award amount \$7,400,000.00. 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>
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UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Board also approved and authorized execution of the Agreement with Kronos Systems Incorporated a/k/a KRONOS Incorporated (item no. 1), the First Amendment to Agreement with Altura Communication Solutions, LLC. (item no. 5), and the Assignment Agreement and Renewal with Clear Impact LLC (item no. 6).

MINUTES

Mayor's Office on Criminal Justice - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Grant Award from the Governor's Office of Crime Control and Prevention. The period of the Grant Award is July 1, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$25,000.00 - 5000-588417-2021-690700-600000

BACKGROUND/EXPLANATION:

The funds from this grant will provide overtime for the Department's High Risk Juvenile Crime Reduction Initiative, which is designed to address high incidents of juvenile crime in the City. The program aggressively tracks juvenile offenders by utilizing a security integration model of multi-agency collaboration with the State, local law enforcement agencies, public safety agencies, and community partners.

APPROVED FOR FUNDS BY FINANCE

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

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

MINUTES

Mayor's Office on Criminal Justice - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Agreement between the Baltimore City Police Department, W-ARC Alameda, L.L.C., a Delaware limited liability company, Owner, and ARC Management, L.L.C., a Virginia limited liability company, Property Manager. The period of the Agreement is effective upon Board approval for five-years, with an option to renew for one additional 5-year term.

AMOUNT OF MONEY AND SOURCE:

\$26,250.00 - 1001-000000-2251-786500-401064
(\$1,050.00 per camera/per year)

BACKGROUND/EXPLANATION:

The Property Manager will purchase five CCTV cameras from Tele-Tector of Maryland, Inc. in the amount of \$35,396.00 and then donate them to the CitiWatch program inventory.

During the term of this Agreement, the Owner or the Property Manager will pay the City \$1,050.00 per camera, per year for maintenance and repair, or \$26,250.00 in the aggregate.

The Owner and the Property Manager will collaborate with the City to purchase, install, maintain, and monitor CCTV cameras and related equipment near a retail center known as the Alameda Marketplace Shopping Center located at 5600-5650 and 5658-5668, The Alameda. The Owner or the Property Manager will pay the City, in advance, an annual fee of \$1,050.00 per camera, for five cameras within 30 days of the date of Board approval and one each subsequent anniversary.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Mayor's Office on Criminal Justice - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement between the Baltimore City Police Department, W-ARC Alameda, L.L.C., a Delaware limited liability company, Owner, and ARC Management, L.L.C., a Virginia limited liability company, Property Manager.

MINUTES

Mayor's Office of Criminal Justice - CitiWatch Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a CitiWatch Agreement between the Police Department (the City) and PVG Townhomes, LLC, (Developer). The period of the Agreement is effective upon Board approval for one year, with three 1-year renewal options.

AMOUNT OF MONEY AND SOURCE:

\$25,000.00 - 1001-000000-2251-786500-401064

BACKGROUND/EXPLANATION:

The Developer will pay the City \$25,000.00 per year during the term of the CitiWatch Agreement for a portion of the maintenance and repair costs for the CitiWatch system at the Baltimore Housing's Pleasant View Gardens housing complex (PVG).

The City operates CitiWatch, a network of closed circuit cameras and devices, including data transmission cables (devices) that are part of the City's video surveillance camera system for remote transmission of video images. CitiWatch assists the Baltimore Police and others with public safety. The CitiWatch network includes devices located at the PVG.

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 CitiWatch Agreement between the Police Department and PVG Townhomes, LLC.

MINUTES

Mayor's Office of Criminal Justice - Easement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Easement Agreement with Baltimore Affordable Housing Development, Inc. (Grantor).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City operates Citiwatch, a network of closed circuit cameras and devices, including data transmission cables (devices) that are part of the City's video surveillance camera system for remote transmission of video images. Citiwatch assists the Baltimore Police and others with public safety. The Citiwatch network includes devices located at the Pleasant View Gardens (PVG). The City intends to sell Pleasant View Gardens to an affiliate of the Michaels Organization, private developer, under the U.S. Department of Housing and Urban Development's Rental Assistance Demonstration Project (RAD). To ensure continued access to the Citiwatch cameras at the PVG, the Baltimore Affordable Housing Development, Inc. has granted the City access to the devices.

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 Easement Agreement with Baltimore Affordable Housing Development, Inc.

MINUTES

Bureau of the Budget and - Special Fund Appropriation Transfer
Management Research

ACTION REQUESTED OF B/E:

The Board is requested to approve the Appropriation Adjustment Order (AAO) to transfer special funds within the Baltimore City Health Department from Service 715 (Health Administration) to Service 310 (School Health Services).

AMOUNT OF MONEY AND SOURCE:

\$437,500.00 - From: 6000-600017-3001-568000-406001
Unallocated Special Funds
(Service 715)

To: 6000-616017-3100-295900-406001
(Service 310)

BACKGROUND/EXPLANATION:

The source of the Special Funds is a grant award in the amount of \$500,000.00, from the Abell Foundation. On June 1, 2016, the Board approved acceptance of the grant for the project entitled "Vision for Baltimore."

The transfer is necessary to provide funding for the Vision for Baltimore Initiative, aimed at providing eyeglasses for Baltimore City elementary and middle school students. Initially, special funding as appropriated within an unallocated special fund account in the Fiscal 2017 Ordinance of Estimates. With this AAO, funding will be moved from the unallocated grant source, in accordance with the actual grant award.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

MINUTES

Bureau of the Budget and - cont'd
Management Research

UPON MOTION duly made and seconded, the Board approved the Appropriation Adjustment Order to transfer special funds within the Baltimore City Health Department from Service 715 (Health Administration) to Service 310 (School Health Services).

MINUTES

Department of Finance - Public School Property
Transfer Agreements

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Property Transfer Agreements by the Baltimore City Board of School Commissioners for the former Dr. Raynor Browne Elementary/Middle School, William Pinderhughes Elementary School, and the Langston Hughes Elementary School with the State of Maryland through the Board of Public Works.

AMOUNT OF MONEY AND SOURCE:

\$613,981.00 - Dr. Raynor Browne Elementary/Middle School
16,713.00 - William Pinderhughes Elementary School
19,646.00 - Langston Hughes Elementary School
\$650,340.00 - 1001-000000-1230-151900-608010/608011

BACKGROUND/EXPLANATION:

The Baltimore City Board of School Commissioners approved the disposition and transfer of the above listed schools to the City of Baltimore because it was determined that these schools were no longer needed for educational purposes. Each of these schools is listed on a previously approved Memorandum of Understanding (MOU) for the Construction and Revitalization of Baltimore City Schools. Education Article Section 5-308 (b) and Section 10 (B) of that MOU require the City, with certain conditions, to reimburse the State for the remaining State bond debt associated with each school. The above payments satisfy the remaining obligation on the three schools.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

MINUTES

Department of Finance - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Property Transfer Agreements by the Baltimore City Board of School Commissioners for the former Dr. Raynor Browne Elementary/Middle School, William Pinderhughes Elementary School, and the Langston Hughes Elementary School with the State of Maryland through the Board of Public Works. The President voted **NO**.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office</u>			
1. Desiree Heartberg	Byrne Criminal	General	\$3,299.19
Jeffery Featherstone	Justice Innovation	Funds	
Deron Garrity	Peer Learning		
	Site Visit		
	Cleveland, OH		
	Aug. 15 - 17, 2016		
	(Reg. Fee \$0.00)		

The subsistence rate for this location is \$194.00 per day. The transportation cost of \$257.96, hotel cost of \$169.00 per night and hotel tax of \$18.59 per night for each attendee were prepaid using a City-issued credit card assigned to Kathe Hammond. Therefore, the disbursement to each attendee will be \$60.00.

The Byrne Criminal Justice Innovation grant will refund the transportation and hotel cost.

Office of the President

2. Bernard "Jack" Young	MACo Summer Conference	Elected Official	\$1,395.00
	Ocean City, MD	Expense	
	Aug. 17 - 20, 2016	Account	
	(Reg. Fee \$285.00)		

The subsistence rate for this location is \$276.00. The hotel cost is \$281.00 per night, plus hotel taxes in the amount of \$29.50 per night, and \$1.50 per day mandatory safe fee.

The Office of the President is requesting additional subsistence of \$5.00 per night for the hotel, \$1.50 per night for a mandatory safe fee, and \$40.00 per day for food and incidentals.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the President - cont'd</u>			

The registration fee in the amount of \$285.00 was prepaid on a City-issued procurement card assigned to Mr. Hosea Chew. The disbursement to Mr. Young \$1,110.00.

3. Carolyn Blakeney	MACo Summer Conference Ocean City, MD Aug. 17 - 21, 2016 (Reg. Fee \$285.00)	General Funds	\$1,503.76
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The subsistence rate for this location is \$276.00. The hotel cost is \$281.00 per night, plus taxes of 29.50 per night and \$1.50 per day mandatory safe fee.

The Office of the President is requesting additional subsistence of \$5.00 per night for the hotel, \$1.50 per night for a mandatory safe fee, and \$40.00 per day for meals and incidentals. The registration fee in the amount of \$285.00 was prepaid using a City-issued procurement card assigned to Mr. Hosea Chew. The disbursement to Ms. Blakeney is \$1,218.76. The dates of the conference are August 17-20. Ms. Blakeney is staying one additional day at her own expense.

City Council

4. Sharon Middleton	MACo Summer Conference Ocean City, MD Aug. 17 - 20, 2016 (Reg. Fee \$285.00)	Elected Official Expense Account	\$1,503.76
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The subsistence rate for this location is \$276.00. The hotel cost is \$281.00 per night, plus taxes of 29.50 per night, and \$1.50 per day for a mandatory safe fee.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>City Council - cont'd</u>			

The attendee is requesting additional subsistence of \$5.00 per night for the hotel, \$1.50 per night for a mandatory safe fee, and \$40.00 per day for meals and incidentals. The registration fee in the amount of \$285.00 was prepaid using a City-issued procurement card assigned to Mr. Hosea Chew. The disbursement to Ms. Middleton is \$1,218.76.

Police Department

5. Samuel Margolis Kai Ji	Computer Appli- cations for Crime Analysis Suffolk, VA Aug. 7 - 12, 2016 (Reg. Fee \$395.00 Ea.)	Asset Forfeiture Fund	\$3,009.98
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Office of the State's Attorney

6. Marilyn Mosby* Patricia DeMaio Wayne Green Kevin Dunton	National District Attorney's Association Boston, MA July 17 - 20, 2016 (Reg. Fee \$507.93)* (Reg. Fee \$607.93)	General Funds	\$6,190.11
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The transportation cost of \$213.15 for each attendee was prepaid using a City-issued procurement card assigned to Ms. Robin Haskin. The registration fee of \$507.93 and \$607.93 were paid via check from an Asset Forfeiture account from the Office of the State's Attorney. Therefore, the disbursement to Ms. Mosby and Ms. DeMaio is \$1,067.01. The disbursement to Mr. Green and Mr. Dunton is \$1,043.81.

MINUTES**TRAVEL REQUEST**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>			
7. Jerry Molyneaux*	2016 AAU Junior	General	\$11,523.90
Garfield Thompson*	Olympics - Track	Funds	
Vaughn DeV Vaughn*	and Field Games		
Jabari Bush**	Houston, TX		
Mary Haynes**	July 28-Aug. 6, 2016*		
Brittany Griffin**	July 30-Aug. 6, 2016**		
Lutalo Bakari**	(Reg. Fee \$ 0.00)		
Etosha Bakari**			
Raynard Bennett**			
Duane Downer**			

The Baltimore City Foundation will cover the total cost of the transportation for this event.

RETROACTIVE TRAVEL/REIMBURSEMENTDepartment of Transportation

8. Eric Goods	Fiber Optics	\$ 828.82
	1-2-3	
	Chantilly, VA	
	April 11 - 15, 2016	
	(Reg. Fee \$0.00)	

Mr. Goods traveled to Chantilly, VA on April 11, 2016 to attend the Fiber Optics 1-2-3 Training Course.

The subsistence rate for this location was \$295.00 per day. The hotel rate was \$184.00 per night for the nights of April 11 - 13 and \$129.00 for April 14, plus \$22.08 for the nights of April 11, 12, and 13 for occupancy and room tax and \$7.74 for the night of April 14 for occupancy and county tax. The Fiber Optic training course cost of \$3,360.00 was paid on EA000183752. The Retroactive Approval is late because of administrative delays.

MINUTES**RETROACTIVE TRAVEL/REIMBURSEMENT**

Department of Transportation - cont'd

TRAVEL REIMBURSEMENT:

\$ 66.10 Transportation
762.72 Hotel Cost
\$828.82

UPON MOTION duly made and seconded, the Board approved the foregoing travel requests and retroactive travel/reimbursement. Acting on behalf of the Honorable Mayor Stephanie Rawlings-Blake, the Deputy Director of Finance, **ABSTAINED** on item no. 1. The President **ABSTAINED** on item nos. 2, 3 and 4.

MINUTES**PROPOSAL AND SPECIFICATIONS**

1. Department of Transportation - TR 16007, Material Testing
2017 Various Projects Citywide
BIDS TO BE RECV'D: 08/24/2016
BIDS TO BE OPENED: 08/24/2016

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above Proposal and Specification to be advertised for receipt and opening of bids on the dates indicated.

MINUTES

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ALL ITEMS ON THE AGENDA.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest.

Kim A. Trueheart

July 19, 2016

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:

Pages 1 - 75, City Council President and members of the Board of Estimates, BOE Agenda dated July 20, 2016, if acted upon:

- a. The proceedings of this board often renew business agreements without benefit of clear measures of effectiveness to validate the board's decision to continue funding the provider of the city service being procured;
- b. The Baltimore City School Board of Commissioners routinely requires submissions for board consideration to include details of the provider's success in meeting the objectives and/or desired outcomes delineated in the previously awarded agreement;
- c. The members of this board continue to fail to provide good stewardship of taxpayers' funds as noted by the lack of concrete justification to substantiate approval of actions presented in each weekly agenda;
- d. This board should immediately adjust the board's policy to ensure submissions to the board include measures of effectiveness in each instance where taxpayer funds have already been expended for city services;
- e. In the interest of promoting greater transparency with the public this board should willing begin to include in the weekly agenda more details which it discusses in closed sessions without benefit of public participation.

Email: kimtrueheart@gmail.com

5519 Belleville Ave
Baltimore, MD 21207

- f. Lastly this board should explain to the public how, without violating the open meeting act, a consent agenda is published outlining the protocols for each week's meeting prior to the board opening its public meeting.

3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various agencies and departments of the Baltimore City municipal government which potentially cost myself and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending.

4. Remedy I desire: The Board of Estimates should immediately direct each agency to include measures of effectiveness in any future submissions for the board's consideration.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 20, 2016.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

President: "There being no more business before the Board, the meeting will recess until bid opening at 12 noon. Thank you."

* * * * *

MINUTES

Comptroller: "Good afternoon, 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 agencies had issued an Addendum extending the dates for receipt and opening of bids on the following contract. There were no objections.

Department of Recreation - RP 16806, Canton Parking Lot
Resurfacing
BIDS TO BE RECV'D: 07/20/2016
BIDS TO BE OPENED: 07/27/2016

Department of Public Work - WC 1204, Druid Lake Finished
Water Tanks
BIDS TO BE RECV'D: 07/20/2016
BIDS TO BE OPENED: 07/27/2016

Bureau of Purchases - B50004530, Baltimore City Shuttle/
Transit Service
BIDS TO BE RECV'D: 07/20/2016
BIDS TO BE OPENED: 09/14/2016

MINUTES

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

Bureau of Purchases -B50004627, Original Equipment Manufacturer Actuators and Parts

Edwin Elliott Co.

Bureau of Purchases -B50004650, Fabricate Signs for Carroll Park

Triangle Sign & Service, LLC
Signs USA, Inc.
Complete Signs
Color-Ad, Inc.
Belsinger Sign Works
Shannon-Baum Sign, Inc.

Bureau of Purchases -B50004656, Polymeric Flocculant for Gravity Belt Thickening Facility for the Back River Wastewater Treatment Plant

Tidewater Products, Inc.
Polydyne, Inc.
BASF Corporation
Coyne Chemical
Kemira Water Solutions, Inc.

* * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, July 27, 2016.


JOAN M. PRATT
Secretary