

MINUTES

REGULAR MEETING

Honorable Bernard C. "Jack" Young, President
Honorable Catherine E. Pugh, Mayor - **ABSENT**
Honorable Joan M. Pratt, Comptroller and Secretary
Rudolph S. Chow, Director of Public Works
David E. Ralph, Interim City Solicitor
S. Dale Thompson, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk
Peter Hammen, Chief of Operations

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Catherine E. Pugh, in her absence during the meeting, designated Mr. Peter Hammen, Chief of Operations, to represent the Mayor and exercise her power at this Board meeting.

President: "Good morning. The July 19, 2017, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiencies of these hearings, persons who are disruptive to the 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.

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Failure to comply may result in a charge of -- in the charge of trespassing. I will direct the Board members attention to the memorandum from my office dated July 17, 2017, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will -- what's wrong?"

Comptroller: "Nothing. I wanted to know if you needed any water."

President: "I will entertain a Motion to approve all of the items contained on the routine agenda."

Interim City Solicitor: "I move the approval of the items on the routine agenda."

Comptroller: "Second."

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

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MINUTES

BOARDS AND COMMISSIONSPrequalification 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:

CC's Trucking, LLC	\$ 80,000.00
Chesapeake Containment Systems, Inc.	\$ 8,000,000.00
D & A Dunlevy Landscapers, Inc.	\$ 1,500,000.00
Debra's Glass, Inc.	\$ 8,000,000.00
Goel Services, Inc.	\$ 8,000,000.00
Graciano Corporation	\$ 27,320,000.00
Hess Construction and Engineering Services, Inc.	\$111,220,000.00
Jackson Floor Co.	\$ 1,500,000.00
Mainling America, LLC	\$ 100,000.00
Sunrise Safety Services, Inc.	\$ 1,500,000.00
Turner Construction Co.	\$939,080,000.00
Ulliman Schutte Construction, LLC	\$680,940,000.00

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Prequalification of Contractors.

MINUTESSpace Utilization Committee - First Amendment to Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the First Amendment to Lease Agreement with Futurecare Homewood Properties LLC, Landlord, and the City, Tenant, for the rental of a portion of the property at 2700 N. Charles Street, located on the second floor, consisting of approximately 12,291 square feet. The First Amendment to Lease Agreement extends the period of the Lease Agreement through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
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\$125,000.00	\$10,416.66
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Account: 5000-585918-1191-719000-603013

BACKGROUND/EXPLANATION:

On September 23, 2015, the Board approved the original lease agreement for the period July 1, 2015 through June 30, 2017. The Leased Premises will be used for offices by the Mayor's Office of Human Services, Energy Assistance Program. The First Amendment to Lease Agreement extends the original lease agreement for an additional one-year term commencing July 1, 2017 and terminating June 30, 2018.

All other rentals, provisions, conditions and terms of the original lease agreement dated September 23, 2015, will remain in full force and effect except that Tenant will reimburse Landlord for the cost of the third party pest control contractors hired by the Landlord on an as-needed basis for the extermination and control of bed bugs at the Leased Premises.

MINUTESSpace Utilization Committee - cont'd

The Landlord and Tenant's representative (Executive of the Mayor's Office of Human Services or Director of Community Action Partnership) will discuss the pest issue before the Landlord contacts the third party contractor for service. If services are needed by the third party contractor, the Landlord will submit paid invoices to the Tenant for reimbursement within thirty days of receipt.

The Space Utilization Committee approved this First Amendment to Lease Agreement by an E-Poll on June 13, 2017.

APPROVED FOR FUNDS BY FINANCE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Lease Agreement with Futurecare Homewood Properties LLC, Landlord, and the City, Tenant, for the rental of a portion of the property at 2700 N. Charles Street, located on the second floor, consisting of approximately 12,291 square feet.

MINUTES

Space Utilization Committee - Interdepartmental Lease
Agreement Renewal

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the renewal of the Interdepartmental Lease Agreement with the Department of General Services, Landlord and the Department of Health, Tenant for the rental of a portion of the property located at 621 N. Eden Street, located on the second floor, consisting of approximately 6,547 square feet. The period of the renewal option is July 1, 2017 through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Equal Quarterly Installments</u>
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\$48,552.72	\$12,138.18
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Account: 4000-423218-3080-294100-603013

BACKGROUND/EXPLANATION:

On December 12, 2012, the Board approved the original lease agreement for the period July 1, 2012 through June 30, 2017, with the option to renew for five (5) additional, one-year periods. The Leased Premises will be used for administrative and clinical offices for the Department of Health's Women, Infant and Children Program (WIC). All other rentals, conditions and provisions of the original lease agreement dated December 12, 2012, will remain in full force and effect.

APPROVED FOR FUNDS BY FINANCE.

MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the renewal of the Interdepartmental Lease Agreement with the Department of General Services, Landlord and the Department of Health, Tenant for the rental of a portion of the property located at 621 N. Eden Street, located on the second floor, consisting of approximately 6,547 square feet.

MINUTES

Health Department - Acceptance of FY'18
Notice of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of FY'18 Notice of Grant Award from the Department of Health and Human Services (DHHS) acting through the Office of Head Start. The period of the grant is July 1, 2017 through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$7,339,524.00 - 4000-486318-1772-452200-603051

BACKGROUND/EXPLANATION:

The Mayor's Office of Human Services (MOHS), on behalf of the City of Baltimore, submitted a renewal application for the existing Head Start grant. The Department of Health and Human Services (DHHS), acting through the Office of Head Start, sent MOHS the Notice of Award (NOA) on June 29, 2016. The NOA provides funding to the City in the amount of \$7,339,524.00 to continue to operate the Head Start program of Baltimore City.

Under the terms of the grant renewals, the related sub-contracts will be renewed with various organizations throughout Baltimore City that carry out Head Start activities. The Head Start programs will serve approximately 759 children in the city of Baltimore.

The delay in submitting this request for acceptance is due to DHHS recently sent the notification of award.

MINUTES

MOHS - cont'd

MBE/WBE PARTICIPATION:

MBE/WBE requirements will be included in the agreements between the City and the respective service providers.

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 FY'18 Notice of Grant Award from the Department of Health and Human Services acting through the Office of Head Start.

MINUTES

Mayor's Office of Human Services (MOHS)	- Agreements and Amendments to Agreements
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The Board is requested to approve and authorize execution of the various Agreements and Amendments to Agreements.

AGREEMENTS

1. **THE FAMILY LEAGUE OF BALTIMORE CITY, INC.** **\$255,150.10**

Account: 2025-000000-3574-782800-603051

The organization will use funding to help create, monitor, and evaluate innovative programs for summer programming in the Park Heights Community. Subgrantee programs include Afrikan Youth Alchemy, Catherine's Family and Youth Services, Inc., Full Gospel Fellowship Church of Deliverance, Inc., Sisters Saving the City, Inc., Smart Steps Youth Services, Inc., St. Vincent de Paul of Baltimore Foundation, Inc., and Women in Transition, Inc. The period of the agreement is July 1, 2017 through June 30, 2018.

MWBOO GRANTED A WAIVER.

2. **HEALTHCARE ACCESS MARYLAND, INC.** **\$594,826.00**

Account: 4000-480016-3571-333610-603051

The organization will use funds to provide short and medium-term rental assistance to a minimum of 50 formerly homeless, low-income individuals and families as part of Healthcare Access Maryland, Inc.'s rapid rehousing project. Clients enrolled in this program will also have access to services including intensive case management, connection to supportive services, and housing counseling and/or assistance with locating housing as needed. The period of the agreement is June 1, 2017 through May 31, 2018.

This request is late because of a delay in budget negotiations.

MBE/WBE GRANTED A WAIVER.

MINUTES

MOHS - cont'd

3. **MANNA HOUSE, INC.** **\$43,300.00**

Account: 4000-407118-5940-760300-603051

The organization will use funds to operate a day shelter, provide meals and case management services on site. Manna House, Inc. will serve 60,000 meals and 200 clients with case management services over the course of the year. The period of the agreement is July 1, 2017 through June 30, 2018.

4. **THE MARYLAND CENTER FOR VETERANS
EDUCATION AND TRAINING, INC.** **\$48,683.64**

Account: 1001-000000-3572-772800-603051

The organization will use funds to provide emergency overnight shelter capacity to house 31 homeless men and women. As a result of unforeseen increased need for emergency overnight accommodations for homeless individuals, the Mayor's Office of Human Services respectfully requests that the Board approve this agreement to continue the City's expanded emergency overnight shelter capacity. The period of the agreement is July 1, 2017 through September 30, 2017.

5. **QUADEL CONSULTING AND TRAINING, LLC.** **\$297,550.00**

Account: 4000-490818-3573-763203-603051

The organization will provide housing inspection services related to rental units that house homeless individuals and families funded through the Continuum of Care and the HOPWA programs. The period of the agreement is July 1, 2017 through June 30, 2018.

MWBOO GRANTED A WAIVER.

MINUTES

MOHS - cont'd

6. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$487,726.50**

Account: 4000-407017-3573-759200-603051

The organization will use funds to provide rental assistance and supportive services to 32 formerly homeless individuals as part of their permanent supportive housing program. Supportive services include case management, mental health counseling, access to substance abuse and medical care, and connection to community resources as needed. The period of the agreement is October 1, 2017 through September 30, 2018.

MWBOO GRANTED A WAIVER.

7. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$451,933.50**

Account: 4000-407016-3571-759400-603051

The organization will provide permanent housing and support services to 28 homeless households as part of their permanent supportive housing program. Clients served in this program are chronically homeless and have one or more disabilities. The period of the agreement is January 1, 2018 through December 31, 2018.

MWBOO GRANTED A WAIVER.

8. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$121,333.00**

Account: 4000-407017-3573-759200-603051

The organization will use funds to provide supportive services to 60 formerly homeless individuals as part of their permanent supportive housing program. Supportive services include case management, mental health counseling, substance abuse, and medical care, and connection to community resources as needed. The period of the agreement is August 1, 2017 through July 31, 2018.

MWBOO GRANTED A WAIVER.

MINUTES

MOHS - cont'd

9. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$1,005,838.50**

Account: 4000-407116-3571-761001-603051

The organization will use funds to provide short and medium-term rental assistance to 110 formerly homeless, low-income families as part of its rapid rehousing project. Clients served in this program will also receive supportive services including intensive case management, housing counseling and/or assistance with locating housing as-needed. The period of the agreement is July 1, 2017 through June 30, 2018.

MWBOO GRANTED A WAIVER.

AMENDMENTS TO AGREEMENTS

10. **UNION BAPTIST CHURCH-SCHOOL, INC.** **\$50,460.00**

Account: 4000-486317-1772-516000-603051

On July 13, 2016, the Board approved an advance in the amount of \$118,125.00 for Union Baptist Church-School, Inc. On August 10, 2016, the Board approved a request for the remaining \$1,299,375.00 of the award. The total awarded amount to Union Baptist Church-School, Inc. including the advance was \$1,417,500.00. On October 26, 2016, the Board approved a request to increase the contract by \$20,718.00 making the total amount awarded to Union Baptist Church-School, Inc. including the advance and amendment increase was \$1,438,218.00.

The Mayor's Office of Human Services is requesting the Board amend this contract to increase the amount of the award by \$50,460.00 making the full award amount \$1,488,678.00. The additional funding will be used to address immediate health and safety repairs and maintenance

MINUTES

MOHS - cont'd

at the Head Start Center. Union Baptist Church-School, Inc. will maintain full enrollment for 175 eligible children in Baltimore City. Services will be provided for 6 hours a day, five days a week for 170 days. The period of the agreement was July 1, 2016 to June 30, 2017. This request is late because of a delay at the administrative level.

AUDITS REVIEWED AND HAD NO OBJECTION.

11. THE UNIVERSITY OF MARYLAND, BALTIMORE

\$0.00

On October 12, 2016, the Board of Estimates approved a contract in the amount of \$166,475.00 for The University of Maryland, Baltimore to provide overall support in ensuring program wide, high fidelity and targeted Social Emotional Foundation of Early Learning, (SEFEL) mentor coaching in 10 Head Start sites (44 classrooms) with the goal to improve the overall scores in Emotional Support through the use of the CLASS assessment tool. The University of Maryland, Baltimore has funds remaining under the original agreement. The MOHS is requesting the Board to amend this contract for a no-cost extension of the original agreement to December 31, 2017.

This request is late because of a delay at the administrative level.

AUDITS NOTED THE NO-COST TIME EXTENSION.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Mayor's Office of Human - First Amendment to Memorandum
Services (MOHS) of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to the Memorandum of Understanding (MOU) with the Maryland Stadium Authority and the Baltimore City Board of School Commissioners for the Construction and Revitalization of Baltimore City Public Schools.

AMOUNT OF MONEY AND SOURCE:

Funds for this agreement are provided by all revenues and receipts from the Beverage Container Tax imposed by City Ordinance 12-45 and 10% of the participation rent paid to the City by the operator of the Video Lottery Facility located in Baltimore City.

BACKGROUND/EXPLANATION:

On September 25, 2013, the City entered into the MOU with the Maryland Stadium Authority, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction for the construction and revitalization of Baltimore City Public Schools. The MOU was fully executed by all parties on October 16, 2013.

This first amendment to MOU is necessary to allow the Maryland Stadium Authority to undertake project renovations and replacements as-needed as part of the "10 Year Plan Project."

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

MOHS - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to the Memorandum of Understanding with the Maryland Stadium Authority and the Baltimore City Board of School Commissioners for the Construction and Revitalization of Baltimore City Public Schools.

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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) - Condemnation</u>			
1. Subhi Badra	625 Franklinton Rd.	L/H	\$27,360.00
2. Adelfo Calibuso	1700 N. Castle St.	L/H	\$14,250.00
3. Pang Yol Yu and Jean Yu	1800 N. Chester St.	F/S	\$49,000.00
4. Kerry Gardner, Sr., Personal representative of the Estate of Judy L. Gardner	1820 N. Chester St.	L/H	\$31,659.00
5. James E. Breakfield aka James Edward Bey	1500 Traction St.	G/R \$42.00	\$ 280.00

Funds are available in account no. 9910-908636-9588-900000-704040, FY16 Whole Block Demolition Project

DHCD - Options

6. Ground Rents, LLC	1110 N. Wolfe St.	G/R \$90.00	\$ 825.00
7. Ina Sally Merowitz Axelrad	1814 Henneman Ave.	G/R \$24.00	\$ 220.00

Funds are available in account no. 9910-909431-9588-900000-704040, EBDI Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

	<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options</u>				
8.	Gerald Jefferson and Sharon Jefferson	2704 Fenwick Ave.	L/H	\$18,700.00
9.	Gerald Jefferson	2706 Fenwick Ave.	L/H	\$16,005.00
10.	Caprice Westbrooks and Joe Westbrooks, deceased	2722 Fenwick Ave.	L/H	\$17,250.00
Funds are available in account no. 9910-904326-9588-900000-704040, Fenwick CHM Project.				
11.	John Theodore Parker & Harriet Anne Solomons Parker	1072 W. Fairmount Ave.	G/R \$36.00	\$ 240.00
12.	John Theodore Parker & Harriet Anne Solomons Parker	1074 W. Fairmount Ave.	G/R \$36.00	\$ 240.00
13.	John Theodore Parker & Harriet Anne Solomons Parker	1076 W. Fairmount Ave.	G/R \$35.00	\$ 233.33
14.	John Theodore Parker & Harriet Anne Solomons Parker	1078 W. Fairmount Ave.	G/R \$35.00	\$ 233.33

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options</u>			
15. John Theodore Parker & Harriet Anne Solomons Parker	1080 W. Fairmount Ave.	G/R \$35.50	\$ 236.67

Funds are available in account no. 9910-914135-9588-900000-704040, Poppleton Project.

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

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

MINUTES

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

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

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

<u>Donors</u>	<u>Days</u>
Jan Bowser	3
Gwendolyn Henderson	1
Christopher W. McKenzie	<u>2</u>
Total:	6

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

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

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

MINUTES

Office of the State's Attorney - Acceptance of Grant Awards

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the following Grant Award renewals from the Governor's Office of Crime Control and Prevention (GOCCP) and the State of Maryland. The period of the Grant Award renewal is July 1, 2017 through June 30, 2018.

1. INTER-AGENCY WAR ROOM COORDINATION \$ 611,451.00

Account: 5000-504918-1152-137200-600000

The project funded through GOCCP provides a focused response to violent offenders in the city through a comprehensive program of electronic information sharing that identifies the most violent offenders in Baltimore City upon arrest. Currently, the program determines and tracks probation and parole status, apprehension and service of search warrants, judicial prioritization, and criminal case flow management. The grant funds provide personnel.

2. COMPREHENSIVE VIOLENCE PROSECUTION \$1,955,951.00

Account: 5000-501518-1150-118000-600000

The GOCCP has awarded these funds to the State's Attorney's Office to support the prosecutions of non-fatal shootings, recidivist gun offenders, gun trafficking cases, and homicide cases in the Circuit Court. The grant funds cover the salary and benefits of seventeen full-time employees.

MINUTES

Office of the State's Attorney - cont'd

3. **CITY CORRECTIONS INVESTIGATIVE UNIT (CCIU) \$ 93,762.00**

Account: 5000-505718-1150-118000-600000

The Office of the State's Attorney's CCIU consists of a team of experienced correctional investigators and intelligence officers, state troopers, and prosecutors that will build upon recent investigations and initiate new ones. The grant funds provide for the salary and benefits of one prosecutor.

4. **CONQUERING AUTO-THEFT RECIDIVISM SOON \$ 51,000.00**

The Maryland State Police has awarded these funds to assist the State's Attorney's Office with the screening, case preparation, and enhanced prosecution of juvenile vehicle theft cases. The grant funds pay for one full-time law clerk who will maintain a vehicle theft database and assist prosecutors with the case preparation.

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 authorize acceptance of the foregoing Grant Award renewals from the Governor's Office of Crime Control and Prevention and the State of Maryland.

MINUTES

Department of Transportation - 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 for Project 1183, Traffic Signals & I.T.S. and Traffic Engineering On-Call Consultant Services with McCormick Taylor, Inc. This amendment will extend the period of the agreement through July 1, 2018.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00

BACKGROUND/EXPLANATION:

On July 2, 2014 the Board approved the agreement with McCormick Taylor, Inc. for the period of three years in the amount of \$1,000,000.00. The extension will allow numerous ongoing services ranging from ITS, traffic engineering services, field surveys, design for traffic signals, detectors, closed circuit television traffic monitoring, variable message signs, and field condition inspections to be completed. The extension will also increase the upset limit by \$100,000.00 making the new total upset limit \$1,100,000.00.

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

DBE PARTICIPATION:

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

DBE: 27%

AUDITS NOTED THE TIME EXTENSION AND THE INCREASE IN THE UPSET LIMIT AND WILL REVIEW TASK ASSIGNMENTS.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Agreement for Project 1183, Traffic Signals & I.T.S. and Traffic Engineering On-Call Consultant Services with McCormick Taylor, Inc.

MINUTES

Department of Transportation - 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 for Project 1183, Traffic Signals & I.T.S. and Traffic Engineering On-Call Consultant Services with STV Incorporated. This amendment will extend the period of the agreement through June 10, 2018.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On June 11, 2014 the Board approved the agreement with STV Incorporated for the period of three years in the amount of \$1,000,000.00. The extension will allow numerous ongoing services ranging from ITS, traffic engineering services, field surveys, design for traffic signals, detectors, closed circuit television traffic monitoring, variable message signs, and field condition inspections to be completed.

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

DBE PARTICIPATION:

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

DBE: 27%

AUDITS NOTED THE TIME EXTENSION.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Agreement for Project 1183, Traffic Signals & I.T.S. and Traffic Engineering On-Call Consultant Services with STV Incorporated.

MINUTES

Department of Transportation - 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 for Project 1225, On-Call Design Consultant Services for Resurfacing and Reconstruction Projects with STV Incorporated. This amendment will extend the period of the agreement for one year.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On June 17, 2015, the Board approved the agreement with STV Incorporated for the period of two years in the amount of \$1,000,000.00. The extension will allow numerous ongoing services ranging from roadway design, stormwater management, expedited review, construction phase review, survey and other support services to be completed.

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

MBE/WBE PARTICIPATION:

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

MBE: 27%

WBE: 10%

AUDITS NOTED THE TIME EXTENSION.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 1 to Agreement for Project 1225, On-Call Design Consultant Services for Resurfacing and Reconstruction Projects with STV Incorporated.

MINUTES

Department of Transportation - 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 for Project 1225, On-Call Design Consultant Services for Resurfacing and Reconstruction Projects with Wallace Montgomery Associates, LLP. This amendment will extend the period of the agreement for one year.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On June 10, 2015, the Board approved the agreement with Wallace Montgomery Associates, LLP for the period of two years in the amount of \$1,000,000.00. The extension will allow numerous ongoing services ranging from roadway design, stormwater management, expedited review, construction phase review, survey and other support services to be completed.

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

MBE/WBE PARTICIPATION:

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

MBE: 27%

WBE: 10%

AUDITS NOTED THE TIME EXTENSION.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 1 to Agreement for Project 1225, On-Call Design Consultant Services for Resurfacing and Reconstruction Projects with Wallace Montgomery Associates, LLP.

MINUTES

Department of Transportation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Agreement for Project No. 1249, On-Call Bridge Design Services, with Whitney Bailey Cox & Magnani, LLC, Consultant. The Agreement is effective upon Board approval through July 11, 2019.

AMOUNT OF MONEY AND SOURCE:

\$2,000,000.00 - upset limit

BACKGROUND/EXPLANATION:

The Department has negotiated and procured the consulting agreement approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission and now desires to utilize the services of the Consultant. The cost of services rendered will be on actual payroll rates not including overhead and burdens, times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits. The Consultant will assist with the scope of services which includes, but is not limited to site inspection, analysis/recommendations, and final design for bridges and various types of structures. The subject services may also require laboratory testing, environmental, mechanical, and electrical engineering, and studying/reporting; as well as obtaining the permits required for construction. The Consultant must be familiar with the City's design criteria specifications. The Consultant will prepare contract plans, specifications and cost estimates for the construction.

MWBOO SET GOALS OF 27% MBE 10% WBE.

MINUTES

Department of Transportation - cont'd

MBE: Alvi Associates, Inc.	\$220,000.00	11%
AB Consultants, Inc.	220,000.00	11%
Spartan Engineering, LLC	100,000.00	5%
	<u>\$540,000.00</u>	<u>27%</u>
WBE: Constellation Design Group, Inc.	\$100,000.00	5%
Straughan Environmental, Inc.	100,000.00	5%
	<u>\$200,000.00</u>	<u>10%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

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 Agreement for Project No. 1249, On-Call Bridge Design Services, with Whitney Bailey Cox & Magnani, LLC, Consultant.

MINUTES

Department of Transportation - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 235 N. Holliday Street	Independent World Television, Inc.	ADA Ramp 16'3 ½" x 3'
Flat Charge: \$ 70.30		
2. 1016 S. Charles Street	Hamid Ahmadinia	Outdoor Seating 96 sf.
Annual Charge: \$ 561.50		

There are no objections, since no protests were received.

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

MINUTES

Department of Transportation - Partial Release of Retainage

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Partial Release of Retainage Agreement with Manuel Luis Construction, Inc., for TR 13012, Baltimore Blue Neighborhoods and Alleys Project.

AMOUNT OF MONEY AND SOURCE:

\$31,850.00 - 9950-907743-9514-000000-200001

BACKGROUND/EXPLANATION:

All work on Contract No. TR 13012 is substantially completed and all punch list items are complete. The Contractor requested a Partial Release in the amount of \$31,850.00. Currently the City is holding \$33,850.00 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City. Pursuant to Section 10.04-81 of Specifications, a "Conditional Inspection" for Contract No. TR 13012, Baltimore Blue Neighborhoods and Alleys Project was held on September 10, 2014.

MBE/WBE PARTICIPATION:

Manuel Luis Construction, Inc. has demonstrated a good faith effort towards achieving both the MBE and WBE goals.

MWBOO APPROVED THE PARTIAL RELEASE OF RETAINAGE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Partial Release of Retainage Agreement with Manuel Luis Construction, Inc., for TR 13012, Baltimore Blue Neighborhoods and Alleys Project.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 05 to Hazen & Sawyer, PC, under Project 1502, SC 920, On-Call Project and Construction Management Assistance Services. The period of the Task Assignment is 8 months.

AMOUNT OF MONEY AND SOURCE:

\$240,410.60 - 9956-904623-9551-900020-705032

BACKGROUND/EXPLANATION:

The Department needs continued assistance from Hazen & Sawyer, PC to provide on-site inspection services for SC 920 Improvements to the Gwynns Falls Sewershed Collection System-Area A.

Project 1502 includes the following: assisting the Construction Management Section with construction monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review of contractor's application for payment, attendance at progress meetings, preparation of record drawings, reviews, submittal reviews and responses, request for information reviews and responses, and construction contract administrative support.

MBE/WBE PARTICIPATION:

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

MINUTES

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

MBE: 27%

WBE: 10%

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. 05 to Hazen & Sawyer, PC, under Project 1502, SC 920, On-Call Project and Construction Management Assistance Services.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 04 to Whitman, Requardt & Associates, LLP, under Project 1505, SC 845R, On-Call Project and Construction Management Assistance Services. The period of the Task Assignment is 12 months.

AMOUNT OF MONEY AND SOURCE:

\$180,879.00 - 9956-905527-9551-900020-705032

BACKGROUND/EXPLANATION:

The Department is in need of continued assistance from Whitman, Requardt & Associates, LLP to provide on-site inspection services for SC 845R ENR Nitrification Facilities at the Patapsco Wastewater Treatment Plant.

Project 1505 includes the following: assisting the Construction Management Section with construction monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review of contractor's application for payment, attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimates, scheduling, project engineering, constructability reviews, submittal reviews and responses, request for information reviews and responses, and construction contract administrative support.

MBE/WBE PARTICIPATION:

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

MINUTES

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

MBE: 27%

WBE: 10%

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. 04 to Whitman, Requardt & Associates, LLP, under Project 1505, SC 845R, On-Call Project and Construction Management Assistance Services.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 06 to Hazen & Sawyer, PC, under Project 1502, WC 1183, On-Call Project and Construction Management Assistance Services. The period of the Task Assignment is 6 months.

AMOUNT OF MONEY AND SOURCE:

\$139,635.00 - 9960-901916-9557-900020-705032

BACKGROUND/EXPLANATION:

The Department is in need of continued assistance from Hazen & Sawyer, PC to provide on-site inspection services for WC 1183 Replacement of Loch Raven Dam Environmental Operation Facility.

Project 1502 includes the following: assisting the Construction Management Section with construction monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review of contractor's application for payment, attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimates, scheduling, project engineering, constructability reviews, submittal reviews and responses, request for information reviews and responses, and construction contract administrative support.

MBE/WBE PARTICIPATION:

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

MINUTES

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

MBE: 27%

WBE: 10%

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. 06 to Hazen & Sawyer, PC, under Project 1502, WC 1183, On-Call Project and Construction Management Assistance Services.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 07 to Hazen & Sawyer, PC, under Project 1502, WC 1356, On-Call Project and Construction Management Assistance Services. The period of the Task Assignment is 6 months.

AMOUNT OF MONEY AND SOURCE:

\$149,427.00 - 9960-906600-9557-900020-705032

BACKGROUND/EXPLANATION:

The Department is in need of continued assistance from Hazen & Sawyer, PC to provide on-site inspection services for WC 1356 AMI/AMR Urgent Need Metering Infrastructure Repair & Replacement, Various Locations.

Project 1502 includes the following: assisting the City Construction Management section with construction monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review of contractor's application for payment, attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimating, scheduling, project engineering, constructability reviews, submittal reviews and responses, review of information and responses, and construction contract administrative support.

MBE/WBE PARTICIPATION:

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

MINUTES

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

MBE: 27%

WBE: 10%

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. 07 to Hazen & Sawyer, PC, under Project 1502, WC 1356, On-Call Project and Construction Management Assistance Services.

MINUTES

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

The Board is requested to approve and authorize execution of the various Release of Retainage Agreements with the following Contractors for the various projects:

<u>Contractors</u>	<u>Projects</u>	<u>Amount</u>
<u>PARTIAL RELEASE OF RETAINAGES</u>		

1. SPINIELLO COMPANIES	WC 1342, AMI/R Urgent Need Metering Infrastructure Repair and Replacement	\$204,868.13
-------------------------------	--	---------------------

Account: 9960-908604-9557-000000-200001

On February 4, 2017, 100% of the work for the WC 1342 - Urgent Need Infrastructure Repair and Replacement was completed. The contractor has requested a Release of Retainage for \$204,868.13. Currently, the City is holding \$292,668.75 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$87,800.62. The remaining amount of \$87,800.62 is sufficient to protect the interest of the City.

2. SPINIELLO COMPANIES	1337, Urgent Need Water Infrastructure Rehabilitation	\$117,381.25
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Account: 9960-909742-9557-000000-200001

On May 10, 2017, 100% of the work for WC 1337 - Urgent Need Water Infrastructure Rehabilitation was completed. The contractor has requested a Release of Retainage for

MINUTES

DPW/OEC - cont'd

\$117,381.25. Currently, the City is holding \$167,687.50 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$50,306.25. The remaining amount of \$50,306.25 is sufficient to protect the interest of the City.

3. **INSITUFORM TECHNOLOGIES, INC.**, SC 897R, Improvements to Sanitary Sewers in Greenmount, Hampden, and Bolton Hills Areas **\$106,021.91**

Account: 9956-907643-9551-000000-200001

On September 9, 2016, 100% of the work for SC897R - Improvements to Sanitary Sewers in Greenmount, Hampden, and Bolton Hill Areas was completed. The contractor has requested a Partial Release of Retainage for \$106,021.91. Currently, the City is holding \$881,021.91 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$775,000.00. The remaining amount of \$775,000.00 is sufficient to protect the interest of the City.

FULL RELEASE OF RETAINAGE

4. **INSITUFORM TECHNOLOGIES, INC.**, SC 899, Improvements to Sanitary Sewers in Western Run Area in the Jones Falls Sewershed **\$608,062.13**

Account: 9956-903645-9551-000000-200001

On September 9, 2016, 100% of the work for SC 899 - Improvements to Sanitary Sewers in Western Run Area in the Jones Falls Sewershed was completed. The contractor has requested a Release of Retainage for \$608,062.13. Currently the City is holding \$608,062.13 in retainage for the

MINUTES

DPW/OEC - cont'd

referenced project and the contractor is requesting to reduce the amount of retainage to \$0.00.

5. **INSITUFORM TECHNOLOGIES, INC.** SC 912, Improvements **\$457,554.40**
of the Eastern Portion
of Low Level Sewershed

Account: 9956-918616-9551-000000-200001

On September 9, 2016, 100% of the work for SC 912 - Improvements of the Eastern Portion of Low Level Sewershed was completed. The contractor has requested a Release of Retainage for \$457,554.40. Currently the City is holding \$457,554.40 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$0.00.

6. **INSITUFORM TECHNOLOGIES, INC.** SC 900, Improvements **\$728,631.24**
to Sanitary Sewers in
Upper Jones Falls &
Maryland Avenue Areas
In Jones Falls Sewer-
shed

Account: 9956-905644-9551-000000-200001

On September 9, 2016, 100% of the work for project SC 900 - Improvements to Sanitary Sewers in Upper Jones Falls and Maryland Avenue was completed. The contractor has requested a Release of Retainage for \$728,631.24. Currently the City is holding \$728,631.24 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$0.00.

MINUTES

DPW/OEC - cont'd

MWBOO APPROVED THE RELEASE OF RETAINAGES.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Release of Retainage Agreements with the foregoing Contractors for the various projects.

MINUTES

Department of Housing and - Community Development
Community Development Block Grant - 42 Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Community Development Block Grant - 42 (CDBG) Agreement with The Family Tree, Inc. The period of the CDBG Agreement is January 1, 2017 through December 31, 2017.

AMOUNT OF MONEY AND SOURCE:

\$34,845.00 - 2089-208917-5930-666826-603051

BACKGROUND/EXPLANATION:

Under the terms of CDBG Agreement, the funds will be used to support The Family Tree's Family Clearinghouse - Parenting for Success Initiative. This initiative will provide a triage model of support service along a continuum of need to low and moderate-income families to prevent child abuse and neglect within Baltimore City. The Family Tree will continuously monitor service utilization, services quality, and program effectiveness. The funds will also be used to subsidize The Family Tree's operating costs.

On May 4, 2016, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2016 Annual Action Plan for the following formula programs:

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

MINUTES

DHCD - cont'd

Upon approval of the resolution, the DHCD's Contracts Section began negotiating and processing the CDBG Agreements as outlined in the Plan effective July 1, 2016 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Community Development Block Grant - 42 Agreement with The Family Tree, Inc.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Side Yard Land Disposition Agreement (LDA) with Ms. Hanifah Winder, Purchaser, for the sale of the City-owned properties located at 507 and 509 E. 21st Street.

AMOUNT OF MONEY AND SOURCE:

\$ 500.00 - 507 E. 21st Street
500.00 - 509 E. 21st Street
\$1,000.00 - Sale price

BACKGROUND/EXPLANATION:

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

The lots will be sold for \$500.00 each, of which \$800.00 will be held in escrow by the City for the benefit of the Purchaser to be applied at settlement for closing costs, including transfer taxes, recordation fees, taxes, and associated title services. The Purchaser will be using private funds to pay for the acquisition and maintenance of the property.

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

The City has agreed to convey the properties known as 507 and 509 E. 21st Street, to Ms. Winder, the adjacent property owner. As a condition of conveyance, she has agreed to the terms of the Side Yard LDA, which prohibits development of the parcel for a minimum of ten years.

MINUTES

DHCD - cont'd

The City may dispose of the property by virtue of the following legal authorities: Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition), (the City Code); Article II, Section 15 of the Baltimore City Charter, (2011 Edition); and Article 13 of the City Code.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF THE PROPERTY:

The properties are being sold for \$500.00 each, as the Purchaser owns and occupies the adjacent property. The rationale for the conveyance of the property is that the sale will serve a specific benefit to the immediate community, eliminate blight, and return the property to the tax rolls.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Side Yard Land Disposition Agreement with Ms. Hanifah Winder, Purchaser, for the sale of the City-owned properties located at 507 and 509 E. 21st Street.

MINUTES

Bureau of the Budget and - Grant Award Appropriation
Management Research (BBMR) Transfer Order No. 4

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Grant Award from the France-Merrick Foundation. The period of the Grant Award is June 30, 2017 through June 30, 2018.

The Board is further requested to approve the Appropriation Adjustment Order grant fund transfer within the Health Department in unallocated special funds from Service 715 (Administration - Health) to Service 303 (Clinical Services).

AMOUNT OF MONEY AND SOURCE:

\$465,000.00 - From: 6000-600018
Unallocated Federal Funds

To: 6000-602318
Clinical Services

BACKGROUND/EXPLANATION:

The purpose of this grant award is to support renovations at the new 1200 East Fayette Street Health Clinic. Initially, funding was appropriated within an unallocated account in the Fiscal 2018 Ordinance of Estimates. With this appropriation adjustment order, funding will be moved from the unallocated grant source in accordance with the actual grant award.

MBE/WBE PARTICIPATION:

N/A

MINUTES

BBMR - 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 Grant Award from the France-Merrick Foundation. The Board further approved the Appropriation Adjustment Order grant fund transfer within the Health Department in unallocated special funds from Service 715 (Administration - Health) to Service 303 (Clinical Services).

MINUTES

Bureau of the Budget and - Grant Award Appropriation
Management Research (BBMR) Adjustment Order No. 78

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award from The Governor's Office of Crime Control and Prevention for the Crime Reduction Project. The grant period is from July 1, 2017 through June 30, 2018.

The Board is further requested to approve a State fund operating supplemental appropriation for the Police Department in the amount of \$2,000,000.00. The Fiscal 2018 budget has appropriated \$7,180,112.00 for the acceptance of this grant but this year's award was higher than during previous years. The appropriation will be split among three services:

Service 622: Police Patrol, in the amount of \$2,393,397.50
Service 621: Administration, in the amount of \$2,680,605.20
Service 624: Target Violent Criminals, in the amount of
\$4,106,109.30

The additional funds will be used to purchase Mobile Data Terminals (MDT5) for police vehicles, as well as software license fees for the first year of the MDTs. This is allocated within Service 624: Target Violent Criminals. The total amount of this award is \$9,180,112.00.

AMOUNT OF MONEY AND SOURCE:

\$9,180,122.00 - These additional funds are from the Governor's Office of Crime Control and Prevention.

MINUTES

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

BACKGROUND/EXPLANATION:

This award for the Crime Reduction Program funds will assist the Baltimore Police Department to continue to strengthen communities and eliminate violent crime. The program will deploy police officers to walk foot patrol throughout communities to bolster public trust; work together with community advocates, resolve neighborhood problems, and improve public safety in Baltimore City. Additionally, funds will be used to purchase Mobile Data Terminals (MDT5) for police vehicles, as well as software licenses to allow the MDTs to interface with CAD these purchases will satisfy part of the DOJ consent decree.

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 Governor's Office of Crime Control and Prevention for the Crime Reduction Project. The Board further approved the State fund operating supplemental appropriation for the Police Department in the amount of \$2,000,000.00.

MINUTES

Bureau of the Budget and - Grant Award Appropriation
Management Research (BBMR) Adjustment Order No. 79

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award to the State's Attorney's Office, Service 115: Prosecution of Criminals, from the Governor's Office of Crime Control and Prevention (GOCCP), which facilitates a pass-through of Federal funds from the Byrne - Justice Assistance Grant Program for the Investigating and Prosecuting Homicide Training-LETS. The period of the grant award is October 1, 2017 through October 31, 2017.

AMOUNT OF MONEY AND SOURCE:

\$2,173.00 - These funds are from the GOCCP. The appropriation will be placed in a Federal fund, detailed fund 4054.

No appropriation adjustment action is required of the Board of Estimates.

BACKGROUND/EXPLANATION:

The award for the Investigating and Prosecuting Homicide Training Program enhances skills and knowledge through specialized training. The program allows one individual to attend the Investigating and Prosecuting Homicide in the Era of Crime TV training, held October 9 - 13, 2017. The program provides information on using modern technology, such as body worn cameras, cell phone analysis software, and computer forensic software. Grant funds cover registration and travel.

MBE/WBE PARTICIPATION:

N/A

MINUTES

BBMR - 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 grant award to the State's Attorney's Office, Service 115: Prosecution of Criminals, from the Governor's Office of Crime Control and Prevention, which facilitates a pass-through of Federal funds from the Byrne - Justice Assistance Grant Program for the Investigating and Prosecuting Homicide Training-LETS.

MINUTESMayor's Office - Third Extension to Intergovernmental Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the Third Extension to the Intergovernmental Agreement between the Housing Authority of Baltimore City (HABC) and the Mayor's Office on Criminal Justice. The extension extends the period of the Intergovernmental Agreement through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$400,000.00 - 1001-000000-2251-247700-603026

BACKGROUND/EXPLANATION:

On May 27, 2015, the Board approved an Intergovernmental Agreement with the Housing Authority of Baltimore City (HABC) and the Mayor's Office on Criminal Justice. The purpose of the agreement is for the maintenance and upgrading to HABC security cameras and associated equipment.

On August 25, 2015, the Board approved an extension to the agreement extending the ending of the term to June 30, 2016. On February 10, 2016, the Board approved an amendment to agreement addressing the addition of 21 new cameras at Poe Homes and the elimination of 21 cameras at Pleasant View Gardens. On July 13, 2016, the Board approved an extension to the agreement extending the ending of the term to June 30, 2017. This extension will extend the term to June 30, 2018.

MINUTES

Mayor's Office - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the Third Extension to the Intergovernmental Agreement between the Housing Authority of Baltimore City and the Mayor's Office on Criminal Justice.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

2844 - 2875

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Transfer of Funds was approved, SUBJECT

to the receipt of a favorable report from

the Planning Commission, the Director of

Finance having reported favorably

thereon, in accordance with the provisions

of the City Charter.

The President voted to deny the

protest and voted **NO** on the award of

item nos. 1 and 2.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Public Works/Office
of Engineering and Construction

1. WC 1211, Ashburton Renda/J. Bros. \$136,964,200.00
Reservoir Zone 2 Tanks A Joint Venture

DBE/MBE: Perrin Construction	\$ 4,280,000.00	3.12%
Bulldog Construction	4,250,000.00	3.10%
National Materials, Inc.	1,000,000.00	0.73%
Bulldog Distributing	3,000,000.00	2.19%
Interlock Steelworkers	680,000.00	0.50%
Apex Fuel Supplier	500,000.00	0.37%
	\$13,710,000.00	10.01%

DBE/WBE: American Tennis Court, Inc.	\$ 167,920.00	0.12%
Jernigan Concrete Pumping	500,000.00	0.37%
Barbie Recycling & Hauling	1,000,000.00	0.73%
Empire Landscape	334,326.00	0.24%
Acorn Supply & Distributing	2,000,000.00	1.46%
	\$ 4,002,246.00	2.92%

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$53,300,000.00	9960-904715-9558	
County Appropriations	Construction Reserve	
	Ashburton Finished	
	Reservoir	
54,835,716.90	" "	"
Water Revenue		
Bonds		
42,340,320.00	" "	"
State Water		
Quality Revenue		

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

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

\$11,256,767.97	9960-906716-9558
County Appropriations	Construction Reserve
	Druid Lake Finished
	Water Reservoir

5,363,519.13	9960-936001-9558
County Appropriations	Construction Reserve
	Druid Lake Finished
	Water Reservoir

\$167,096,324.00

\$ 6,848,210.00	-----	9960-904743-9557-2
		Extra Work
6,848,210.00	-----	9960-904743-9557-3
		Engineering
8,217,852.00	-----	9960-904743-9557-5
		Inspection
136,964,200.00	-----	9960-904743-9557-6
		Construction
<u>8,217,852.00</u>	-----	9960-904743-9557-9
		Administration

\$167,096,324.00

The transfer of funds is required to cover the cost for the construction of WC 1211, Ashburton Reservoir Zone 2 Tanks.

A PROTEST WAS RECEIVED FROM ALEXANDER & CLEAVER ON BEHALF OF ALLAN MYERS MD, INC.

ALEXANDER & CLEAVER

ATTORNEYS AT LAW

Professional Association

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Todd K. Pounds ^{MD DC}

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Admitted to Practice in State

July 19, 2017

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

Gurminder Singh, Engineering Supervisor
Water and Wastewater Engineering Division
Bureau of Water and Wastewater
200 N. Holliday Street, 9th Floor
Baltimore, MD 21202

**Re: PROTEST
DWBL/DWPF15-0837L, DWBL16-0837-03L, DWBL16-0837-04L
Ashburton Reservoir Zone 2 Tanks
Baltimore City**

Dear Sirs/Madams, Honorable President, and Members of the Board of Estimates:

This office represents the interests of Allan Myers MD, Inc. ("Allan Myers"), 2011 Belair Road, Fallston, Maryland 21047, an unsuccessful bidder on the above-referenced project ("Contract"). This letter serves as Allan Myers' formal protest of the award of the

Contract to the Renda/J Bros Joint Venture (“Joint Venture”) in the amount of \$136,964,200.

As an examination of the bid submissions for this Contract demonstrates, Joint Venture’s “low” bid was only 0.97% less than Allan Myers bid, a slim margin in terms of this multi-million dollar Contract. More importantly, Joint Venture has largely failed to comply with the Disadvantage Business Enterprises (“DBE”) participation requirements set forth in the Contract Specifications. The Board should therefore rescind its award of the Contract to Joint Venture and award the Contract to Allan Myers, as it is the lowest *responsible* bidder. Any other decision would undermine the competitive process and the vital goals of the DBE Participation Program.

I. DBE Participation Requirements

The DBE participation requirements under the Contract is clear. The MBE Goal is 18% and the WBE Goal is 16%. More importantly, each bidder is required to undertake certain *good faith efforts*¹ to provide opportunities for DBEs to participate in the Contract, consistent with these goals, and the bidder must submit supporting documentation. These are not aspirational statements. Rather, the Specifications makes clear that “[p]erformance of the good faith steps are required, regardless of goal achievement.”² If the City were to nevertheless award the Contract to a bidder who failed to perform these good faith steps, the City would be in violation of the requirements imposed on its use of the Maryland Water Quality and Drinking Water Revolving Loan Fund Program. Under such circumstances, the Environmental Protection Agency would be authorized to take remedial action against the award, including, among other things, suspending or terminating the award. *See 40 C.F.R. §33.105(c).*

II. Joint Venture’s bid fails to satisfy the DBE participation requirements as well as the overall DBE goals set forth under Federal and State regulations

Joint Venture, a partnership among two out of state companies, has fallen well short of the DBE participation requirements, and has done so to the detriment of the City of Baltimore and many local DBEs who are ready and able to participate in this Contract. Relying on supposed good faith efforts documentation that pales in comparison to that submitted by Allan Myers, **the Joint Venture is only willing to offer subcontracts to DBEs valued at 12.93%³ of the Contract amount (comprised of 10% MBE participation and 2.9% WBE participation).** This falls well short of the stated goals of 18% MBE and 16% WBE participation. **Allan Myers, on the other hand, as a local contractor committed to the City of Baltimore and its residents, is able to offer**

¹ Further explanation and comment on the Good Faith Efforts can be found in Allan Myers’ February 17, 2017, letter of concern to Bambi Turner, Maryland Department of the Environment, advising that Joint Venture had not complied with the Good Faith Efforts.

² *See Specifications (Vol. 1) at Requirements and Contract Provisions for the Treatment Works Project Financed Through the Maryland Water Quality Revolving Loan Fund and the Maryland Drinking Water Revolving Loan Fund Department of the Environment State of Maryland (emphasis in original).*

³ According to Maryland Department of the Environment letter dated April 4, 2017, to Mr. Gurminder Singh, Engineering Supervisor, Water and Wastewater Engineering Division, advising that Joint Venture may be awarded the Contract.

subcontracts to DBEs valued at 20.3% of the Contract amount (comprised of 15.5% MBE and 3.9% DBE). This amounts to approximately \$10.1 million in additional opportunities for Baltimore's DBEs, including DBEs located in empowerment zones. \$10.1 million that would be denied such entities if the out of state Joint Venture's bid is accepted by the City simply to achieve a meager savings of 0.97%.

Joint Venture may suggest that they did the best they could to meet the goals, and will point to their good faith efforts checklist in an effort to avoid confronting their shortcomings. Allan Myers submits that checking a handful of boxes does not make one the lowest, responsive and responsible bidder. Rather, the substance of the efforts, as revealed by the bid submission, should be evaluated in determining good faith efforts.

Moreover, Allan Myers has become aware that Joint Venture, despite receiving bids from local, qualified DBEs to perform various aspects of the Contract, elected not to use these DBEs. These DBEs include Brickhouse Brown Masonry and PMSI. They are all local DBEs who quoted the Joint Venture, and are all qualified and ready to perform. However, Joint Venture elected not to provide opportunity to these DBEs; and is instead carrying out the scopes with non-DBEs.⁴ It is difficult to conclude how Joint Venture met its required good faith efforts when Allan Myers is able to offer an additional \$10.1 million in opportunity to Baltimore's DBEs while Joint Venture is ignoring DBEs who are ready and able to perform.

As the City is undoubtedly aware, it risks termination or suspension of the award or withholding of further awards if it were to give the Contract to a bidder that failed to meet its good faith effort requirements.⁵ Here, the evidence points to only one conclusion – Joint Venture did not meet its good faith effort requirements, and such failure is material. Consequently, the City cannot award the Contract to Joint Venture. To do so is to ignore the express requirements of the Contract Specifications and to risk termination or suspension of the award by its federal funding source.

It also sends the wrong message to the contracting community about the importance of DBEs. Had Allan Myers understood that achievement of the DBE goals was not of paramount importance to the City, Allan Myers could have easily followed the Joint Venture's path, reduced the opportunities for Baltimore's DBEs, and offered a price lower than the Joint Venture. Surely, this is not what the City wants to encourage. It is certainly not what Allan Myers believes is right nor what the City has championed in the past.

⁴ See attached correspondence with Brick House Brown Masonry and PMSI.

⁵ See *Specifications (Vol. 1)* at Disadvantaged Business Enterprise Program Guidance for Prime (Construction & A/E) Contractors at Appendix B (stating that "EPA may take remedial action under § 33.105 for a recipient's failure to comply with other provisions of this part, including, but not limited to, the good faith efforts requirements described in subpart C of this part"); and 40 C.F.R. § 33.105 (identifying numerous examples of remedial action available to the EPA, including, "wholly or partly suspending or terminating the current award" or "withholding further awards for the project or program").

III. Allan Myers' Bid Provides the City with the Best Value While Maintaining Substantial MBE Participation

Allan Myers has been in business for over 75 years. We have been recognized nationally in our industry for quality, safety and excellence, and were recently recognized by ENR as the 2017 Mid-Atlantic Contractor of the year. We are ranked in the Top 25 Heavy contractors in the U.S. with approximately 2,000 employees throughout the Mid-Atlantic. We have successfully completed billions of dollars for public entities over our history. We have never been debarred. We have never been terminated for default. We have never abandoned a project.

We have a deep and long standing investment in Maryland. We employ more than 500 residents. We maintain an office in Fallston, and we maintain and operate a quarry in Elk Mills and maintain and operate three asphalt plants in Elkton, Aberdeen and Jessup.

We are a proven partner of the City of Baltimore. We have performed over \$97 million in contracts in Baltimore in the last 10 years, and are currently performing over \$114 million in work for the City:

COMPLETED PROJECTS

Contract No.	Contract Name	Amount of Contract	Year
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06010	Quarantine Landfill	\$ 12,997,777.00	2007
WC1160R	Montebello Plant 2 Finished Reservoir	\$ 36,922,950.00	2008
TR02398	Rehabilitation of Argonne Drive Bridge	\$ 5,676,777.00	2009
TR02057	Bridge on Nicodemus Liberty Reservoir	\$ 8,247,777.00	2009
TR10302	Replacement of Fort Ave Bridge	\$ 6,927,766.00	2011
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	TOTAL	\$ 97,301,113.00	

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Contract No.	Contract Name	Amount of Contract	Year
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TR08308	Reconstruct East North Avenue	\$ 12,862,243.60	2015
1173R	Guilford Reservoir	\$ 54,444,777.00	2016
	TOTAL	\$ 114,084,797.60	

We have never failed to finish a project for the City. We have never been declared in default. We certainly have never abandoned the City. Most recently, Allan Myers

partnered with the City on the emergency contract for the Monument Street Emergency Repairs Project, successfully completing the contract ahead of schedule under extremely tough conditions. On the Monument Street project, Allan Myers worked around the clock within a congested urban environment to repair a storm sewer failure that had caused a large sinkhole. This sinkhole severed all utilities for two city blocks. Restoring vital services to the community was of utmost importance, and Allan Myers' performance on this contract embodies our commitment to the City and its citizens.

III. Conclusion

Allan Myers respectfully requests that the Board rescind its award of the Contract to Joint Venture and award it to Allan Myers as the lowest responsive, responsible bidder. As detailed above, such a decision is consistent with the principles of the City of Baltimore's procurement process, furthers the important goals of the DBE Participation Program, and maintains the public's confidence in this process and program.

Allan Myers further reserves the right to alter and/or amend any of its previously stated arguments or to provide additional information/argument at the Hearing of this Appeal.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. Bellamy', with a long horizontal flourish extending to the right.

Lorenzo Bellamy, Esq.
Jennifer S. Lancaster, Esq.
Attorneys for Allan Myers

Attachments- Correspondence from Brick House Brown Masonry & PMSI
February 17, 2017 protest letter to MDE



April 23, 2017

Mr. Brad Buchler
Allen Myers Contractors
2011 Belair Road
Fallston, Maryland 21047

To whom it may concern,

My name is Jerome Brown and I am the owner of Brick House Brown Masonry.

I am a certified MBE contractor with the City of Baltimore.

I submitted a bid proposal to Oscar Renda for the masonry work at the Ashburton Reservoir project in which Oscar Renda did not select me to participate in the project.

To this date, I have not received a reason for why Brick House Brown Masonry was not selected for the project.

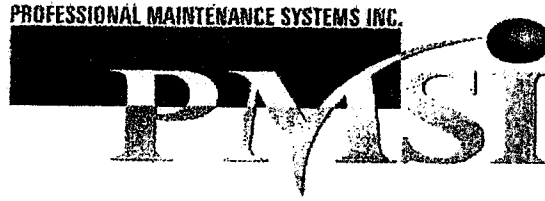
Please give us a call if you need any additional information regarding this matter.

Regards,

A handwritten signature in black ink, appearing to read "Jerome Brown", written over a horizontal line.

Jerome Brown
President
Brick House Brown Masonry, Inc.

1800 N. Smallwood Street, Baltimore, MD 21216
Phone: 410 669 4422 Cell: 443-622-7989 Fax: 410 669 4499
Email: brickhousebrownmasonry@gmail.com



2400 Boston Street Unit 102 Baltimore MD 21224

443-528-9151

Allen Myers
2011 Belair Rd, Fallston, MD 21047
Attention: Brad Buchler

Professional Maintenance Systems Inc is a Certified MBE Contractor certified with Baltimore City and Maryland Department of Transportation.

On January 18th 2017 we bid on the Ashburton Reservoir Water Tanks Projects. I personally spoke with Jane Rodriguez and I was emailed Oscar Renda's DBE form; I signed and returned the form Via email. To my knowledge and after speaking with Jane Rodriguez after the bid; our firm was not selected to participate in this project.

As an MBE contractor opportunities are very difficult to come by, we strive to capitalize on every public opportunity provided. We have reached out to Oscar Renda were told "that they were unsure if we would be working on this project in the future".

Thank you,

Ari Moore
Vice-President
PMSI
MBE/WBE/DBE Contractor
443-528-9151

ALEXANDER & CLEAVER

ATTORNEYS AT LAW

Professional Association

Gary R. Alexander *MD DC VA FL*

James A. Cleaver *MD DC*

Robert J. Garagiola *MD DC*

Todd K. Pounds *MD DC*

Jason A. DeLoach *MD DC*

James K. McGee *MD DC*

Lorenzo M. Bellamy *MD DC*

Whitney Cleaver Smith *MD DC VA*

Camille G. Fesche *MD DC NJ NY*

David N. Hruda *MD*

Jennifer S. Lancaster *MD DC*

Aubrey E. Mirkin *MD DC PA*

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Casper R. Taylor, Jr.
Hannah Powers Garagiola
Tyler W. Bennett
Moir R. Moynihan
Davion E. Percy

Admitted to Practice in State

February 17, 2017

Bambi Turner
Maryland Department of the Environment
Water Quality Financing Administration
1800 Washington Blvd.
Baltimore, MD 21230

Re: Water Contract Number 1211
Ashburton Zone 2 Tanks

Ms. Turner:

Allan Myers MD, Inc. respectfully submits this statement of concern and information to the Maryland Department of the Environment regarding a potential award of Water Contract No. 1211 (the "Contract") to Renda/JBros Joint Venture. The Contract is for the project referred to as the Ashburton Zone 2 Tanks (the "Project").

As an examination of the Joint Venture's bid submission should demonstrate we believe that, the Joint Venture has largely failed to comply with the Disadvantage Business Enterprises ("DBE") participation requirements set forth in the Contract Specifications. This failure is material, and, as such, renders the Joint Venture's bid non-responsive. We are requesting that you consider the Joint Venture bid be found non-responsive. The Board should therefore reject the Joint Venture's bid and award the Contract to Allan Myers, as it is the lowest, responsive and responsible bidder. Any other decision would undermine the competitive process and the vital goals of the DBE Participation Program.

I. The Joint Venture's Bid is Inherently Defective and Should Be Rejected.

The Joint Venture's bid fails to satisfy the DBE participation requirements set forth in the Specifications governing the Contract as well as the overall DBE goals set forth under Federal and State regulations. The Joint Venture's bid is therefore non-responsive and, per the very rules governing the Invitation for Bids, must be rejected.

The DBE participation requirements are clear. The MBE Goal is 18% and the WBE Goal is 16%. More importantly, each bidder is required to undertake certain good faith efforts to provide opportunities for DBEs to participate in the Contract, consistent with these goals, and the bidder must submit supporting documentation. These are not aspirational statements. Rather, the Specifications makes clear that "[p]erformance of the good faith steps are required, regardless of goal achievement."¹ If the City were to nevertheless award the Contract to a bidder who failed to perform these good faith steps, the City would be in violation of the requirements imposed on its use of the Maryland Water Quality and Drinking Water Revolving Loan Fund Program. Under such circumstances, the Environmental Protection Agency would be authorized to take remedial action against the award, including, among other things, suspending or terminating the award. *See 40 C.F.R. §33.105(c).*

As I'm sure you are aware, the EPA's "The Six Good Faith Efforts and Contract Administration Requirements" under the EPA's DBE program are required methods implored by all EPA financial assistance agreement recipients to ensure that all DBEs have the opportunity to compete for procurements funded by EPA financial assistance dollars". The Six Good Faith Efforts are:

- 1) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- 2) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- 3) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- 4) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- 5) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

¹ See *Specifications (Vol. 1) at Requirements and Contract Provisions for the Treatment Works Project Financed Through the Maryland Water Quality Revolving Loan Fund and the Maryland Drinking Water Revolving Loan Fund Department of the Environment State of Maryland* (emphasis in original).

- 6) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section. What are the New Contract Administration Requirements?

These same “Efforts” apply to the State’s MBE program as well, as required and stated under the Maryland Water Quality & Drinking Water Revolving Loan Fund Programs DBE Guidance for Loan Recipients, Prime Contractors, and Subcontractors:

Steps 1 & 5 can be achieved by developing a bidders list of qualified DBE firms that can bid as prime contractors or as subcontractors. Loan recipients, prime contractors, and subcontractors (if they further subcontract) should advertise in minority, local and regional newspapers. Loan recipients can also advertise in the Dodge report. Loan recipients should provide their bidders list to prime contractors, who can supplement this list with their own bidders list.

Information for developing bidders list of qualified DBE firms for participation as prime contractors or subcontractors in construction, equipment, services, and supplies, should be gathered from different resources (see Appendix C, below), such as

- Loan recipient (for prime contractors)
- Maryland Department of Transportation (MDOT) http://www.mdot.state.md.us/MBE_Program/Index.html
- U.S. Small Business Administration (US-SBA) <https://www.sba.gov/offices/district/md/baltimore>
- Minority Business Development Agency (MBDA) of the US Department of Commerce www.mbda.gov/

Steps 2, 3, & 4 can be achieved during the project planning, design, and/or pre-bidding phase, to assure that qualified DBE firms have procurement opportunities in construction, equipment, services, and supplies.

The following steps need to be undertaken:

- Conduct pre-bid meetings to inform potential bidders/contractors about DBE requirements and provide guidance in undertaking the required good faith efforts.
- Use the bidders list developed in Item A (above) to solicit DBE firms as prime contractors or subcontractors.
- Invite DBE firms, where appropriate, to meetings, conferences, etc., to inform them of procurement opportunities and develop, where possible, reasonable contract and delivery schedules that encourage and facilitate participation by DBEs. This includes allowing a minimum of 30 calendar days for bids or request for proposals.
- Determine if a project can be broken down into smaller components/contracts to allow opportunities for DBE firms to bid both as prime contractors and subcontractors.
- For projects broken down into smaller components (e.g., painting, roofing, excavation, pipe laying, etc.), ensure that the delivery schedules are reasonable.

- Encourage DBE firms, where appropriate, to apply as a consortium of DBEs, when a contract is too large for one of these firms to handle individually.
- Loan recipient must require prime contractor to complete EPA forms 6100-4 and 6100-3 and submit with bid proposal.

Loan recipients (step 6) must require the prime contractor to undertake steps 1 through 5 as a good faith effort in providing DBE firms opportunities as subcontractors by including the MDE Insert/Requirements and Contract Provisions for utilization of DBEs in the bidding documents (Emphasis provided).

Here, the Joint Venture, a partnership among two out of state companies, has fallen well short of the DBE participation requirements, and has done so to the detriment of the City of Baltimore and many local DBEs who are ready and able to participate in this Contract. Relying on supposed good faith efforts documentation that pales in comparison to that submitted by Allan Myers, the Joint Venture is only willing to offer subcontracts to DBEs valued at 12.9% of the Contract amount (comprised of 10% MBE participation and 2.9% WBE participation). This falls well short of the stated goals of 18% MBE and 16% WBE participation. Allan Myers, on the other hand, as a local contractor committed to the City of Baltimore and its residents, is able to offer subcontracts to DBEs valued at 20.3% of the Contract amount (comprised of 15.5% MBE and 3.9% DBE). This amounts to approximately \$10.1 million in additional opportunities for Baltimore's DBEs, including DBEs located in empowerment zones. \$10.1 million that would be denied such entities if the out of state Joint Venture's bid is accepted.

The Joint Venture may suggest that they did the best they could to meet the goals, and will point to their good faith efforts checklist in an effort to avoid confronting their shortcomings. Allan Myers submits that checking a handful of boxes does not make one the lowest, responsive and responsible bidder. Rather, the substance of the efforts, as revealed by the bid submission, should be evaluated in determining good faith efforts.

As noted above, the Joint Venture has fallen well short of the amount of opportunity Allan Myers is able to offer Baltimore's DBEs - \$10.1 million short. Allan Myers also has evidence that the Joint Venture, despite receiving bids from local, qualified DBEs to perform various aspects of the Contract, elected not to use these DBEs. These DBEs include Salute, Brickhouse Brown and PMSI. They are all local DBEs who quoted the Joint Venture, and are all qualified and ready to perform. However, the Joint Venture elected not to provide opportunity to these DBEs; and is instead carrying out the scopes itself or with non-DBEs. We are hard-pressed to see how the Joint Venture met its required good faith efforts when Allan Myers is able to offer an additional \$10.1 million in opportunity to Baltimore's DBEs and the Joint Venture is ignoring DBEs who are ready to perform.

As the City is undoubtedly aware, it risks termination or suspension of the award or withholding of further awards, if it were to give the Contract to a bidder that failed to meet its good faith effort requirements.² Here, the evidence points to only one conclusion – the Joint Venture

² See *Specifications (Vol. 1)* at Disadvantaged Business Enterprise Program Guidance for Prime (Construction & A/E) Contractors at Appendix B (stating that "EPA may take remedial action under § 33.105 for a recipient's failure to comply with other provisions of this part, including, but

did not meet its good faith effort requirements, and such failure is material. Consequently, the City cannot award to the Joint Venture. To do so, is to ignore the express requirements of the Specifications and to risk termination or suspension of the award by its funding source.

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We are a proven partner of the City of Baltimore. We have performed over \$97 million in contracts in Baltimore in the last 10 years, and are currently performed over \$114 million in work for the City:

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Contract No.	Contract Name	Amount of Contract	Year
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SWC			
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	Monument Street Emergency Street		
SW7765	Repairs	\$ 3,450,289.00	2012
	TOTAL	\$ 97,301,113.00	

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Contract No.	Contract Name	Amount of Contract	Year
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TR08308	Reconstruct East North Avenue	\$ 12,862,243.60	2015
1173R	Guilford Reservoir	\$ 54,444,777.00	2016
	TOTAL	\$ 114,084,797.60	

not limited to, the good faith efforts requirements described in subpart C of this part"); and 40 C.F.R. § 33.105 (identifying numerous examples of remedial action available to the EPA, including, "wholly or partly suspending or terminating the current award" or "withholding further awards for the project or program").

We have never failed to finish a project for the City. We have never been declared in default. And, we certainly have never abandoned the City. Most recently, Allan Myers partnered with the City on the emergency contract for the Monument Street Emergency Repairs Project, successfully completing the contract ahead of schedule under extremely tough conditions. On the Monument Street project, Allan Myers worked around the clock within a congested urban environment to repair a storm sewer failure that had caused a large sinkhole. This sinkhole severed all utilities for two city blocks. Restoring vital services to the community was of utmost importance, and Allan Myers' performance on this contract embodies our commitment to the City and its citizens.

You do not need to take our word for our commitment to the City. Following are a selection of comments from the City on our dedication to its success:

- "[Allan Myers] has exceeded our expectations. Their quality of work has exceeded our expectations. Their quality of work has been excellent on a project that is ahead of schedule and below budget." (Timothy Dominick, Construction Project Supervisor, City of Baltimore).
- The Argonne Drive Bridge reconstruction over Herring Run was capably completed by [Allan Myers] seven months earlier than was projected by engineers, and reopening the new structure was a major restoration of vehicular infrastructure for the citizens of the City of Baltimore. The completed superstructure has drawn much praise for its aesthetic appeal as well as the quality of construction." (Chuck Biondo, City of Baltimore)
- "From day one I have been impressed with the professional manner with which [Allan Myers] has approached each task in the construction." (Tim Bradin, Water Treatment Assistant Manager, City of Baltimore)

II. Conclusion

Allan Myers thanks the Board and the MDE for its consideration of this letter and would respectfully request award of the contract as the lowest responsive bidder. As detailed above, such a decision is consistent with the principles of the City of Baltimore's procurement process, furthers the important goals of the DBE Participation Program, and maintains the public's confidence in this process and program.

Sincerely,



Lorenzo Bellamy, Esq.
Legislative Counsel
Alexander & Cleaver

Cc: Nunzio Ruggeri, Counsel, Allan Myers
Jenifer Lancaster, Procurement Counsel, Alexander & Cleaver

MINUTES

President: "The first item on the non-routine agenda can be found on pages 50 - 51, items 1 - 2, Department of Public Works, Recommendations for Contract Awards/Rejections, WC 1211, Ashburton Reservoir Zone 2 Tanks. Will the parties please come forward? Okay. State your name."

Mr. Jay Price: "Good morning, I'm Jay Price. I'm the Acting Bureau Head of Water and Waster for the Department of Public Works. It's our recommendation, we move forward with award Water Contract No. 1211 to Renda/J. Bros. Joint Venture."

Mr. Lorenzo Bellamy: "Good morning, Lorenza Bellamy on behalf of Alexander & Cleaver. Um -- I'm also here on behalf of Allan Myers. Ah -- protesting the recommended award."

President: "Um -- you going to tell us what your protest is based on?"

Mr. Bellamy: "Mr. President, Mr. Hammen, Comptroller Pratt, good morning, Members of the Board, good morning. I'm Lorenza Bellamy, again, with Alexander & Cleaver on behalf of Allan

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Myers. We are protesting, ah -- this award, um -- for several reasons. Mainly, we believe that the recommended awardee did not meet the good faith test in order to find qualified and certified MBEs. Ah -- first I want to just go through, very quickly, the dollar figure that's at stake here. This is a hundred -- the -- the -- the bid is \$136,964,000.00. Allan Myers bid is \$137,777,000.00, a difference of 0.97%. Renda's MBE numbers are 10.1%, WBE 2.92% or 12.93% total. Allan Meyer's WBE is 15.5% and WBE 3.9% ah -- 9% or 19.4%. In terms of dollar value, \$10.1 million more for MBE companies than the recommended awardee. I think if we are to look at the -- the policy Mr. President and members of the Board, you all have stated on many occasions whether its been before this Board, whether its been um -- before the press, whether its been in Court, that MBE issues are critical and important to -- to this Board and also to the citizens of Baltimore. Had we, Allan Meyers, decided to go below -- either below ah -- what we submitted then I think

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that we would have had obviously had won -- won this bid. And, I think that ah -- but then at the expense of who, at the expense of MBE Certified Baltimore City MBE Companies. And, I think that you all have said that you want to support MBE Companies in Baltimore City. The Maryland Department of the Environment came up with um -- the recommendation to award this contract to Renda. In their April 4, 2017, letter, I'm not sure if you have that, and I can provide you with a copy, they basically recommended the award saying that um -- they were the responsible bidder, but they didn't indicate anywhere in the letter whether or not good faith efforts were -- were made to -- to find MBE ah -- companies that least come close to the 34% that ah -- the goal that was established by -- by this um -- by the -- by the RFP. And, so MBE didn't even come up with a rationale as to why in good faith they thought Renda should be given this award. The Environmental Protection Agency has what we call and it's in my -- in my -- in it's -- it's part of the attachment to the protest. They call it the Sixth -- the Sixth

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Good Faith Efforts in Contract Administration Requirements. And, I'm not going to go through all six of them. You can look at that and see what they are. And, I would submit that -- that Renda did not meet any of those ah -- six requirements, but, that my client, Allan Myers has. The argument may be made that Renda went through a checklist and checked off boxes that indicated that they made good faith efforts. I would submit that just simply checking off boxes is not necessarily a good faith effort. I have with me -- is Brick House here? Can you come up please, sir? We have two -- two MBEs, one that's here and state your name for the record please."

Mr. Wilbur Brown: "Um -- Wilbur Brown, I'm representing Brick House Brown Masonry."

Mr. Bellamy: "They're one of the MBEs that, ah -- submitted ah -
- to ah -- Renda. Renda chose not to use them which is in their right ah -- to do that. This is a certified MBE Company that and that there's a letter attached to ah -- to -- to my protest that indicates what they tried to do. Ah -- they are certified ready

MINUTES

and available DBE/MBE ready to do business. Ah -- you know, we -
- we used them. We had them on our list. And these are in
addition to -- to these two companies, ah -- these are companies
that were -- that are based in Baltimore City that some of them
are actually in Empowerment Zones. So, we are supporting the
policy that the City of Baltimore has recommended for using MBEs
in this -- in this -- in these type of contracts. And, so I just
-- I hope, um -- Mr. President and Members of the -- of the
Board that you would -- you would look at the numbers here.
We're talking of the difference of 0.97%. You know, we came in
at 27, um -- million for MBE. They came in at 17 ah -- million.
That's 10 mil -- 10.1 million, as I stated before for MBE
Companies. And, I think that, you know, when you look at the
policy behind this, I think it's very important to - to -- if
this was a significant difference I could see where you would
say well, what's in the best interest of the City? What's in the
best interest of the, um -- of the residents of Baltimore City?

MINUTES

And, I think best interest and I've seen this at State level and at -- and here in this Board before this commit -- this -- this -- admit - this um-- um -- this Board -- you have, you have stated on a many occasions what is in the best interest and have ruled what is in the best interest of this City even if there have been discrepancies in -- in price or even in MBE qualifications. And I would say here, the best interest of this City and the best interest of this Board, and you represent the citizens of Baltimore would be to award this to -- to my client Allan Myers, especially given the MBE requirements and the MBE goals that they have established, um -- in this contract. And finally I would say um-- my recommendation would be that you would ah -- reject the recommendation of the Board of Public Works, sorry of the, of the Public Works Department and that you would um -- award it to Allan Myers. Alternatively, we'd ask that you throw out the bid completely and re-do this, paying careful attention to the good faith efforts of um -- of -- of

MINUTES

all the bidders lets say, but specifically Allan Myers and perhaps even Renda on MBE qualifications, on an -- on an MBE spin. Ah -- with that I turn it over to -- Nunzio, you have anything you want to add?"

Mr. Nunzio Ruggeri: "Good morning Members. My name is Nunzio Ruggeri. I'm General Counsel for Allan Myers. Rich and I ah -- Rich is the Executive Vice-President of Construction at Allan Myers. We've had the opportunity to be uh -- part of the City of Baltimore for a significant period of time. Rich, in particular, has been here since roughly 2002?"

Mr. Ruggeri: "2002."

Mr. Rich Dungan: "We've had many occasions where we've seen this Board make decisions that are in the best interest of the City. Here's one of those situations for you. You have an opportunity to provide an additional \$10 million of opportunity to very, very important residents of this community. If you choose our bid, that's what you get. If you don't choose our bid, that \$10 million does not materialize. Thank you for your time. I appreciate it."

MINUTES

President: "Um -- even though, I -- I don't agree with the whole process. Um -- but, this is a State, um -- um -- issued contract. Um -- you guys are still not the lowest bidder. Um -- you come in at 138,298,777 and they come in at 136,964."

Mr. Bellamy: "That's correct."

President: "200 --"

Mr. Bellamy: "I stated that, Mr. President that we are .097% off."

President: "Right. Okay. Any -- anybody else?"

Comptroller: "Let me ask you a question? Did um -- the joint venture meet the DBE requirements?"

Mr. Ruggeri: "No."

Mr. Bellamy: "I can speak to what the joint venture -- you said they didn't?"

Mr. Ruggeri: "They -- right -- they - they -- with respect to the requirements our position is they -- they haven't because of the good faith efforts requirements. So, to answer your questions specifically ah -- Mr. Young, if the -- the -- the difference in price makes no meaning -- has no difference at this point because we would say that they not responsive or responsive."

MINUTES

Interim City Solicitor: "Ah -- let me just ask one question. Ah -- actually two questions just to confirm. So, you're not the lowest bidder, but you're position is you -- you were responsive and they were not responsive? But, th -- in the State contract, the State found that they were responsive. Isn't that correct?"

Mr. Bellamy: "That is correct. But, I would -- I would -- I would argue that their rationale for finding that they were responsive was arbitrary and capricious. I think that there was no -- there was no good faith attempt. There was no rational basis between their number, the MBE search, and the good faith to the actual award."

Interim City Solicitor: "And -- and Mr. Bellamy what do you base this arbitrary and capricious decision on?"

Mr. Dungan: "Excuse me, if I might. My name is Rich Dungan, the -- ah -- I'm the one that signs the contracts. I've been in the bid room with ah -- Allan Myers ah -- since 2002 bidding work for the City. This project's going to be worth \$138 million and

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Renda and Johnson Brothers Joint Venture committed to 12% minority participation, Allan Myers has 20%."

Interim City Solicitor: "I don't -- I don't mean to cut you off. But, I do. Wha -- what is the answer to my question?"

Mr. Bellamy: "Well --"

Mr. Dungan: "The answer is that in the past the City has never gone ahead with any of the -- any of these bids with just 12% participation."

Interim City Solicitor: "No, my question is; 'what is the basis for your statement that the State's decision was arbitrary and capricious?'"

Mr. Bellamy: "Solicitor Ralph, let me try to answer that question for you. So, in Natural Resources versus US 5686 the Federal sec -- ah -- F 2nd um -- the 9th Circuit Case, '92 Case. It stated that the absence of a rational connection -- I'm just going to read this -- connection between the facts found and the

MINUTES

choice made. A clear error of judgement, I would say there was a clear error of judgement with the State. An action not based upon consideration of relevant factors and so is arbitrary capricious and abuse of discretion or otherwise not in accordance with the law or if it was taken without observance of procedure required by the law. And, I would say that on its face -- I mean just looking at the -- our bid and the numbers and who we use, our good faith efforts to try to find qualified WBE -- WBE and MBE companies versus the other side. I would say on its face, without even having to go in through the -- and -- and I know it's hard to prove arbitrary and capricious, but I would say on its face based on those numbers alone that one can make that -- that -- that assumption."

Interim City Solicitor: "Okay, two things and I'll -- I'll end. One, I -- I do want to commend ah -- Allan Myers for working as hard as it did. Ah -- in -- in trying to get subcontractors for this contract. Um -- but, just because you were able to do more doesn't mean that the other bidder didn't do -- make good faith

MINUTES

efforts to ah -- obtain them. You -- you -- you got more and I commend you on that. But, to say that -- that difference that delta ah -- and the State's decision to find that delta ah -- not ah -- good faith and that it -- its decision to do so arbitrary and capricious, I think is -- is -- is a leap, a far leap."

Mr. Bellamy: "If I -- If I may um -- Solicitor, I would ah -- I would say that, um -- you know -- in a -- in a real world and looking at -- you know, just the law ah -- on its face, perhaps you're right. But, if you look at the numbers that they actually presented when you go to good faith, the difference between 12.93 and almost 20% and so thir -- lets say 13% and 20% that is -- that is a significant gap. If the numbers were closer, I would say yes. Then it would be hard to -- potentially hard to make that argument. But, because the gap is so great and the difference action in the price, when you look at the price .97% on a \$136, \$137 million contract. So, I would say yes, sure they -- they may have um -- met -- actually the goal was 34%. So, I

MINUTES

mean, I would argue that, you know, you should throw this whole thing out and actually start over again so that we can actually do better. But, I would say that the actual -- when you look at the -- the difference between their number and our number, I would say on its face and I'll continue to make that argument -- that - that uh -- they were not exercising good faith."

Interim City Solicitor: "I understand."

President: "Anybody else? Anymore questions? I'll entertain a Motion."

Interim City Solicitor: "I would move that we deny the protest and award ah -- the bid as recommended by Department of Public Works on pages 50 - 51, items 1 and 2 of the agenda."

Comptroller: "Second."

President: "Wait -- wait -- wait a minute. This Motion is as to the protest?"

Interim City Solicitor: "Yes, I -- I -- I would --"

Interim City Solicitor: "I move that we deny the protest."

Comptroller: "Second."

MINUTES

President: "All in favor, say Aye. All opposed, Nay. The Motion carries. The protest is denied. I will now entertain a Motion as to the recommendation for award."

Interim City Solicitor: "I would move that we award the bid as recommended by the Department of Public Works on pages 50 to 51, items 1 and 2 of the agenda."

Comptroller: "Second."

President: "All those in favor, say Aye. All opposed, Nay. Please note Council President Young votes **NO**."

* * * * *

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Department of Transportation

3. TR 17020, Utility Location Test Holes & Borings for Engineering Projects Citywide
- REJECTION** - On June 21, 2017, the Board opened one bid for TR 17020 in the amount of \$299,730.00. Subsequent review of the bid documents revealed the bidder greatly exceeded the agency's budget. The Department is recommending that the bid be rejected, and that this project be re-advertised in the near future.

Department of Purchases

4. B50004884, Playground and Athletic Court Resurfacing and Repairs
- Section A \$200,000.00
- Playground Specialist, Inc.

(Dept. of Recreation & Parks)

MWBOO SET MBE GOALS AT 5% AND WBE GOALS AT 2%

MBE: Grass Roots Landscaping Co., LLC 0%

WBE: Not Listed 0%

The bidder did not meet the MBE/WBE goals. The bidder listed Grass Roots Landscaping Co., LLC. for MBE participation but failed to list a dollar amount or percentage on the Statement of Intent form. The bidder also failed to include any WBE participation and did not request a waiver.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

The Bureau of Purchases is recommending the award to Playground Specialist, Inc. subject to the vendor coming into MBE/WBE compliance ten days after Board approval

Bureau of Purchases

5. B50004910, Lead Hazard Reduction Program \$3,500,000.00
- Mac-Par Services, LLC
- Hawkeye Construction, LLC
- Lewis Construction, LLC
- First Potomac Environmental Corp., Inc.
- UK Construction & Management, LLC

(Dept. of Housing & Community Development)

A PROTEST WAS RECEIVED FROM J. SCOTT MCVICKER OF GREEN & HEALTHY HOMES INITIATIVE.MAC-PAR SERVICES, INC.

MBE: UK Construction and Management, LLC 27%

WBE: TL & T Management, LLC 10%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of PurchasesHAWKEYE CONSTRUCTION, LLC

MBE: Lewis Construction, LLC	27%
WBE: MDV Interactive, Inc.	10%

MWBOO FOUND VENDOR IN COMPLIANCE.LEWIS CONSTRUCTION, LLC

MBE: Adapt Home Improvement, LLC	27%
Lewis Construction, LLC.*	50%
	77%

WBE: Baltimore Window Factory, Inc.	10%
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MWBOO FOUND VENDOR IN COMPLIANCE.

*Indicates self-performance.

FIRST POTOMAC ENVIRONMENTAL CORP., INC.

MBE: UK Construction & Management, LLC	27%
--	-----

WBE: Eastwood Painting Contracting, Inc.	10%
--	-----

MWBOO FOUND VENDOR IN COMPLIANCE.UK CONSTRUCTION & MANAGEMENT, LLC

MBE: First Potomac Environmental Corp., Inc.	27%
UK Construction & Management LLC*	50%

WBE: Baltimore Window Factory, Inc.	10%
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MWBOO FOUND VENDOR IN COMPLIANCE.

*Indicates self-performance.

MINUTES

President: The second item on the non-routine agenda can be found on pages 53 to 54, item no. 5, Department of Public Works, Recommendations for Contract Awards/Rejections, B50004910, Lead Hazard Reduction Program. Will the parties please come forward? Okay, good morning."

Ms. Erin Sher Smyth: "Good morning. Erin Sher Smyth for Department of Finance, City Purchasing Agent. Ah -- the Board -- Bureau of Purchases recommends a denial of the protest as the protestant was found non-compliant by MWBOO. However, we have discussed this with the using agency, the Department of Housing, and this is a multiple award with the intention to award to as many responsive vendors as possible. Ah -- there were two bidders that were found responsive, yet non-compliant and we would recommend that the protest be denied. However, both ah -- the Bureau of Purchase -- sorry -- the Board of Estimates allow the Bureau of Purchases to reach out to both non-compliant vendors and allow them to correct their forms and submit to

MINUTES

MWBOO for compliance finding. If they are found compliant at that time, we would return to the Board of Estimates with additional award recommendations so that the Department of Housing has the additional resources for this important program. Thank you."

Comptroller: "So, that means they will become a part of this contract?"

Ms. Sher Smyth: "Yes."

Comptroller: "-- that's being awarded."

Ms. Sher Smyth: "They will be added to this contract."

Comptroller: "Added to this? Okay."

Ms. Sher Smyth: "Correct."

Interim City Solicitor: "Question, how many -- how many um -- contractors can be a part of this?"

Ms. Sher Smyth: "There is no limit to the number of contractors. Eight bidders ah -- submitted bids, five are recommended today, one was found non-responsive and two were found non -- they were found responsive, yet, non-compliant."

MINUTES

Ms. Ruth Ann Norton: "Good morning. Um -- thank you for the opportunity to be before you. I'm Ruth Ann Norton. I'm the President and CEO of the Green Healthy Homes Initiative. I'm joined by Larry Brown who is our Crew Chief on the Lead Hazard Control ah -- Program and Wes Stewart, who's our in-house Counsel. Um -- ours is a simple error. Ah -- we had a -- we have ah -- we were the lowest, responsive bidder ah -- for the ah -- public bid for Lead Hazard Control, a service that we have provided to the City of Baltimore since 1994. Ah -- we have ah -- we hire uh -- from impacted communities and provide full wage jobs with health insurance benefits, retirement and, ah -- other benefits and uh -- including training and career paths. I think we are the only bidder uh -- that does that. Um -- our work has been ah -- noted by the U.S. Department of Housing and Urban Development for our hous -- for our lead hazard control work. Um -- and I'll let Larry speak uh -- on that. Basically, here we had a uh -- MBE subcontractor, New Century uh -- who we missed

MINUTES

the fact that they are also a WBE and they circled WBE and so, when we turned in the forms I signed an affidavit that we did meet the 27% and 10% requirements ah -- because we were counting New Century in the MBE category. Um -- by the -- by the fact that that was signed ah -- circled WBE that we missed in our ah -- review which is our fault. Ah -- we were the -- came in at 22% MBE and a much higher WBE because they got switched to that category. Ah -- we do have in our protest bid a letter from New Century um -- as an MBE uh -- contractor. If we are uh -- given the opportunity for award uh -- we would be using them in the MBE category. Ah -- I'm happy to answer questions, but I wanted to have -- give Larry an opportunity before the Board of Estimates to talk about the impact that not having this contract would have on our crew."

President: "Um -- before he -- Comptroller."

Comptroller: "Yeah. Mr. Billups, could you come up? Could you put on the record um -- the non-compliance for each non-compliant vendor, why they were non-complaint?"

MINUTES

Mr. Courtney Billups: "Ah -- Green Healthy Homes Initiative did not meet the de -- the, I'm sorry -- I'm sorry --"

Interim City Solicitor: "Yeah, state you name for the record."

Mr. Billups: "I'm sorry -- ah - ah --"

Comptroller: "State your name."

Mr. Billups: "Ah -- ah -- Mr. Chair, ah -- Madam Comptroller -- ah --"

Comptroller: "State your name."

Mr. Billups: "Ah -- Courtney Billups, Chief of Minority Women's Business Opportunity Office. Ah -- Green Healthy Homes Initiative, um -- did not meet the MBE goal. The MBE goal was set at 27%. Ah -- they submitted -- their bid was submitted at 22% MBE participation. So therefore, we found them non-compliant."

Comptroller: "And the other um --."

Mr. Billups: "And the second -- the second --."

Comptroller: "A&A A6 abatement and Properties?"

MINUTES

Mr. Billups: "Okay Ah -- the WBE the WBE submitted by A & A abatement and Properties Services, LLC was TDS Douglass Construction. Ah -- they're not certified for lead paint abatement with Baltimore City. So therefore, the MBE was ah -- the MBE portion was found non-compliant."

Comptroller: "Thank you."

President: "Okay."

Mr. Larry Brown: "Ah -- good morning to you all. Um -- my name is Larry Brown. I'm actually ah -- a crew member and I work for the Lead Hazard Control Team. Um -- the position that I have -- I have been there 15 years. Um -- started my first two years at AmeriCorp and when I started at AmeriCorp, I was also part of the Lead Hazard Control Team. Um -- after my two years of completion of AmeriCorp, lead to employment with working for Green & Healthy Homes, and at the time of my employment I had no training. So, the -- it -- the um -- Green & Healthy Homes organization has helped me with training. Um -- I contribute to my 403(b). Um -- earn a nice wage salary and also um - I'm one

MINUTES

of five members who also lives in the community. Um -- we love working in the community. I think we have a big impact, based on providing the services, and then a lot of the families have questions for us, and then we also can call the coalition which is the formerly Green & Healthy Homes and um -- provide them with, you know, with lawyers, rent court. So, not only, um -- do I feel our abatement -- our lead hazard work is very important, but also how the organization has in a -- in a circle have other sources to help families. So--."

Comptroller: "That's good."

Ms. Norton: "And, I -- um nice to see you Mr. Billups. I want to just reiterate that in our um -- my signing that affidavit on behalf of our organization; so, I also own the mistake of our oversight of the circle. Um -- but, if you count New Century in the MBE category, we will exceed the 27% and still meet the WBE. Um -- so I just want to ah -- put that on the record and we're happy to answer any of the questions and ask for your consideration."

MINUTES

President: "Um -- well, you said you made a minor mistake?"

Ms. Norton: "But, we didn't -- Council President, our mistake in our review is although we signed the affidavit at 27% and 10% because we counted New Century in the MBE category which they are and we checked this morning they are a certified MBE uh -- and remain so for the City. They are also a WBE. We put them in that category. What we -- the oversight on our part was that they circled WBE on their forms. So, rightfully, when it got to Mr. Billups shop, they went solely by the forms submitted by the subcontractors and counted them in the category by which they circled, I think. Is that a correct? And so therefore, it shifted the balance and it's that shift that took us below 27% to 22%. It is a human error that occurred in our review. Um -- but, our -- they are a certified MBE. They -- we clearly had them in that category and I would not have signed an affidavit that wasn't correct in how we were preceding. So --."

President: "Okay."

MINUTES

Ms. Norton: "And we obviously enjoy our, ah -- good working relationship, um -- in service to this community and we'd like to continue to do so."

President: "Okay. Well, it puts um -- us at an awkward position, um -- because we have to um -- really depend on the MWBOO office and the integrity of, you know, the process. I'm one that likes to see the City save money and which you all being the lowest bidder would have saved us money. Um -- however, um -- from listening to Ms. Sher ah -- you are going to be part of the contract? Is that correct?"

Interim Solicitor: "-- Consider -- re - this and allow then to come back and cure their mistake because --."

Comptroller: "And we a part of this contract."

President: "Okay."

Ms. Sher Smyth: "That is correct. We will come back to the Board of Estimates and recommend additional vendors who have cured and giving that opportunity to both of the non-compliant vendors and

MINUTES

Housing is here to speak to their need for additional resources, if you like to hear from them."

President: "Yes."

Comptroller: "How soon will you come back before the Board?"

Ms. Sher Smyth: "Ah -- as soon as possible."

Comptroller: "Okay."

Ms. Sher Smyth: "Ah -- it -- as early as next week -- if --."

Comptroller: "Okay."

Ms. Sher Smyth: "I believe, they are going to correct their form today."

Comptroller: "Okay. Good."

President: "Okay."

Alice Kennedy: "The -- um --"

Comptroller: "State your name."

Ms. Kennedy: "Alice Kennedy, Deputy Commissioner of Housing, City of Baltimore. Um -- the Lead Hazard Control Program is a HUD ah -- we're under a HUD three-year grant a year and a half

MINUTES

into that process, and I think that the process that's laid forward today which the agency is in agreement with, allows us to keep moving forward with the contractors. Um -- and the work that has to be done in a timely manner, while still allowing one of our um -- important partners in this process and historic important partners um -- to correct a um -- error, and come back and be a part of the contract. Ah -- the work load is there. It's an open-ended ah -- to answer the Solicitor's question, it's an open-ended contract. There's no limit on the number of contractors that we can have and we have the workload for the contractors to need the additional contractors there."

President: "Okay. I entertain a Motion."

Interim City Solicitor: "Yeah ah -- I would move that we deny the protest and award, excuse me, deny the protest."

Comptroller: "So -- second."

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

MINUTES

Comptroller: "Wait a minute. They got to do the award."

President: "Oh. I will entertain a Motion for the award. I thought you did it all in one."

Interim City Solicitor: "Not the -- um -- I make a Motion that we award the contract as recommended by the Bureau of Purchases on page 54 through 55, item no. 5 of the Agenda and that we allow the recom -- we ah -- grant the recommendation by the Bureau of Purchases to allow for a cure within 30 days of -- of any additional bidders who have submitted responsive bids on the contract."

Comptroller: "Second."

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

* * * * *

From: Scott McVicker <smcvicker@ghhi.org>
Sent: Sunday, July 16, 2017 1:18 PM
To: Sher, Erin
Cc: Ruth Ann Norton; Braverman, Michael "DHCD Commissioner" - (Baltimore Housing); Kennedy, Alice "Deputy Commissioner" - (Baltimore Housing); Mayor Catherine E. Pugh; City Council President; The Comptroller
Subject: Re: Solicitation Number B50004910 – LEAD HAZARD REDUCTION PROGRAM
Importance: High

Dear Erin,

This email serves as notice of intent by the Green & Healthy Homes Initiative (GHHI) to appeal the award recommendation for Solicitation Number B50004910 - Lead Hazard Reduction Program. GHHI is a highly qualified provider of the services required and authored the lowest bid proposal submitted to the city for this solicitation. The exclusion of GHHI from the awarded vendors list that is being provided by the Bureau of Purchases to the Board of Estimates warrants this action.

Sincerely,

Scott

J. Scott McVicker, MBA | Chief Operations Officer
Green & Healthy Homes Initiative
2714 Hudson Street, Baltimore, MD 21224
(P) 443.687.7342 | (F) 410.534.6475 | smcvicker@ghhi.org
[website](#) | [e-newsletter](#) | [facebook](#) | [twitter](#) | [linkedin](#) | [donate](#)



MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

6.	B50004836, Pre-Employment Case Management Software	Miller Mendel, Inc.	\$423,803.00
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(Baltimore Police Dept.)

MWBOO GRANTED A WAIVER.

MINUTES

Department of Transportation - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize payment to M. Luis Construction Co., Inc., under TR 10305; BD#10305; SHA No. BC 315-094-815; FAP No. STP-000A (627) A; Resurfacing Highways @ Various Locations Northwest-Sector II.

AMOUNT OF MONEY AND SOURCE:

\$18,846.00 - 9950-901069-9512-900020-702064

BACKGROUND/EXPLANATION:

On Wednesday, September 15, 2010, the Board awarded TR 10305, BD #10305; SHA No. BC 315-094-815; FAP No. STP-000A (627) A; Resurfacing Highways @ Various Locations Northwest-Sector II with an expiration date of May 23, 2011. Subsequent to the final review of the contract, it was discovered that additional items were not paid at the closeout time of the project to M. Luis Construction Co., Inc.

M. Luis Construction Co., Inc. rendered services for the referenced project. Therefore, the Department is requesting additional funding to pay for the installation of a Controller and Cabinet in the amount of \$18,846.00.

DBE PARTICIPATION:

The contractor exceeded the established 30% DBE goal, which was verified by the Department of Transportation.

MINUTES

Department of Transportation - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized payment to M. Luis Construction Co., Inc., under TR 10305; BD#10305; SHA No. BC 315-094-815; FAP No. STP-000A (627) A; Resurfacing Highways @ Various Locations Northwest-Sector II.

MINUTES

Department of Transportation - Relocation Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Relocation Contract with Verizon of Maryland (Verizon), for relocation work at 1107 Brentwood Avenue.

AMOUNT OF MONEY AND SOURCE:

\$8,433.38 - 9952-904035-9510-900020-707072

BACKGROUND/EXPLANATION:

The relocation work to be performed by Verizon consists of the following:

- sever and remove underground cable between Biddle Street and alley,
- sever and remove aerial cable and terminals,
- remove Verizon poles 1A and 2A,
- place new pole opposite alley next to 1107 Brentwood Ave., and
- place aerial wires from pole line across street and rewire working services.

MBE/WBE PARTICIPATION:

N/A

MINUTES

Department of Transportation - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Relocation Contract with Verizon of Maryland, for relocation work at 1107 Brentwood Avenue.

MINUTES

Mayor's Office of Employment - Agreement
Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Agreement with Historic East Baltimore Community Action Coalition, Inc. (HEBCAC). The period of the Agreement is July 1, 2017 through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$600,000.00 - 1001-000000-6331-475905-603051

BACKGROUND/EXPLANATION:

Under the terms of this Agreement, HEBCAC will provide comprehensive integrated services for at least 350 out-of-school youth, 18 - 24 years of age, living in Baltimore City. The services include, but are not limited to basic literacy, Pre-GED, GED prep, job readiness preparation, career skills training, employment connections, case management, and recreational and cultural activities.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Historic East Baltimore Community Action Coalition, Inc.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to ratify the First Amendment to Agreement with Maryland New Directions, Inc. (MND). The First Amendment to Agreement will extend the period of the Agreement for six months, through October 31, 2017.

AMOUNT OF MONEY AND SOURCE:

\$104,166.45 - 4000-807416-6312-781005-603051

BACKGROUND/EXPLANATION:

On October 28, 2015, the Board approved the original Agreement with Maryland New Directions, Inc. in the amount of \$250,000.00 for the period November 1, 2015 through April 30, 2017.

The MND provided maritime transportation, distribution, and logistics training to 120 low-skilled, unemployed, or under employed Baltimore City residents primarily between 18 - 29 years of age.

This First Amendment to Agreement with the MND will extend the period of the Agreement for six months, through October 31, 2017 and increase the number of enrollees by 50 Baltimore City residents for a total number of 170 enrollees. In addition, this amendment increases the amount of the award by \$104,166.45 for a total award amount of \$354,166.45.

The First Amendment to Agreement is late because additional time was necessary to reach a comprehensive understanding between the parties. All other terms and conditions of the original Agreement remain unchanged.

MINUTES

MOED - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the First Amendment to Agreement with Maryland New Directions, Inc.

MINUTES

Mayor's Office of Employment - Fourth Amendment to
Development (MOED) Training Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Fourth Amendment to Training Agreement with Job Opportunities Task Force, Inc. (JOTF). The Fourth Amendment to Agreement will extend the period of the Agreement through December 31, 2017.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 2026-000000-6311-734100-603051

BACKGROUND/EXPLANATION:

On April 1, 2015, the Board approved the original Training Agreement with the JOTF in the amount of \$89,771.00 for the period April 1, 2015 through November 30, 2015. This Agreement allowed the JOTF to provide highway or capital transit construction trades-related training services and workplace-life skills training for 15 low-skilled, unemployed, or underemployed Baltimore City residents.

On October 28, 2015, the Board approved the no-cost Amendment to Training Agreement to extend the period of the Training Agreement for four months through March 31, 2016. On April 6, 2016, the Board approved the Second Amendment to Training Agreement to extend the period of the Training Agreement for four months through December 31, 2016, increase the number of participants by 15, and increase the award by \$87,295.00, for a total amount of \$177,066.00.

On January 11, 2017, the Board approved the no-cost Third Amendment to Training Agreement to extend the period of the Training Agreement through June 30, 2017.

MINUTES

MOED - cont'd

This no-cost Fourth Amendment to Agreement will extend the period of the agreement through December 31, 2017. All other terms and conditions of the original agreement remain unchanged.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Fourth Amendment to Training Agreement with Job Opportunities Task Force, Inc.

MINUTES

Health Department - Inter-Departmental Memorandum
of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Inter-Departmental Memorandum of Understanding (MOU) with the Baltimore City Department of Housing and Community Development (DHCD). The period of the agreement is July 1, 2016 through September 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$156,150.00 - 4000-486717-3031-579200-404001

BACKGROUND/EXPLANATION:

The Inter-Departmental MOU represents a cooperative effort between the DHCD and the Baltimore City Health Department (BCHD). The DHCD will grant funds to the BCHD for a full-time public health investigator to support the Baltimore City Lead Hazard Reduction Program. The BCHD Public Health Investigator will conduct home visits to 150 homes over the course of one year where a child six years old or younger residing in the home has been identified as being at risk of lead poisoning. The BCHD public health investigator will present the family with the most current and comprehensive education information about childhood lead poisoning, lead paint hazards, and the actions that a family can undertake to prevent lead poisoning.

The Inter-Departmental MOU is late because the administrative review process at both agencies delayed processing.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Inter-Departmental Memorandum of Understanding with the Baltimore City Department of Housing and Community Development.

MINUTES

Health Department - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Agreement (MOA) with Washington University (WU), George Warren Brown School of Social Work. The period of the MOA is effective upon Board approval for one-year until June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

The WU is an accredited university engaged in educating university students to become professionals and wants to obtain unique experiences for its students through an internship with the Baltimore City Health Department (BCHD).

The BCHD has various programs across the agency that involves social work in Baltimore City. The BCHD will offer WU students a beneficial learning opportunity in working with the Baltimore City community as part of the internship.

The BCHD will maintain primary responsibility at all times for care and services provided to the Department's clients and provide learning opportunities that are consonant with the student's academic development and good organization practices. The BCHD will comply with the policies of WU in effect during the term of the MOA.

The WU will have all students and WU faculty participating in this internship to comply with BCHD's policies and rules, including the signing of and adherence to BCHD's confidentiality and data use and security policies.

MINUTES

Health Department - cont'd

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Agreement with Washington University, George Warren Brown School of Social Work.

MINUTESHealth Department - Memorandum of Understanding**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) between the Maryland Department of Health and Mental Hygiene (DHMH) and the Office of Health Services (Medicaid). The period of the MOU is July 1, 2017 through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

The Local Health Department (LHD) will be awarded F564N funds in the form of a supplement to the Expanded Administrative Care Coordination (ACC) Grant supported by 50% State and 50% matching Federal funds in accordance with the LHD funding award on the Unified Funding Document (UFD).

BACKGROUND/EXPLANATION:

The MOU is entered into between the DHMH, Office of Health Services (Medicaid), the Baltimore City Health Department (BCHD), and the Local Health Department (LHD), for the purposes of defining the responsibilities of the Expanded Administrative Care Coordination (EACC) Grant (F564N).

The ACC Grant (F564N) means funding originating in the LHD Funding System (LHDFS) made by the DHMH to the BCHD, which is reflected on the Unified Funding Document (UFD) and is subject to all administrative and fiscal policy originating in the LHDFS and all Conditions of Award.

The BCHD will maintain sufficient records of all costs charged to the grant award and comply with all terms and conditions set forth in the Conditions of Award, and assure that any cost

MINUTESHealth Department - cont'd

claimed under this MOU does not duplicate cost claimed through other federal funding. The BCHD will be awarded the EACC Grant funds in the form of a supplement to the ACCU/Ombudsman Grant supported by 50% State and 50% matching Federal Funds in accordance with the LHD funding award on the UFD at the beginning of the fiscal year.

This MOU is presented at this time because it was recently completed.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding between the Maryland Department of Health and Mental Hygiene and the Office of Health Services.

MINUTES

Health Department - Agreements

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

NURSE MONITOR AGREEMENTS

- | | |
|-------------------------------------|-------------|
| 1. SOLID ROCK HEALTH EDUCATORS, LLC | \$60,500.00 |
| 2. OLUBUKOLA AKINYELE, R.N. | \$60,500.00 |
| 3. WELL TRUST COMPANY, INC. | \$60,500.00 |

Account: 4000-426218-3110-306800-603018

The Maryland State Department of Health and Mental Hygiene (DHMH) is designated as the single State agency to administer all aspects of the Community First Choice (CFC) and the Community Personal Assistance Services (CPAS), formerly known as Maryland Medical Assistance Personal Program. The CFC and the CPAS will provide services and support to enable older adults and people with disabilities to live in their homes.

The Department has an agreement with the DHMH to participate in the program as the case monitoring agency and to contract with Nurse Monitors who will supervise the provision of services to eligible recipients.

The Nurse Monitor will exercise independent professional judgment and carry professional liability insurance. Each Nurse Monitor will be an independent contractor and not an employee of the City.

The Nurse Monitor will be responsible for providing oversight and quality monitoring of the participant health status and the outcomes of personal assistance for the CFC and the CPAS participants. They will make home visits, maintain clinical records, and utilize the Long Term Support Maryland Tracking System, as required. The period of the agreement is July 1, 2017 through June 30, 2018.

MINUTES

Health Department - cont'd

The Nurse Monitor Agreements are late because there were recently finalized by Baltimore City Health Department.

4. **BRUCE SHAPIRO**

\$11,132.00

Account: 4000-428218-3080-294300-603051

Mr. Shapiro will provide Consultant services for the Baltimore Infants & Toddlers Program. He will coordinate and lead the evaluation team of professionals from varied backgrounds; provide medical input; provide family debriefing; identify children at risk for developmental delays; review health status of referred children; serve as the official signatory for children that present with medical concerns at birth and assist in developing goals, outcomes and completion of the Individualized Family Services Plan (IFSP). The period of the agreement is July 1, 2017 through June 30, 2018.

The agreement is late because the Department was waiting for signatures.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTESHealth Department - Ratification of Cost Reimbursement Contract**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Cost Reimbursement Contract with Behavioral Health System Baltimore (BHSB). The period of the Cost Reimbursement Contract was July 1, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$134,589.00 - 5000-567317-3070-287900-405001

BACKGROUND/EXPLANATION:

The BHSB, in collaboration with the Baltimore City Health Department (BCHD), Field Health Services Division, provided delivery of methadone to Opioid Treatment Program (OTP) consumers who were unable to get to their home OTP due to medical fragility or participation in inpatient substance use disorder treatment. This service provided patients at Opioid Maintenance Treatment clinics the opportunity to eliminate disruption to the recovery process while increasing access to integrated health services.

Glenwood Life Counseling Center dispersed methadone in locked boxes for delivery to the MHD consumers. The BCHD Field Health Services staff transported the methadone from the Glenwood Life Counseling Center to the following locations, as appropriate: consumer's homes, medical facilities (i.e. nursing homes or rehabilitation facilities), and inpatient substance use disorder treatment facilities.

The Cost Reimbursement Contract is late because revisions delayed its processing.

MINUTES

Health Department - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the Cost Reimbursement Contract with Behavioral Health System Baltimore.

MINUTESHealth Department - Memorandum of Understanding**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) with the United Way of Central Maryland (UWCM). The period of the MOU is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

No City funds are involved.

BACKGROUND/EXPLANATION:

The Department wishes to support the activities of its Division of Maternal and Child Health (MCH) initiative known as B'More for Healthy Babies (BHB) by utilization of the UWCM as a fiscal manager for private funds. The UWCM will not manage any funds from local, state, or federal government sources.

The UWCM has the expertise to serve in the capacity of a fiscal manager for the Department's BHB. The Department and the UWCM share an interest in advancing policy, service, community, and individual level activities of the BHB to result in better birth outcomes in Baltimore City and wish to enter into this MOU.

Under the terms of the MOU, the Department will lead and direct the UWCM in the performance of its role as fiscal manager of the private funds. The Department will provide to UWCM the fiscal and programmatic requirements for sub-grantees, which will be incorporated into sub-grantee funding agreements as well as requirements for conducting fiscal oversight. The UWCM will serve as the Department's fiscal manager of private funds that are generated for and as a result of the Department's BHB activities covered under this MOU. The UWCM will be accountable

MINUTES

Health Department - cont'd

for the administration of private funds, in accordance with the directives from the Department's Chief of Finance and Administration and the donor, as well as maintaining compliance with fiscal management requirements.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding with the United Way of Central Maryland.

MINUTES

Health Department - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve an Employee Expense Statement for Ms. Georgina Baez for the month of July 2016.

AMOUNT OF MONEY AND SOURCE:

\$ 97.14 - 5000-520117-3030-702900-603002 (Mileage - July 2016)
7.60 - 5000-520117-3030-702900-603003 (Parking - July 2016)
\$104.74

BACKGROUND/EXPLANATION:

Ms. Baez submitted her employee expense statement and appropriate backup documents on time, but they were misplaced due to an oversight.

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.

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 for Ms. Georgina Baez for the month of July 2016.

MINUTES

Department of Finance - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statement for Ms. Laura McDaniel for expenses incurred on April, 6, 7, 18, and 19, 2017.

AMOUNT OF MONEY AND SOURCE:

\$26.49 - 1001-000000-7100-691400-603002

BACKGROUND/EXPLANATION:

Ms. McDaniel used her personal vehicle to perform appraisal inspections and to take photos for tax appeals.

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.

This request is late because of the delays in the administrative review process.

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

UPON MOTION duly made and seconded, the Board approved the expense statement for Ms. Laura McDaniel for expenses incurred on April, 6, 7, 18, and 19, 2017.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

2900

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Public Works/Office of Engineering and Construction</u>		
1. \$1,000,000.00	9958-930007-9526	9958-931007-9525-6
SW Utility	Constr. Reserve	Construction
	Street Sweeping	

This transfer will provide funds to cover costs for the purchase of Route Signs for Street Sweeping. The Department has already utilized a Department of Transportation contract for the initial purchase of signs and has expensed initial costs to the operating budget. These expenses will be journalized over to capital once the transfer of funds is approved. All remaining funds will be charged directly to the capital account.

Department of Transportation

2. \$ 50,000.00	9950-903520-9507	9950-906856-9514
MVR	Western Run	Federal Resurfacing
	Resurfacing	Highways Southwest III

This transfer will provide funds to cover the deficit and ongoing State Highway Administration invoices as well as other costs related to project TR 13306, Federal Resurfacing Highways Southwest III.

MINUTES

Fire and Police Employees' - Subscription and Limited
Retirement System (F&P) Partnership Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve the Subscription and Limited Partnership Agreement authorizing the F&P to purchase limited partnership interests in Castl lake V, L.P.

AMOUNT OF MONEY AND SOURCE:

No General Fund monies are involved in this transaction.

All funds and expenses will be expended from the Fire and Police Employees' Retirement System. F&P will make an initial investment of \$16,000,000.00 of F&P funds in Castl lake V, L.P., a closed-end, private equity limited partnership managed by Castl lake, L.P.

BACKGROUND/EXPLANATION:

The F&P Board conducted a search for a private equity manager and, as a result of that search, selected Castl lake V, L.P. to initially receive \$16 million to be invested in its Castl lake V, L.P. The search and selection process was conducted with the assistance and advice of the F&P System's investment advisor, Summit Strategies Group.

MBE/WBE PARTICIPATION:

The Minority and Women's Business Opportunity Office has waived MBE/WBE utilization requirements for this contract.

MINUTES

F&P - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Subscription and Limited Partnership Agreement authorizing the F&P to purchase limited partnership interests in Castlelake V, L.P. The Comptroller **ABSTAINED**.

MINUTES

Department of Public Works - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Grant Award from the USDA, Forest Service Northeastern Area, State & Private Forestry (USDA). The period of the Grant Award is July 1, 2017 through June 2021.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 404918 - USDA

103,000.00 - 2072-000000-5181-390700-603026 - matching funds
from Department

\$203,000.00

BACKGROUND/EXPLANATION:

The grant will promote the greening and revitalization of vacant lots in Baltimore through developing a model for GROW Centers, which stands for Green Resources and Outreach for Watersheds. These centers are envisioned to be places that link existing community greening networks to much needed sources of free/low cost materials and technical expertise for tree planting, stormwater management installation, and vacant lot revitalization. GROW Centers will help to address various problems and needs in Baltimore City, build on current greening opportunities, and provide a "proof of concept" model for other communities facing similar challenges.

The grant will be used to prepare a feasibility study and business plan for GROW Centers, and also test and refine the delivery model of GROW Centers through a second round of "pop up" GROW Center events in the community.

The grant requires matching funds from the Department.

MINUTES

Department of Public Works - cont'd

The agreement is late due to the administrative review process.

APPROVED FOR FUNDS BY FINANCE

**AUDITS NOTED 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 USDA, Forest Service Northeastern Area, State & Private Forestry.

MINUTES

Baltimore City Fire Department - Intergovernmental Training Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Intergovernmental Training Agreement with Baltimore City Community College (BCCC). The agreement is effective upon Board approval for two years with an automatic renewal of one additional 2-year term unless one party provides written notice of termination to the other at least 90 days prior to the then application term.

AMOUNT OF MONEY AND SOURCE:

The BCCC will compensate the Department for \$3.00 per hour for each paramedic student precepted and \$2.00 per hour for each Emergency Medical Technician Basic student precepted.

Account: 1001-000000-2100-502300-401620

BACKGROUND/EXPLANATION:

The BCCC will compensate the Department for emergency medical services students to participate in a field internship needed for students to gain experience. Individual BCCC students participating in the program will also be asked to sign an agreement as well as a waiver and release of liability.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Intergovernmental Training Agreement with Baltimore City Community College.

MINUTES

Mayor's Office of Information Technology - First Amendment to
Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the no-cost First Amendment to Consultant Agreement with the University of Baltimore/The Baltimore Neighborhood Indicators Alliance - Jacob France Institute. This First Amendment extends the period of the Agreement through October 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

On November 2, 2016, the Board approved the original Consultant Agreement in the amount of \$80,000.00, effective upon Board approval through June 30, 2017.

This no-cost First Amendment to the Consultant Agreement will extend the period of the Agreement through October 30, 2017 to allow the Consultant to complete tasks from the original Consultant Agreement.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the no-cost First Amendment to Consultant Agreement with the University of Baltimore/The Baltimore Neighborhood Indicators Alliance - Jacob France Institute.

MINUTES

Department of Transportation - Developer's Agreement No. 1400

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Developer's Agreement No. 1400 with Age Wave Properties, LLC, Developer.

AMOUNT OF MONEY AND SOURCE:

\$22,629.00

BACKGROUND/EXPLANATION:

The Developer will install new utilities to their proposed new building located in the vicinity of 2211 West Rogers Avenue, Baltimore, MD 21209. This will allow the Developer to do its own installation in accordance with Baltimore City Standards.

A Letter of Credit in the amount of \$22,629.00 has been issued to Age Wave Properties, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Developer's Agreement No. 1400 with Age Wave Properties, LLC, Developer.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- GERMAIN HOLDINGS, LLC

D/B/A OVERLEA CATERERS	\$ 900,000.00	Increase
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 Contract No. B50004113 - Food Service for Eating Together in Baltimore Program - Health Department - P.O. No. P533595

On November 18, 2015, the Board approved the initial award in the amount of \$1,783,830.00. The contract expires November 30, 2018 with two 1-year renewal options.

MBE/WBE PARTICIPATION:

On April 14, 2015, MWBOO set goals of 10% MBE and 6% WBE. Germain Holdings, LLC d/b/a Overlea Caterers was found compliant on June 26, 2017.

	<u>Commitment</u>	<u>Performed</u>	
MBE: Britt Food Transport	10%	\$205,844.48	11.28%
WBE: Shalom Catering Corp.	6%	\$110,370.02	6.05%

MWBOO FOUND VENDOR IN COMPLIANCE.

- BALTIMORE GAS AND

ELECTRIC COMPANY	\$1,500,000.00	Renewal
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 Contract No. 08000 - Requirements for Street Lights Rehabilitation - Department of Transportation - P.O. No. P536375

On July 27, 2016, the Board approved the initial award in the amount of \$2,100,000.00. The period of the renewal is August 1, 2017 through July 31, 2018, with three 1-year renewal options.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

MBE/WBE PARTICIPATION:

Not applicable. This is a sole source procurement.

- | | | |
|--|--------|--|
| 3. LEXISNEXIS VITALCHEK
NETWORK, INC. | \$0.00 | Payment Solutions
Service Agreement |
| Contract No. 06000 - Credit Debit Card Payment Services -
Department of Finance - Req. No.: N/A | | |

The Board is requested to approve and authorize execution of the Payment Solutions Service Agreement with LexisNexis VitalChek Network, Inc., a RELAX Group Company, which has been providing credit debit card payment services for the City per an agreement executed October 24, 1991 with annual renewals subject to agreement by the parties. This new Payment Solutions Service Agreement provides for mutually agreed revised terms and conditions and revised customer user fees. The period of the Payment Solutions Service Agreement is effective upon Board approval for one year.

MBE/WBE PARTICIPATION:

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

- | | | |
|---|--------|-----------------------------|
| 4. EXPRESS SCRIPTS, INC. | \$0.00 | Amendments to
Agreements |
| Contract No. BP-07150 - Prescription Drug Program Services -
Department of Human Resources - Req. No.: N/A | | |

On March 16, 2016, the Board approved the initial award in the amount of \$3,683,573.00. Subsequent actions have been

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

approved. The Board is requested to approve and authorize execution of the annual amendments for Pharmacy Benefit Management Plan, Employees and the annual amendments to Agreements for Medicare Part D, Employer Sponsored Group Waiver Pharmacy Benefit Management Plan. These amendments replace the price guarantees, rebates, and other terms based on prior historic claims as required to be filed with the appropriate Maryland State agencies. The period of the Amendments to Agreements is effective upon Board approval through December 31, 2017, with no renewal options remaining.

MBE/WBE PARTICIPATION:

On March 26, 2007, MWBOO set goals of 17% MBE and 9% WBE. Express Scripts, Inc. was found compliant on May 31, 2017.

	<u>Commitment</u>	<u>Performed</u>	
MBE: A. Thompson & Associates, Inc.	\$	31,049.00	
Human Capital Consultants, LLC		<u>215,199.00</u>	
Total MBE:	17%	\$246,248.00	18%
WBE: Curry Printing & Copy Center	9%	\$ 71,671.00	5.3%

MWBOO FOUND VENDOR IN COMPLIANCE.

Per the contracting agency, the WBE goal will be achieved by the end of the contract year when wellness events will be planned.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

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| 5. CENTRIC BUSINESS
SYSTEMS, INC. | \$28,980.00 | Low Bid |
| Solicitation No. B50005032 - Large Format Printer - Bureau of
Purchases, Document Division - Req. No. R756107 | | |

MBE/WBE PARTICIPATION:

MBE/WBE participation is not applicable since the initial award is below the MBE/WBE subcontracting threshold of \$50,000.00.

- | | | |
|---|-------------|-------------|
| 6. ECHOSSENS NORTH AMERICA
INC. | \$40,319.00 | Sole Source |
| Contract No. 08000 - Maintenance and Support Services for
FibroScan Devices - Health Department - Req. No. R765158 | | |

FibroScan is a non-invasive device that allows liver diagnosis without a biopsy. Echosens North America, Inc. is the manufacturer, sole distributor, and sole maintenance provider of the FibroScan Touch 502 Device in the Eastern Sexually Transmitted Disease (STD) Clinic, and the FibroScan Compact 530 device in the Druid STD Clinic. The period of the award is July 12, 2017 through July 11, 2020.

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.

MBE/WBE PARTICIPATION:

MBE/WBE participation is not applicable. This contract is below the MBE/WBE subcontracting threshold of \$50,000.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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| 7. UNIVAR USA, INC.
BRENNTAG NORTHEAST,
INC. | N/A | Renewal |
| Solicitation No. B50004593 - Sodium Hydroxide (Caustic Soda) Solution - DPW, Water & Wastewater - P.O. No. P536252 and P536253 | | |

On July 13, 2016, the Board approved the initial award in the amount of \$700,000.00. The Board is requested to approve the first of four, 1-year renewal options. The period of the renewal is July 15, 2017 through July 14, 2018.

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|----------|
| 8. ROBNET, INC. | \$150,000.00 | Increase |
| Solicitation No. B50003871 - Automotive Hardware and Fasteners - Dept. of General Services, Fleet Management - P530010 | | |

On January 28, 2015, the Board approved the initial award in the amount of \$300,000.00. The Board is requested to approve an increase for the amount of \$150,000.00. The value of this requirement was underestimated at the time of award. The contract expires January 31, 2018.

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. F&F AND A. JACOBS & SONS, INC.	\$100,000.00	Groups 1-4 & Items 40, 42-50
HOWARD UNIFORM COMPANY	\$100,000.00	Item 41
Solicitation No. B50004550 - Dress & Work Uniforms for the Fire Department - P536231		

On July 13, 2016, the Board approved the initial award in the amount of \$1,500,000.00. The Board is requested to approve a renewal for the amount of \$200,000.00. The period of the renewal is July 21, 2017 through July 20, 2018, with three 1-year renewal options remaining.

MWBOO GRANTED A WAIVER.

10. FIRSTWATCH SOLUTIONS, INC.	\$245,413.00	Sole Source/ Agreement
Contract No. 08000 - Firstwatch System Agreement - Baltimore City Fire Department - Req. No. R749788		

The Board is requested to approve and authorize execution of an agreement with FirstWatch Solutions, Inc. The period of the agreement is effective upon Board approval for one year with one-year renewal option at the sole discretion of the City.

Under this agreement, FirstWatch Solutions, Inc. will provide data monitoring and bio surveillance software necessary to consolidate and synthesize data to enable the Fire Department to provide more effective deployment of resources and care for patients due to substantial increases in call volume.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

Additionally, FirstWatch Solutions, Inc. has an exclusive agreement to extract data from the ProQA, which is the City's existing 911 triage system. The vendor is the sole provider of Firstwatch software and related support services, and provides this software to other Maryland jurisdictions, which allows for the consolidated data to be shared among multiple jurisdictions for regional monitoring.

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.

MBE/WBE PARTICIPATION:

MBE/WBE participation is not applicable. This software and support are only available from this vendor and is not available from subcontractors.

11. 4th Amendment to Master
ADP, LLC Services Agreement
 Contract No. 08000 - Human Resource Information, Automatic
 Processing, E-time and Enterprise Payroll Systems Licensing -
 Department of Finance - P.O. No. P529369

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

The Board is requested to approve and authorize execution of the Fourth Amendment to Master Services Agreement with ADP, LLC. The period of the Fourth Amendment to Master Services Agreement is July 12, 2017 through June 30, 2018, with two 1-year renewal options.

On July 25, 2007, the Board approved the initial award in the amount of \$1,600,000.00. Subsequent actions have been approved. ADP, LLC is the sole provider of licensing, maintenance, and support of the proprietary software for the Human Resource Information Systems and Enterprise Payroll Systems in use by the Department of Finance, Bureau of Accounting and Payroll Services, and the Department of Human Resources.

This 4th Amendment with ADP adds a module to provide Employment Verification Services for the City to provide employment and income information of employees and former employees to commercial, private, and public entities.

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

- | | | |
|--|--------------|----------|
| 12. CROVATO PRODUCTS AND SERVICES, LLC | \$200,000.00 | Increase |
| Contract No. 06000 - BG Chemicals - Department of General Services - Fleet Management - P.O. No. P524844 | | |

On September 4, 2013, the Board approved the initial award in the amount of \$150,000.00. Subsequent actions have been approved. The increase in the amount of \$200,000.00 is needed to provide BG Chemicals during the contract period. The amount of funding required for the current term was underestimated. The contract expires September 30, 2017, with one 1-year renewal option remaining.

The above amount is the City's estimated requirement; however, the vendor will supply the City's entire requirement, be it more or less.

MBE/WBE PARTICIPATION:

On August 15, 2013, it was determined that no goals would be set because of no opportunity to segment the contract. This is a commodity purchase from the only authorized dealer in the State of Maryland.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|-----------------|
| 13. THE CANTON GROUP, LLC | \$ 50,000.00 | Selected Source |
| Contract No. 06000 - Software Development - Department of Health - Req. No. - R758918 | | |

Due to its unique abilities in critical health data protection and extraction, a request has been made to hire a web and software development firm to design and deploy a data warehouse proof of concept. This Health Insurance Portability and Accountability Act protected system will allow aggregation, analysis, and use of information sharing and exchange within the Department. The Canton Group, LLC has

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

experience with secure data management systems containing PHI, PII and sensitive government data. Some of their healthcare clients include Kaiser Permanente, Johns Hopkins, and the Maryland Department of Health and Mental Hygiene (DHMH). The Canton Group, LLC also has a contract with the State of Maryland for similar services. The Health Department would retain ownership of this system and all developed property.

The Canton Group, LLC was vetted through their contract with the DHMH for pricing and services negotiated. The period of this award is effective upon board approval through August 1, 2017.

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

MBE/WBE PARTICIPATION:

Not Applicable. The initial award was below MBE/WBE subcontracting threshold of \$50,000. The Canton Group, LLC is City certified MBE.

14. OPERATIONAL PERFORMANCE

SOLUTIONS, INC.

NEOVISTA CONSULTING, LLC

GLOBAL PRODUCTIVITY

SOLUTIONS, LLC

\$100,000.00

Renewal

Contract No. 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 - cont'd

On August 13, 2014, the Board approved an award. This is the second of three, one-year renewals. The period covered is from July 23, 2017 through July 22, 2018, with one, 1-year renewal options remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On December 31, 2013, it was determined that no goals would be set because of no opportunity to segment the contract.

- | | | |
|---|----------------|----------------------|
| 15. FASTENAL COMPANY | \$1,000,000.00 | Cooperative Contract |
| National Inter-governmental Purchasing Alliance Contract No. 141003 - Maintenance, Repair and Operations Supplies, Parts, Equipment, Materials and Related Services - Citywide - Req. No. TBD | | |

Maintenance, repair, and operating supplies will be purchased from a competitively bid, cooperative inter-local contract agreement #141003 between the City of Tucson and National Intergovernmental Purchasing Alliance. The above amount is the City's estimated requirement. The period of the award is June 28, 2017 through December 31, 2018.

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

MBE/WBE PARTICIPATION:

This is a cooperative contract which was competitively bid by another public agency. The vendor has agreed to goal setting under this contract. On July 7, 2017, MWBOO set goals of 5% MBE and 2% WBE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

16. W.W. GRAINGER, INC.	\$1,000,000.00	Cooperative Contract
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National Joint Power Alliance (NJPA) Contract No. 091214-WWG
 - NJPA Facilities Maintenance, Repair and Operating Supplies
 - Citywide - Req. No. TBD

Facilities maintenance, repair and operating supplies will be purchased from a competitively bid, cooperative inter-local contract agreement #091214-WWG between the State of Minnesota and NJPA. The above amount is the City's estimated requirement.

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

MBE/WBE PARTICIPATION:

This is a cooperative contract which was competitively bid by another public agency. The vendor has agreed to goal setting under this contract. On July 7, 2017, MWBOO set goals of 5% MBE and 2% WBE.

17. LAWMEN SUPPLY COMPANY OF NEW JERSEY, INC.	\$ 0.00	Renewal
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Contract No. B50003686 - S.W.A.T. Uniforms - Baltimore City Police Department -
 P.O. No.: P528602

On September 3, 2014, the Board approved the initial award in the amount of \$35,000.00. Subsequent actions have been approved. This is the third of five, one-year renewal options.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

The period of this renewal is September 3, 2017 through September 2, 2018 with two, 1-year renewal options remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. The award was below the threshold for subcontracting goals. Additionally, this is a purchase of commodities only.

- | | | |
|--|--------------|-------------|
| 18. SHERWOOD-LOGAN & ASSOCIATES, INC. | \$ 60,733.00 | Sole Source |
| Contract No. 08000 - Xylem, Inc., Parts and Pumps - Dept. of Public Works, Waste Water Facilities - Req. No. R766481 | | |

The vendor is the manufacturer's sole authorized distributor of these parts and pumps which must be compatible with currently installed equipment at the Back River Wastewater Treatment Plant.

MBE/WBE PARTICIPATION:

N/A - This meets the requirement for certification as a sole source procurement as these commodities are only available from the distributor, and are not available from subcontractors. The period of the award is July 12, 2017 through July 11, 2018.

It is hereby certified that the above procurement is of such nature neither that no advantage will result in seeking nor would it be practicable to obtain competitive bids. Therefore, pursuant to Article VI, Section 11(e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|--|--------------|----------|
| 19. FIRELINE CORPORATION | \$400,000.00 | Increase |
| Contract No. B50004346 - Repairs and Maintenance Services for Automatic Sprinklers - Department of General Services - P.O. No. P534097 | | |

On December 23, 2015, the Board approved the initial award in the amount of \$300,000.00. The Department of General Services is responsible for ensuring facility integrity and safety protocols. This increase is a competitively bid requirements contract to complete additional tasks and accommodate increased usage associated with building safety. The contract expires on March 8, 2018

MBE/WBE PARTICIPATION:

On January 8, 2016, MWBOO set goals of 3% MBE and 3% WBE. On June 26, 2017, the vendor was found in compliance.

		<u>Commitment</u>	<u>Performed</u>	
MBE:	Anderson Fire Protection	3.00%	\$ 6,792.50	4.3%
WBE:	Absolute Supply and Service	.75%	\$ 488.25	0.3%
	Fireline Corporation*	<u>2.25%</u>	<u>75,616.00</u>	<u>48%</u>
		3.00%	\$76,104.25	48%

*Indicates Self-Performance

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

20. CHESAPEAKE FIRE & RESCUE EQUIPMENT, INC.	\$118,500.00	Sole Source
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Solicitation No. 08000 - Maintenance & Repair of Holmatro Tools
- Baltimore City Fire Department - Req. No. R765920

An Intent to Wave Competition (B50005064) was posted on CitiBuy with no responses received. This vendor is the only local vendor designated by the manufacturer, Holmatro, as the Fire Department's sole source of OEM parts and maintenance for Holmatro rescue tools. The period of the award is July 24, 2017 through July, with four 1-year renewal options.

It is hereby certified that the above procurement is of such nature neither that no advantage will result in seeking nor would it be practicable to obtain competitive bids. Therefore, pursuant to Article VI, Section 11(e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MBE/WBE PARTICIPATION:

On May 26, 2017, it was determined that no goals would be set because of no opportunity to segment the contract. There are no MBE/WBEs certified to provide these services.

MWBOO GRANTED A WAIVER.

21. COLUMBIA FLEET SERVICE INC.	N/A	Renewal
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Contract No. B50003573 - Mack Trucks - O.E.M. Parts and Service - Department of General Services - Fleet Management Division - P.O. No. - P527839

On July 16, 2014, the Board approved the initial award in the amount of \$166,375.00. The period of this renewal is August 1, 2017 through July 31, 2018, with one 1-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

MBE/WBE PARTICIPATION:

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

MWBOO GRANTED A WAIVER.

22. ALL HANDS FIRE

EQUIPMENT, LLC	\$40,000.00	Renewal
Solicitation B50003612, Firefighter Hoods - Baltimore City Fire Department - P.O. No. P528046		

On July 23, 2014, the Board approved the initial award in the amount of \$40,000.00. Subsequent actions were previously approved. This renewal is for the period July 23, 2017 through July 22, 2018, with two, 1-year renewal options remaining.

MBE/WBE PARTICIPATION:

N/A - The initial award was below the MBE/WBE subcontracting threshold of \$50,000.00. Additionally, there are currently no M/WBEs certified to provide these commodities.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

UPON MOTION duly made and seconded, the Board approved the foregoing Informal Awards, Renewals and Increases and Extensions to Contracts. The Board further approved and authorized execution of the Payment Solutions Service Agreement with Lexisnexis Vitalchek Network, Inc. (item no. 3), the Amendments to Agreement with Express Scripts, Inc. (item no. 4), the Sole Source/Agreement with Firstwatch Solutions, Inc. (item no. 10), and the 4th Amendment to Master Services Agreement with ADP, LLC (item no. 11).

MINUTES

EXTRA WORK ORDER

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following page:

2926

The EWO had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

MINUTES

EXTRA WORK ORDER

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

Department of General Services

- | | | | | |
|----|---|---|--------------------|----------------|
| 1. | EWO #001, \$19,446.81 - GS 16807 , The Peale Center Roof
Replacement Masonry Restoration | | | |
| | \$545,122.00 | - | Ruff Roofers, Inc. | 15 10%
days |

The existing conditions of the hip roof were concealed until demolition began. The existing sheathed planks showed uneven widths, thickness, and have gaps in between them that supported the old roof but will not provide the proper support for the replaced copper roof. The Architects approved the Ruff Roofers, Inc. proposal to cover the existing sheathing planks with plywood that will cover the gaps in the existing sheathing and allow better support for the new copper roof. This work was not part of the original scope work.

MINUTES

Mayor's Office of Information - Second Amendment to Contract
Technology

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Second Amendment to Contract with Computer Technologies U.S.A. LLC d/b/a Blue Hill Data Services. The Second Amendment will extend the contract through July 31, 2022.

AMOUNT OF MONEY AND SOURCE:

\$300,000.00 - 1001-000000-1472-743400-603098

BACKGROUND/EXPLANATION:

On June 20, 2012, the Board approved the original contract with the option of two 1-year renewals for the continuation of remote mainframe hosting and support services. The original contract cost is \$25,000.00 per month not to exceed \$300,000.00 per year.

This second amendment will extend the terms of the agreement to July 31, 2022 and update "Termination" language as stated in section 1-8 of the agreement.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to Contract with Computer Technologies U.S.A. LLC d/b/a Blue Hill Data Services.

MINUTES

Baltimore Development Corporation - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Lease Agreement with No Turning Back Behavioral Health, Inc., Tenant, for rental space of the City-owned facility, consisting of approximately 1,346 square feet in Suites 303A, B, & C and 305A, B, & C, at the Business Center @ Park Circle, located at 2901 Druid Park Drive. The period of the Lease Agreement is effective upon Board approval for three years.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
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\$19,517.00	\$1,626.42
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BACKGROUND/EXPLANATION:

No Turning Back Behavioral Health, Inc. provides outpatient programs, offering individual and group counseling, psychiatric consultation, addiction education, relapse prevention and other support services to individuals and their families. The premises will be used for various program services and administrative purposes.

The first year's annual rent is \$19,517.00, payable by the Tenant. After year one, or during any renewal term, the base rent will escalate at a rate of 4% annually in order to allow for any increases in building expenses.

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, 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 Lease Agreement with No Turning Back Behavioral Health, Inc., Tenant, for rental space of the City-owned facility, consisting of approximately 1,346 square feet in Suites 303A, B, & C and 305A, B, & C, at the Business Center @ Park Circle, located at 2901 Druid Park Drive.

MINUTES

Baltimore Development Corporation - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Lease Agreement with CloudLeap Technologies, LLC, for rental space of City-owned facility, consisting of approximately 141 square feet, in Suite A7 at the Business Center @ Park Circle, located at 2901 Druid Park Drive. The period of the Lease Agreement is effective upon Board approval for one year, with one 1-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$3,244.80	\$270.40

BACKGROUND/EXPLANATION:

CloudLeap Technologies, LLC is a minority-owned Small Disadvantaged Business (SDB) established in October 2010. The company specializes in Information Technology Services, with areas of expertise including, Web Service Design & Development, Web Application Design & Development, Enterprise Integration, Cloud-based Integration and Cloud Architecture. CloudLeap Technologies, LLC has been a tenant in the building since July 2015.

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

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, 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.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with CloudLeap Technologies, LLC, for rental space of City-owned facility, consisting of approximately 141 square feet, in Suite A7 at the Business Center @ Park Circle, located at 2901 Druid Park Drive.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the President</u>			
1. Bernard C. "Jack" Young	NACo Annual - Conference & Exposition 2017 Columbus, OH July 20 - 25, 2017 (Reg. Fee \$560.00)	Elected Official Expense Account	\$2,103.59

The subsistence rate for this location is \$174.00 per night. The cost of the hotel is \$179.00 per night, plus hotel taxes of \$31.325 per night. The airfare in the amount of \$231.96 and the registration fee in the amount of \$560.00 were pre-paid on a City-issued credit card assigned to Mr. Hosea Chew.

The Office of the President is requesting additional subsistence of \$5.00 per day for the hotel and \$40.00 per day for meals and incidentals. Mr. Young will depart on July 25, 2017 because the conference ends late in the day on July 24, 2017. Therefore, Mr. Young will be disbursed \$1,311.63.

Baltimore City Council

2. Sharon Middleton	NACo Annual Conference & Exposition 2017 Columbus, OH July 20 - 25, 2017 (Reg. Fee \$560.00)	Elected Official Expense Account	\$2,118.59
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The subsistence rate for this location is \$174.00 per night. The cost of the hotel is \$179.00 per night, plus hotel taxes of \$31.325 per night.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Council</u>			
Therefore, additional subsistence is requested in the amount of \$5.00 per day for the hotel and \$40.00 per day for meals and incidentals. Ms. Middleton will depart on July 25, 2017 because of the late ending time of the conference on July 24, 2017. Therefore, Ms. Middleton will be disbursed \$2,118.59.			
<u>Fire and Police Employees' Retirement System</u>			
3. Benjamin DuBose	Opal Public Funds Summit East 2017 Newport, RI July 23 - 26, 2017 (Reg. Fee \$0.00)	Special Funds - Fire and Police	\$1,568.21

The subsistence rate for this location is \$268.00 per night. The cost of the hotel is \$334.00 per night plus taxes of \$43.42 per night. The Fire and Police Employees' Retirement System is requesting additional subsistence of \$198.00 per day to cover the cost of the hotel and \$40.00 per day for meals and incidentals.

Health Department

4. Heang Kim Tan	N4A Annual Conf. Savannah, GA July 30 - August 2, 2017 (Reg. Fee \$605.00)	Adult Eval. and Review Services	\$1,743.97
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The airfare fee in the amount of \$230.40 and the registration fee in the amount of \$605.00 were prepaid on

MINUTES**TRAVEL REQUESTS**Health Department

City-issued procurement card assigned to Mr. Ryan Hemminger. Therefore, the amount to be disbursed to the attendee is \$908.57.

UPON MOTION duly made and seconded, the Board approved the Travel Requests. The President **ABSTAINED** on items nos. 1 and 2. The Comptroller voted **ABSTAINED** on item no. 3.

MINUTES

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

* * * * *

MINUTES

Clerk: "Good afternoon. Uh -- there are no bids for today. We do have the following addenda to read."

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 addenda extending the dates for receipt and opening of bids.

Department of Public Works - WC 1359, Urgent Need Water
Infrastructure Rehabilitation
BIDS TO BE RECV'D: 07/26/2017
BIDS TO BE OPENED: 07/26/2017

Department of Public Works - SC 910, Improvement to the
Sanitary Sewer Collection
System in the Herring Run
Sewershed Part 2: Chinquapin
Run
BIDS TO BE RECV'D: 07/26/2017
BIDS TO BE OPENED: 07/26/2017

Bureau of Purchases - B50005026, Fuel Truck
BIDS TO BE RECV'D: 08/09/2017
BIDS TO BE OPENED: 08/09/2017

MINUTES

Bureau of Purchases

- B50005066, Inner Harbor Water Safety Improvement
BIDS TO BE RECV'D: 08/09/2017
BIDS TO BE OPENED: 08/09/2017

Bureau of Purchases


- B50005072, Air Sealing and Insulation for City Buildings
BIDS TO BE RECV'D: 08/09/2017
BIDS TO BE OPENED: 08/09/2017

Bureau of Purchases

- B50004898, Non-Emergency Medical Transportation and Medicaid Clients
BIDS TO BE RECV'D: 08/09/2017
BIDS TO BE OPENED: 08/09/2017

* * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, July 26, 2017.



JOAN M. PRATT
Secretary