

**MINUTES****REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President  
Honorable Stephanie Rawlings-Blake, Mayor  
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

President: "Good morning everyone, the November 02, 2016, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiency of these hearings, persons who are disruptive to the hearing will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board members attention to the memorandum from my office dated October 31, 2016, identifying matters that -- I'm sorry -- identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

## MINUTES

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

Comptroller: "Second."

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

\* \* \* \* \*

**MINUTES****BOARDS AND COMMISSIONS****1. Prequalification of Contractors**

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 31, 1991, the following contractors are recommended:

Allec, LLC	\$ 1,107,000.00
BMW Construction Specialists, Inc.	\$ 6,147,000.00
Concrete General, Inc.	\$ 68,751,000.00
Eastern Gunitite Co., Inc.	\$ 2,484,000.00
Economic International Construction Company, Inc.	\$ 6,993,000.00
J. Villa Construction, Inc.	\$ 8,000,000.00
LB Construction Enterprises, Inc.	\$ 1,188,000.00
Scriba Welding, Inc.	\$ 1,500,000.00
The Poole and Kent Corporation	\$100,000,000.00
The Work Capacity Rating is underwritten by Blanket Guarantee for \$100,000,000.00 by the Parent Corporation EMCOR Group, Inc.	
Utilities Unlimited, Inc.	\$ 8,000,000.00

**2. Prequalification of Architects and Engineers**

In accordance with the Resolution Relating to Architectural and Engineering Services, as amended by the Board on June 29, 1994, the Office of Boards and Commissions recommends the approval of the prequalification for the following firms:

ATI, Inc.	Engineer Architect
Gaudreau, Inc.	Architect

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

Mott MacDonald, LLC	Engineer
Murphy & Dittenhafer Architects	Architect
Schnabel Engineering Consultants, Inc.	Engineer
The Sheward Partnership, LLC	Architect

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

**MINUTES**

Parking Authority of - Parking Facility Rate Adjustment  
Baltimore City (PABC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an adjustment to the monthly rate at the City-owned Marriott Garage that is managed by the PABC. The Parking Facility Rate Adjustment is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The PABC is charged with managing the City of Baltimore's parking assets. Proper stewardship of those assets requires that the PABC realize the best possible return on the City's parking investments.

Pursuant to Article 31, §13(f)(2) of the Baltimore City Code, subject to the approval of the Board of Estimates, the PABC may set the rates for any parking project. The PABC believes that rate adjustments at this parking facility are warranted at this time.

To bring the monthly rate charged at Marriott Garage in line with its surrounding facilities, the PABC staff developed the rate adjustment recommendation submitted hereto. This rate adjustment was unanimously approved by the PABC Board of Directors.

## MINUTES

PABC - cont'd

Location	Proposed Transient Rate Changes	Proposed Monthly Rate Changes		
Marriott Garage	No proposed rate adjustments	Regular Monthly Rate		
		Current Rate	Proposed Rate	Last Rate Change
		Regular Rate	\$165.00	\$170.00
				June 2013

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the adjustment to the monthly rate at the City-owned Marriott Garage that is managed by the PABC.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>			
1. Christelle Tchoumke Nounke	506 Baker St.	F/S	\$14,850.00
Funds are available in account 9910-908636-9588-900000-704040.			
2. Sophia L. Mason & Patricia L. Parker, as Joint Tenants	1705 N. Castle St.	L/H	\$69,988.00
Funds are available in account 9910-908636-9588-900000-704040.			
3. MHM Realty, Inc.	1704 N. Castle St.	L/H	\$20,878.00
Funds are available in account 9910-908636-9588-900000-704040.			
4. Equitable Title onto Dwayne Purdie & Beatrice Purdie, Pursuant to a Land Install- ment Contract from Joanne Rief, legal title holder recorded in Land Records in 7001/ 064, dated Dec. 5, 1997 and Assignment of Land Installment Contract recorded in Land Records in 7001/070	619 N. Franklinton Rd.	L/H	\$29,975.00
Funds are available in account 9910-908636-9588-900000-7040040.			

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

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Option</u>			
5. Eric Jones	1350 N. Washington St.	L/H	\$65,175.00

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

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

Department of Law - Payment of Settlement

6. Nicholas J. Deciutiis & Roxanne Deciutiis	1104 N. Milton Ave.	L/H	\$11,208.00
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On November 24, 2014, the City filed a condemnation action for the acquisition of the leasehold interest in the property located at 1104 N. Milton Avenue. On November 5, 2014, the Board approved the fair market value of \$15,667.00, based upon an independent appraisal report of the property. The previous property owner presented an appraisal report that valued the property at \$45,000.00. At a pre-trial conference, the parties negotiated and agreed to settle the case for \$26,875.00. Therefore, the Board is requested to approve an additional \$11,208.00.

Funds are available in account 9910-910634-9588-900000-704040, FY 14 Whole Block Demolition Project Area.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Options and the Payment of Settlement.



**MINUTES**

Baltimore Police Department - Grant Adjustment Notice

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a Grant Adjustment Notice (GAN) with the Governor's Office of Crime Control and Prevention. The GAN extends the award through November 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On November 25, 2015, the Board accepted the SART Coordination III grant in the amount of \$83,467.00 for the period October 01, 2015 through September 30, 2016. This GAN allows for training sessions that are only available in November and a mediation for the benefit of the SART partners to address the Department of Justice report.

The Grant Adjustment Notice is late because of the late receipt of award documents.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

MINUTES

EXTRA WORK ORDERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

4377

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

**MINUTES****EXTRA WORK ORDERS**

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

Department of General Services

1. EWO # 001, \$169,866.00 - GS 15806, Restrooms & Roof Re-				
placement - Baltimore Police Southeast District				
\$298,000.00	\$0.00	Trionfo Builders,	60	5
		Inc.		

The Department has requested Trionfo Builders, Inc. to demolish, reframe, and provide utilities for the existing women's restrooms and locker room area located on the second floor of the facility. This extra work was not part of the original award scope of work. The current completion date is December 10, 2016. The new completion date will be February 6, 2017.

**MBE:** Spears Mechanical Contractors, \$57,078.00 33.60%  
Inc.

**WBE:** Finishes, Inc. \$22,000.00 12.95%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Department of Transportation

2. EWO # 004, (\$14,893.19) - TR 05045, Key Highway Shared Use				
Trail and Landscaping Project from Interstate I-95 to West of				
Lawrence Street				
\$732,711.75	\$23,085.29	Monumental Paving	-	-
		& Excavating, Inc.		

This authorization is necessary for payment of overrun items, deductions of amounts not needed due to underrun or not used items, and to balance out the contract.

Over/Underrun Items - (\$14,893.19) @ 80% = (\$11,914.55)

Over/Underrun Items - (\$14,893.19) @ 20% = (\$ 2,978.64)

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

4379 - 4380

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
1. \$150,000.00	9910-949002-9587	9910-906648-9588
1 <sup>st</sup> Comm. & Eco.	Urgent Needs -	Urgent Needs
Dev. Bonds	Stabilization	Stabilization
	Program (Reserve)	Program FY 17

This transfer will provide funds to support the Citywide Urgent Needs Stabilization Program in fiscal year 2017.

2. \$300,000.00	9910-949002-9587	
General Funds	Urgent Needs -	
	Stabilization	
	Program (Reserve)	

200,000.00  
 1<sup>st</sup> Comm. & Eco.  
 Dev. Bonds

\$500,000.00	-----	9910-904649-9588
		Urgent Needs
		Stabilization
		Program FY 16

This transfer will provide funds to support the Citywide Urgent Needs Stabilization program.

Baltimore Development Corporation (BDC)

3. \$ 3,000.00	9910-913990-9600	9910-921101-9601
23 <sup>rd</sup> EDF	Constr. Reserve	Commercial
	Commercial	Revitalization
	Revitalization	

5,861.00  
 24<sup>th</sup> EDF

	9910-908018-9600	9910-907104-9601
	Constr. Reserve	W. Balto. Ind. &
	Seton, Cross Rds.,	Coml.
	Park Circle	

\$ 8,861.00

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BDC</u> - cont'd		
This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending August 31, 2016.		
4. \$ 2,680.00	9910-994001-9600	9910-908102-9601
20 <sup>th</sup> EDF	Constr. Res.	S. Balto. Ind.
	Unallocated Res.	& Coml.
5,450.00	9910-994001-9600	9910-908102-9601
22 <sup>nd</sup> EDF	Constr. Res.	S. Balto. Ind. &
	Unallocated Res.	Coml.
\$ 1,071.00	9910-908018-9600	9910-907104-9601
24 <sup>th</sup> EDF	Constr. Res.	W. Balto. Ind. &
	Seton, Cross Rds.,	Coml.
	Park Circle	
150,000.00	9910-925013-9600	9910-921101-9601
24 <sup>th</sup> EDF	Constr. Res.	Commercial
<u>\$159,201.00</u>	Façade Improvements	Revitalization

This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending September 30, 2016.

**MINUTES**

Department of Housing and - Community Development  
Community Development      Block Grant Agreements

The Board is requested to approve and authorize execution of the Community Development Block Grant (CDBG) Agreements.

1.      **CHESAPEAKE CENTER FOR YOUTH**      **\$115,000.00**  
           **DEVELOPMENT, INC. (CCYD)**

Account:    2089-208917-5930-703226-603051      \$ 30,000.00  
                   2089-208917-5930-703234-603051      \$ 85,000.00

This agreement will provide CDBG funds to subsidize the CCYD's operating costs. The CCYD will provide comprehensive job readiness and life skills training, as well as employment referrals to support the employment needs of low to moderate-income participants that primarily reside in the Brooklyn/Curtis Bay Area. The CCYD will also provide a wide range of community events and outreach activities to encourage an active and healthy community such as Doctors in the Park, a Health Department Initiative. The period of the agreement is July 1, 2016 through June 30, 2017.

**MWBOO GRANTED A WAIVER.**

2.      **PIGTOWN MAIN STREET, INC.**      **\$ 50,000.00**

Account:    2089-208917-5930-715926-603051      \$ 8,000.00  
                   2089-208917-5930-715976-603051      \$ 42,000.00

This agreement will provide CDBG funds to subsidize the Sub-grantee's operating expenses. The Sub-grantee will work to revitalize the Washington Village (Pigtown) neighborhood by attracting and retaining business and engaging in community sanitation and greening efforts. The Sub-grantee will facilitate economic development in the Washington Boulevard Commercial Business District by providing

**MINUTES**

Department of Housing and - cont'd  
Community Development

technical assistance and workshops to new and existing businesses. The period of the agreement is July 1, 2016 through June 30, 2017.

**MWBOO GRANTED A WAIVER.**

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)

Upon approval of the resolution, the DHCD's Contracts Section began negotiating and processing the CDBG agreements as outlined in the Plan to be effective July 1, 2016 and beyond. Consequently, these agreements were 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 Agreements.



**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Herena USA, L.L.C., Developer, for the sale of the City-owned property located at 906 - 914 N. Broadway.

**AMOUNT OF MONEY AND SOURCE:**

\$75,000.00 - Purchase price

**BACKGROUND/EXPLANATION:**

The City will convey all of its rights, title, and interest in 906 - 914 N. Broadway to the Developer for the price of \$75,000.00, which will be paid to the City at the time of settlement.

The project will involve the brand new construction of 5 townhouses on the vacant plot that the Developer plans to sell at market rate to homeowners. The property is in the Gay Street neighborhood. The Developer will be using private funds.

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

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

In accordance with the Appraisal Policy of Baltimore City, per appraisal dated February 15, 2016, it was determined that the property located at 906 - 914 N. Broadway is valued at \$100,000.00. The property is being sold for \$75,000.00.

**MINUTES**

DHCD - cont'd

The property is being sold to the Developer below the value determined by the appraisal process because the sale of this vacant property will be a specific benefit to the immediate community, eliminate blight, create jobs during construction, and the property will be returned to the tax rolls.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Herena USA, L.L.C., Developer, for the sale of the City-owned property located at 906 - 914 N. Broadway.

**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 Mr. Christopher Hill, Purchaser, for the sale of the City-owned property located at 523 N. Carrollton Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$650.15 - Sale price

**BACKGROUND/EXPLANATION:**

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

The lot will be sold for \$650.15, of which \$400.00 will be held in escrow by the City for the benefit of the Purchaser to be applied at settlement for closing costs, including transfer taxes, recordation fees, taxes, and associated title services. 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 property known as 523 N. Carrollton Avenue, to the adjacent property owner. As a condition of conveyance, the Purchaser 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) (hereinafter, "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 property is being sold for \$650.15, as the Purchaser holds title to the adjacent property as owner-occupied. The rationale for the conveyance of the property is that the sale will serve a specific benefit to the immediate community, eliminate blight, and return the property to the tax rolls.

**MBE/WBE PARTICIPATION:**

Mr. Christopher Hill 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 Mr. Christopher Hill, Purchaser, for the sale of the City-owned property located at 523 N. Carrollton Avenue.

**MINUTES**

Mayor's Office of Information - Consultant Agreement  
Technology (MOIT)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Consultant Agreement with the University of Baltimore/Neighborhood Indicators Alliance-Jacob France Institute, Consultant. The period of the Agreement is effective upon Board approval through June 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$80,000.00 - 1001-000000-1472-743500-603026

**BACKGROUND/EXPLANATION:**

The Consultant will perform advisory services in accordance with the Agreement and in collaboration with MOIT.

The Consultant will advise MOIT on the creation and establishment of an Open Data Consortium, advise MOIT on processes for publishing datasets on the Open Data Portal, identify data that could be proactively published with meta data redacted, but available in open formats without restrictions on use or reuse; define clear, readily available data analytics, both across agencies and the City as a whole. The Consultant will also advise MOIT on enterprise level data reporting and predictive analytics and on data aggregation and business intelligence for City agencies that provide a single point of data collection to be held in the secure data repository, establish data management, ethical standards, storage, privacy standards and protocols, and prepare and submit to MOIT a written open data report.

**MBWOO GRANTED A WAIVER.**

**MINUTES**

MOIT - 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 Consultant Agreement with the University of Baltimore/Neighborhood Indicators Alliance-Jacob France Institute, Consultant.

**MINUTES**Health Department - Agreements

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

1. **THE FAMILY LEAGUE OF BALTIMORE** **\$1,049,929.00**  
**CITY, INC. (FLBC)**

Account: 4000-469017-3080-294601-603051

The FLBC will provide services to reduce the number of infant deaths due to low birth weight, preterm births, and unsafe sleep conditions. The goals of the program are to reach full capacity for the expanded Healthy Families America areas, continue to improve data quality, and to implement the interconception home visiting program. The period of the agreement is July 1, 2016 through June 30, 2017.

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

**MWBOO GRANTED A WAIVER.**

2. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$ 35,600.00**

Account: 5000-520117-3080-288900-603051

The Adolescent and Young Adult Health Center of the University of Maryland, Baltimore will provide access to reproductive health services to the uninsured and underinsured citizens of Baltimore City. The services include, but are not limited to education, contraception, screening, and referral of reproductive-related cancers, education, and screening of sexually transmitted infections. The period of the agreement is July 1, 2016 through June 30, 2017.

**MINUTES**Health Department - cont'd

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

3. **BEHAVIORAL HEALTH SYSTEM** **\$50,000.00**  
**BALTIMORE, INC. (BHSB)**

Account: 4000-480617-3080-279200-603051

The BHSB provides leadership in advancing behavioral health and wellness. The BHSB advocates for a help guide innovative approaches to prevention, early intervention, treatment and recovery to help build healthier individuals, stronger families and safer communities.

The purpose of the BHSB's U Choose Evidence Based Teen Pregnancy Prevention Project is to build the sexual health and youth-friendly community-based substance use disorder treatment and mental health capacity of school and Title X providers. The period of the agreement is July 1, 2016 through June 30, 2017.

The agreement is late because the vendor recently submitted the program plan and budget.

**MWBOO GRANTED A WAIVER.**

4. **HEAVENLY GRACE ASSISTANT LIVING** **\$39,000.00**  
**FACILITY, INC.**

Account: 5000-534017-3254-767807-607001

This agreement will allow the Department to disburse State Subsidized Assisted Housing Funds to low income residents at Heavenly Grace Assistant Living Facility, Inc.



**MINUTES**Health Department - cont'd

The organization is enrolled in the Senior Assisted Living Group Home Subsidy Program, and will provide subsidized senior assisted housing services for individuals ages 62 and over, who have periodic difficulties with the activities of daily living. The Senior Assisted residents will receive shelter, meals, housekeeping, personal care services, and 24-hour on-site supervision. The period of the agreement is July 1, 2016 through June 30, 2017.

The agreement is late because the Department was waiting on information and signatures from the provider.

5. **HEALTH CARE FOR THE HOMELESS, INC.** **\$664,585.00**

Account: 5000-523017-3110-301500-603051

The organization will provide health care services for homeless persons through its clinic and outreach program in the greater Baltimore area. The period of the agreement is July 1, 2016 through June 30, 2017.

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

**MWBOO GRANTED A WAIVER.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

6. **THE JOHNS HOPKINS UNIVERSITY,** **\$** **0.00**  
**SCHOOL OF PUBLIC HEALTH**

The organization has established and conducts residency-training programs accredited by the Accreditation Council for Graduate Medical Education. The Department as a participating institution will support educational goals and objectives of the residency-training program by making

**MINUTES**Health Department - cont'd

its facilities, resources, and teaching staff available to program residents. The organization's Program Director and the Commissioner of Health will determine training of program residents. The agreement is effective upon Board approval through June 30, 2018.

7. **MEDSTAR HEALTH, INC.** **\$0.00**

The organization will donate physician services and provide a part-time Nurse Practitioner as part of its community service.

The organization's pediatricians will provide on-site consultation and patient evaluations at the School-Based Health Centers, at a minimum of one-half day per week. They will be accessible by telephone for consultation with the practitioner in the Carter G. Woodson School, Monday through Friday during the hours of 7:30 am to 3:30 pm, and the New Era Academy/Maritime Industrial Academy High School School-Based Health Centers, Monday through Friday during the hours of 8:00 am to 4:00 pm. The period of the agreement is September 1, 2016 through August 31, 2017.

The agreement is late due to a delay in the administrative review process.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Agreements. The Comptroller **ABSTAINED** on item no. 4.

**MINUTES**

Health Department - Revised Notice of Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of the revised Notice of Award (NoA) from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA). The period of the NoA is March 1, 2016 through February 28, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$105,000.00	-	4000-427716-3023-606100-404001
64,106.00	-	4000-498716-3023-606100-404001
<u>\$169,106.00</u>		

**BACKGROUND/EXPLANATION:**

The original NoA was approved on March 2, 2016, in the amount of \$9,476,645.00. On June 8, 2016, the Board approved the balance of FY 16 funding in the amount of \$7,681,197.00, making the new total \$17,157,842.00.

This revised NoA will authorize the carryover of an unobligated balance of \$169,106.00 from the previous budget period into the current budget period making the new total amount \$17,326,948.00.

The NoA is late because the HRSA just approved the carryover of the funds.

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the revised Notice of Award from the U.S. Department of Health and Human Services, Health Resources and Services Administration.

**MINUTES**Department of Human Resources (DHR) - Group Sales Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Group Sales Agreement with Residence Inn, Marriott Baltimore Downtown/Inner Harbor (d/b/a/Residence Inn by Marriott Baltimore Downtown/Inner Harbor). The Board is further requested to approve the examiner expense payments by expenditure authorization. The period of the agreement is November 13, 2016 through November 20, 2016.

**AMOUNT OF MONEY AND SOURCE:**

- \$ 2,450.00 - Estimated Ancillary Expenses - 14 Examiners @ \$175.00 each for reimbursement of travel expenses, luggage fees, cab/shuttle fees to and from airport, and parking
- 15,084.72 - Residence Inn Hotel: November 13, 2016 - November 20, 2016 (Performance assessment for Emergency Vehicle Driver and Fire Pump Operators)  
Guest Suites - November 13, 2016 - November 19, 2016 (16 Guest Suites x 7 nights @\$123.00 net rate/night (\$13,776.00 x 9.5% tax/night)
- 3,920.00 - Valet Parking: November 13, 2016 - November 20, 2016 (16 cars x 7 nights x \$35.00 net rate)
- 7,000.00 - Examiners' - airfare (Roundtrip travel may include personal vehicle mileage reimbursement, airfare, bus, train, etc.)  
14 Examiners traveling from various locations @\$500.00 each
- 4,452.00 - Per Diem Meal Allowance  
\$53.00/day x 14 Examiners = \$742.00 x 6 days
- \$32,906.72** - 1001-000000-1603-172500-603026

**MINUTES**

DHR - cont'd

**BACKGROUND/EXPLANATION:**

The Department of Human Resources will utilize rooms at the Residence Inn Hotel for the Fire Pump Operator and Emergency Vehicle Driver Performance Promotional Examinations (Assessments). The hotel will be used for scoring and to provide overnight accommodation for Special Examiners and others as outlined below.

The Fire Pump Operator and Emergency Vehicle Driver Assessments are held every two-years or as needed in cases where the list is exhausted before the end of the two-year time period. These Assessments include a written multiple choice component and a performance component.

The written multiple choice portions of the assessments were administered at the War Memorial Building on September 21, 2016 and September 22, 2016, respectively, during standard hours of operation, which resulted in no additional costs to the City. The exact number of candidates who will participate in the assessment will not be available until after the written, multiple choice portions are scored. Therefore, an estimated number of 69 participants, based on previous assessments, is being used for this request.

The assessments will be administered at the Baltimore Fire Training Academy. A draft testing schedule for the performance assessment is being developed; as such, the number of testing days has not yet been confirmed. However, room reservations must be arranged in advance.

The DHR is requesting a total of 16 rooms: one room will be used for scoring by the Test Administrator and the Special Examiners who convene nightly to rate/score assessments in the late evening. Fourteen rooms will be used for overnight accommodations for the 14 examiners; one room will be used by

**MINUTES**

DHR - cont'd

the DHR Test Administrator, who requires accommodation because of the early start and late finish of the assessments. Candidates' interview/check-in periods begin at 6:35 a.m. daily. As a result, the Test Administrators and Test Monitors must be available as early as 5:00 a.m. in order to set-up the testing rooms and prepare the registration area(s) prior to the candidates' arrival. Moreover, Examiner rating/scoring sessions routinely last several hours and often extend into the evening hours.

Most examiners will arrive in Baltimore on Sunday, November 13, 2016. Training and orientation is scheduled to begin Monday, November 14, 2016. While the Assessment process is scheduled through Saturday, November 19, 2016, some Examiners will likely depart the hotel the morning of November 20, 2016 due to the length of the testing and required scoring.

**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 Group Sales Agreement with Residence Inn, Marriott Baltimore Downtown/Inner Harbor (d/b/a/Residence Inn by Marriott Baltimore Downtown/Inner Harbor). The Board further approved the examiner expense payments by expenditure authorization.

**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. 48 E. Cross Street	Gregory Cangialosi	ADA Ramp and Steps 14'4" x 5'
Flat charge: \$105.50		
2. 2238 E. Monument Street	Monument Street Properties, LLC	Two 2 yd. Dumpsters 6' x 3' each
Annual charge: \$504.00		
3. 319 W. Lexington Street	Max Properties, Inc.	One Non-illuminated sign 96.314 sq. ft.
Flat charge: \$809.04		

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

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



**MINUTES**Department of Transportation - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement with Ashton Design, Inc. (Ashton Design). The period of the Agreement is effective upon Board approval through January 31, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$27,740.00 - 9950-920037-9527-900020-706065

**BACKGROUND/EXPLANATION:**

On Friday, July 10, 2015, the Department of Transportation, in partnership with the Baltimore Office of Promotion and the Arts issued a Request for Qualifications (RFQ) seeking a qualified designer or team to lead the process of creating a new design and style guide for the City's gateway signage. After an extensive and vigorous vetting process through the issuing of an RFQ and a juried, point-based grading system consisting of design professionals, transportation experts, and otherwise impartial individuals, Ashton Design was selected. The goal of this project is to develop a set of design solutions and improvements that will ensure Baltimore's gateways reflect the diversity and creativity that can be found throughout the City.

Ashton Design will conduct a site survey, produce a survey report, create design documentation, and perform post award services.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Ashton Design, Inc.

**MINUTES**Department of Transportation - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 7 to KCI/STV Joint Venture under Project No. 1190, On-Call Consultant Engineering Design, Review and Evaluation Services - Conduit. The period of the task assignment is approximately one year.

**AMOUNT OF MONEY AND SOURCE:**

\$173,134.69 - 9962-908070-9562-900000-703032  
173,134.69 - 9962-915071-9562-900000-703032  
\$346,269.38

**BACKGROUND/EXPLANATION:**

This authorization will provide for on-site technical support for various conduit endeavors including permit contract document review, cost estimates, and construction document preparation.

**MBE/WBE PARTICIPATION:**

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

**MBE: 27.00%**

**WBE: 10.00%**

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

**MINUTES**Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 7 to KCI/STV Joint Venture under Project No. 1190, On-Call Consultant Engineering Design, Review and Evaluation Services - Conduit.

**MINUTES**

Department of Transportation (DOT) - Report on Traffic Mitigation Ordinance 11-529

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** the Report for Traffic Mitigation Ordinance 11-529. The period of the report was July 1, 2015 through June 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

FY 2016 Fees Assessed - \$957,145.59  
FY 2016 Expenditures - \$486,528.16

**BACKGROUND/EXPLANATION:**

Pursuant to Council Bill 11-0658, section 3807.4 Annual Accounting, with the assistance of the Department of Finance, the Director of DOT must annually produce and provide the Board an accounting that shows:

- The cumulative revenue derived from traffic mitigation fees in each traffic mitigation zone, and
- The cumulative expenditures or appropriations for projects that benefit the transportation infrastructure of each zone.

The City of Baltimore Ordinance 11-529, in part designates Traffic Mitigation Zones within the City and established procedures by which traffic mitigation fees for developments within these zones are computed, collected and expended, Section 3807.4 of the Ordinance required this annual accounting, by Zone, of the revenue derived from the traffic mitigation fees and the expenditures or appropriations of the revenue for project(s) within each zone.

**MINUTES**

DOT - cont'd

The report is late because additional time was needed to compile the report information.

UPON MOTION duly made and seconded, the Board **NOTED** the Report for Traffic Mitigation Ordinance 11-529 for the period July 1, 2015 through June 30 2016.

**MINUTES**Mayor's Office of Employment Development - Agreements

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

1. **STRONG CITY BALTIMORE, INC.** **\$150,000.00**

Account: 4000-807416-6312-790305-603051

Under the terms of this agreement, Strong City Baltimore, Inc. will conduct intensive, neighborhood outreach to eligible youth and young adult residents of Baltimore City who are in need of training, employment, and/or support services. The organization will recruit and enroll at least 46 residents into work readiness training and provide job placement services. The period of the agreement is July 1, 2016 through April 30, 2017.

The agreement is late because additional time was necessary to reach a comprehensive understanding between the parties.

2. **BON SECOURS OF MARYLAND FOUNDATION, INC.** **\$124,310.75**

Account: 4000-806417-6313-781005-603051

Under the terms of this agreement, Bon Secours of Maryland Foundation, Inc. will provide the services of a Contractor to design and deliver innovative programming and comprehensive services resulting in academic achievement and employment for 25 Baltimore City out-of-school youth ages 16-24 years old. The organization will increase employment and education prospects for participants through skills training, leadership development, and the provision of life and workplace readiness skills. The period of the agreement is October 1, 2016 through September 30, 2017.

MINUTES

MOED - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

**MINUTES**

Department of Public Works - Employee Expense Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an Employee Expense Statement to reimburse the below listed employees for their State Operator's Certification expense incurred during the month of May 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$100.00 - Rachel Helmick  
\$100.00 - Columbus Battle  
\$100.00 - Jamar Conigland  
\$100.00 - Carl B. Barnhill  
\$100.00 - Todd Rampmeyer  
\$100.00 - Justin Ruffin  
\$100.00 - Adrian Henson  
\$100.00 - Deonte Welborn  
\$100.00 - Michael Slechter  
\$100.00 - Christopher Hale  
\$100.00 - Shadeed Tymes

Account No.: 2070-000000-5501-630001-603020

\$200.00\* - Brandy Quartey, Vincent Moore

Account No.: 2071-000000-5521-632401-603020

\$100.00 - Michael Ekanem

Account No.: 2071-000000-5521-632320-603020

**BACKGROUND/EXPLANATION:**

Managers and employees have stated that they received their Operating Certification from the MDE, 30 or more days after they paid. This delayed the expense statements from being submitted in a timely manner.



**MINUTES**Department of Public Works - cont'd

- \*Brandy Quartey paid for Vincent Moore to take the examination. Therefore, she will be reimbursed \$200.00.

In the future, each Division will be responsible for preparing an Expenditure Authorization, which is sent directly to the Vendor. This new process will eliminate the need for employees paying out of pocket and having to complete an Employee Expense Statement.

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statement to reimburse the foregoing employees for their State Operator's Certification expense incurred during the month of May 2016.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 001 to STV, Inc. under Project No. 1236S, Storm Water Study and Engineering Design Services. The period of the task assignment is approximately eight months.

**AMOUNT OF MONEY AND SOURCE:**

\$858,389.94 - 9958-915406-9525-900020-709001, ER 4063  
 9958-904422-9525-900020-709001, ER 4064  
 9958-907423-9525-900020-709001, ER 4065  
 9958-908424-9525-900020-709001, ER 4066  
 9958-908425-9525-900020-709001, ER 4067  
 9958-911426-9525-900020-709001, ER 4068  
 9958-911404-9525-900020-709001, ER 4105  
 9958-911427-9525-900020-709001, ER 4106

**BACKGROUND/EXPLANATION:**

On December 27, 2013, The Maryland Department of the Environment (MDE) re-issued a National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit to the City of Baltimore.

The City prepared and submitted the MS4 and Total Maximum Daily Load Watershed Implementation Plan (WIP), as required by the MS4 permit.

STV, Inc. will evaluate specific sites within Baltimore City for the potential to implement Best Management Practices to meet or exceed a total of 56 acres of impervious area treatment goal and prepare biddable documents for each of the following projects:

MINUTES

DPW - cont'd

ER 4063, ER 4064, ER 4065, ER 4066, ER 4067, ER 4068 (Greening Projects), ER 4105 and ER 4106 (Small SWM BMP Projects). These projects are listed in the WIP and they have deadlines and there are stipulated penalties associated with these projects.

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

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$750,000.00	9958-914406-9526	
Storm Water	Constr. Reserve	
Utility	Impervious	
	Removal/Greening	
\$100,000.00	-----	9958-915406-9525-3
		Design
100,000.00	-----	9958-904422-9525-3
		Design
100,000.00	-----	9958-907423-9525-3
		Design
250,000.00	-----	9958-908424-9525-3
		Design
100,000.00	-----	9958-908425-9525-3
		Design
<u>100,000.00</u>	-----	9958-911426-9525-3
<b>\$750,000.00</b>		Design
\$610,000.00	9958-905449-9526	
Storm Water	Constr. Reserve	
Utility	Middle Branch	
	Debris Collect	

MINUTES

DPW - cont'd

\$360,000.00	-----	9958-911404-9525-3
		Design
<u>250,000.00</u>	-----	9958-911427-9525-3
<b>\$610,000.00</b>		Design

The transfers will provide funds for Project 1236S, Storm Water Study - ER 4063, ER 4064, ER 4065, ER 4066, ER 4067, ER 4068, ER 4105, and ER 4106.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 001 to STV, Inc. under Project No. 1236S, Storm Water Study and Engineering Design Services. The Transfers of Funds were approved, SUBJECT to the receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Department of Public Works - Annual Membership

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the annual membership for National Association of Clean Water Agencies (NACWA). The period of the annual membership is October 1, 2016 through September 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$ 7,740.00 - 2070-000000-5541-399300-603022  
12,900.00 - 2071-000000-5541-398600-603022  
2,580.00 - 2072-000000-5181-613400-603022  
23,220.00 - 1001-000000-1901-190300-603022  
**\$46,440.00 - Annual Membership Dues**

**BACKGROUND/EXPLANATION:**

The NACWA provides a viable option to assist public agencies as Clean Water Act regulations and enforcement continue to expand. The NACWA helps make the case for a new approach that lets municipalities act as the drivers for prioritizing compliance with existing and new Clean Water Act regulations.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the annual membership for the National Association of Clean Water Agencies.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Agreement with C.C. Johnson & Malhotra, P.C., Consultant, under Project 1238C On-Call Mechanical Engineering Services. The Agreement is effective upon Board approval for three years or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000,000.00 - upset fee

**BACKGROUND/EXPLANATION:**

The Consultant will provide mechanical engineering services. The project will consist of on-call consulting for various tasks assigned by the Office of Engineering and Construction on an as-needed basis. The scope involves mechanical consulting engineering services for various Water and Wastewater facilities including treatment plants and pumping stations, and may include planning, design and construction services. Tasks for these services will be made as the needs are identified.

**MBE/WBE PARTICIPATION:**

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

MBE: Environ-Civil Engineering, Ltd.	\$100,000.00	10.00%
Sidhu Associates, Inc.	<u>170,000.00</u>	<u>17.00%</u>
	<b>\$270,000.00</b>	<b>27.00%</b>

## MINUTES

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

WBE: Carroll Engineering, Inc.	\$ 50,000.00	5.00%
Ross Technical Services, Inc.	<u>50,000.00</u>	<u>5.00%</u>
	\$100,000.00	10.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with C.C. Johnson & Malhotra, P.C., Consultant, under Project 1238C On-Call Mechanical Engineering Services.

**MINUTES**

Department of Public Works/ - Partial Release of Retainage  
Office of Eng. & Constr.

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement for the Partial Release of Retainage to Spiniello Companies, Contractor, for SC No. 902, Improvements to the Sanitary Sewer in the Dundalk Sewershed.

**AMOUNT OF MONEY AND SOURCE:**

\$584,265.50 - 9956-909602-9551-000000-200001

**BACKGROUND/EXPLANATION:**

As of July 13, 2016, Spiniello Companies has completed 57% of all work for SC No. 902, Improvements to the Sanitary Sewer in the Dundalk Sewershed. The contractor has requested a partial release of retainage for \$584,265.50. Currently, the City is holding \$834,665.00 in retainage for the referenced project and the contractor is requesting to reduce the amount of retainage to \$250,399.50, which is sufficient to protect the interest of the City.

Due to Sanitary Contract No. 902 being a State funded project, the Minority Women's Business Opportunity Office's program is not applicable. The current goals are satisfactory to the agency and were reported to the Maryland Department of the Environment.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**



## MINUTES

Department of Public Works/ - cont'd  
Office of Eng. & Constr.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for the Partial Release of Retainage to Spiniello Companies, Contractor, for SC No. 902, Improvements to the Sanitary Sewer in the Dundalk Sewershed.

## 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

- |   |             |         |
|---|-------------|---------|
| 1. ADVANCE SCALE<br>OF MARYLAND, LLC  | \$10,000.00 | Renewal |
| Contract No. B50003792 - Preventative Maintenance for Truck Scales - Dept. of Public Works - Purchase Order No. P529130 |             |         |

On October 20, 2014, the City Purchasing Agent approved the initial award in the amount of \$24,000.00. The award contained two 1-year renewal options. On October 5, 2015, the City Purchasing Agent approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$10,000.00 is for the period November 17, 2016 through November 16, 2017.

- |  |         |         |
|--|---------|---------|
| 2. DRAEGER, INC.   | \$ 0.00 | Renewal |
| Contract No. B50002662 - Thermal Imaging Cameras - Baltimore City Fire Department - P.O. No. P522273 |         |         |

On December 19, 2012, the Board approved the initial award in the amount of \$225,000.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$0.00 will make the award amount \$730,000.00. The period of the renewal is December 19, 2016 through December 18, 2017. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |  |              |         |
|--|--------------|---------|
| 3. LANDMARC-SLIGO LLC  | \$ 60,000.00 | Renewal |
| Contract No. 08000 - Sligo Pump Parts - Department of Public Works, Bureau of Solid Waste - P.O. No. P525621 |              |         |

On November 20, 2013, the Board approved the initial award in the amount of \$100,000.00. The award contained three 1-year renewal options. Two renewal options have been

## 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

exercised. This final renewal in the amount of \$60,000.00 will make the award amount \$220,000.00. The period of the renewal is November 20, 2016 through November 19, 2017. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |    |  |              |         |
|----|--|--------------|---------|
| 4. | TELESOFT CORPORATION   | \$ 50,000.00 | Renewal |
|    | Contract No. 06000 - Hosted Telephone Billing System - Municipal Telephone Exchange - Office of the Comptroller - P.O. No. P525397 |              |         |

On October 30, 2013, the Board approved the initial award in the amount of \$184,000.00. The award contained one 1-renewal option. On September 3, 2014, the Board approved an Amendment in the amount of \$104,000.00. This sole renewal in the amount of \$50,000.00 will make the award amount \$338,000.00. The period of the renewal is October 29, 2016 through October 28, 2017. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |    |  |              |         |
|----|--|--------------|---------|
| 5. | VISIONATIONS, LLC  | \$ 20,010.00 | Renewal |
|    | Contract No. 08000 - CrimePad Software License - Baltimore City Police Department - Req. No. R685995 |              |         |

On January 8, 2015, the City Purchasing Agent approved the initial award in the amount of \$20,010.00. The award contained two 1-year renewal options. On July 13, 2016, the Board approved an increase in the amount of \$75,000.00. This renewal in the amount of \$20,010.00 is for the period January 8, 2017 through January 7, 2018, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- |  |              |         |
|--|--------------|---------|
| 6. EMD MILLIPORE CORPORATION   | \$ 19,708.71 | Renewal |
| Contract No. 08000 - EMD Millipore Service and Parts - Department of Public Works - Water and Wastewater - P.O. Nos. P533221 and P525963 |              |         |

On June 30, 2015, the City Purchasing Agent approved the initial award in the amount of \$6,167.24. The award contained two 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$19,708.71 is for the period November 1, 2016 through October 31, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

- |   |         |         |
|---|---------|---------|
| 7. ALTEC INDUSTRIES, INC.   | \$ 0.00 | Renewal |
| Contract No. 08000 - O.E.M. Parts and Service for Altec Bucket Trucks - Department of General Services, Fleet Management - P.O. No. P526180 |         |         |

On January 15, 2014, the Board approved the initial award in the amount of \$300,000.00. The award contained two 1-year renewal options. This first renewal in the amount of \$0.00 is for the period December 1, 2016 through November 30, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

- |   |              |         |
|---|--------------|---------|
| 8. B.A.F.S., INC. d/b/a THE MILL OF BEL AIR   | \$ 27,000.00 | Renewal |
| Contract No. B50004444 - Horse Feed, Bedding and Mineral Blocks - Police Department - Mounted Unit - P.O. No. P534149 |              |         |

On January 13, 2015, the Board approved the initial award in the amount of \$27,000.00. The award contained three 1-

## 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

year renewal options. This first renewal in the amount of \$27,000.00 is for the period January 13, 2017 through January 12, 2018, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

- |   |              |          |
|---|--------------|----------|
| 9. LEXISNEXIS RISK SOLUTIONS FL INC.  | \$ 45,792.00 | Increase |
| Contract No. 06000 - Investigative Search Licensing - Agency - Various - P.O. No. P535078 |              |          |

On April 6, 2016, the Board approved the initial award in the amount of \$33,000.00. The award contained two 2-year renewal options. On August 26, 2016, the Board approved an amendment in the amount of \$0.00. This increase in the amount of \$45,792.00 is necessary to add additional agencies to the current Master Blanket. This increase will make the award amount \$78,792.00. The contract expires on December 31, 2017, with two 2-year renewal options remaining. The above amount is the City's estimated requirement.

- |  |              |          |
|--|--------------|----------|
| 10. HOWARD UNIFORM COMPANY   | \$300,000.00 | Increase |
| Contract No. B50004431 - Uniform Jackets for the Fire Department - Baltimore City Fire Department - P.O. No. P534530 |              |          |

On February 10, 2016, the Board approved the initial award in the amount of \$501,150.00. The award contained two 1-year renewal options. This increase in the amount of \$300,000.00 is necessary to purchase an additional 600 jackets for the Fire Department. This increase will make the award amount \$801,150.00. The contract expires on February 09, 2018, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

11. THOMSON REUTERS  
 (TAX & ACCOUNTING) INC. \$ 50,000.00 Increase  
 Contract No. 08000 - Agreement for Auditing Software and  
 Training - Department of Audits - P.O. No. P532539

On August 12, 2015, the Board approved the initial award in the amount of \$74,985.00. The award contained two 1-year renewal options. This increase in the amount of \$50,000.00 is necessary to continue use of the specialized Checkpoint software package for professional audit and accounting standards for the remainder of the contract term. This increase will make the award amount \$124,985.00. The contract expires on August 11, 2018, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

12. INTERPERSONAL  
 FREQUENCY, LLC \$200,000.00 Increase  
 Contract No. B50003075 - City of Baltimore Web Site  
 Redesign and Hosting - Mayor's Office of Information  
 Technology - P.O. No. P526271

On January 15, 2014, the Board approved the initial award in the amount of \$286,367.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This increase in the amount of \$200,000.00 is necessary to provide enhanced security of the City of Baltimore and Baltimore City Police Department websites against cyber-attacks. This increase will make the award amount \$1,167,997.00. The contract expires on January 14, 2018 with four 1-year renewal options.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

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.

**MWBOO GRANTED A WAIVER.**

13. LIFESTAR RESPONSE OF	\$120,000.00	Ratification
MARYLAND, INC.	80,000.00	and Extension
	<u>\$200,000.00</u>	

Contract No. 06000 - Emergency Medical Technicians - Health Department - P.O. No. P531734

On June 17, 2015, the Board approved the initial award in the amount of \$322,676.76. Due to revisions for a new solicitation and administrative oversight that allowed the contract to expire a ratification in the amount of \$120,000.00 is necessary. This extension in the amount of \$80,000.00 will allow time to evaluate the new solicitation and award a new contract. The period of the ratification is July 1, 2016 through November 1, 2016. The period of the extension is November 02, 2016 through November 30, 2016. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

14. TJ DISTRIBUTORS, INC.	\$127,338.42	Cooperative Contract
Contract RFP-11035 (Baltimore City Public Schools) - Playground and Recreational Equipment, Repair and Installation Services - Health Department - Req. No. R744384		

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

Baltimore City Public Schools has competitively bid and awarded Contract No. RFP-11035 to TJ Distributors, Inc. This equipment is being purchased with a grant that expires on December 31, 2016. This is a one-time purchase.

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.

## 15. CLEAN HARBORS

ENVIRONMENTAL

SERVICES INC.	\$ 0.00	Correction/Renewal
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Correct Contract No. PCR-09-125 to Contract No. PCR-15-020 - Household Hazardous Waste: Collection and Disposal Services - Department of Public Works, Bureau of Solid Waste - Req. No. To be determined.

The City has a requirement for services for the scope of work covered by the competitively bid Anne Arundel County contract. Due to an administrative error, the contract to provide Household Hazardous Waste: Collection & Disposal Service (PCR-15-020) was awarded to Clean Harbors Environmental Services, Inc. on July 6, 2015. However, the Bureau of Purchases continued using the old contract number PCR-09-125 which ended on July 1, 2015. A renewal is being requested to continue to provide Household Hazardous Waste:



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

Collection & Disposal Service on the contract that is currently in use at the agency. This is the first of four 1-year renewal options. The period of the award is November 2, 2016 through June 30, 2017, with three 1-year renewal options remaining.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions.

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:

4425 - 4427

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 receipt of a favorable report  
from the Planning Commission,  
the Director of Finance having reported favorably  
thereon, as required by the provisions  
of the City Charter.



**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Purchases

3. B50004495, Landscape Maintenance Services	Noah Garrison d/b/a The Garrison Company Landscape Division	\$ 40,000.00
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(Dept. of General Services)

4. B50004606, Janitorial Services for Area D	N.O.W., LLC	\$739,980.00
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(Dept. of General Services)

**MBE:** Clean and Clean Service, Inc. 20%**WBE:** Affordable Carpet Cleaning Corporation 10%**MWBOO FOUND VENDOR IN COMPLIANCE.**

5. B50004726, Portable Generator	Ramsay-Bliese Corp. d/b/a Leete Generators	\$141,681.00
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(Dept. of General Services)

**MWBOO GRANTED A WAIVER.**

6. B50004741, Drain Cleaning Services	Joseph Heil Company, Inc.	\$500,000.00
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(DGS, DPW, and Others)

**MWBOO GRANTED A WAIVER.**

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Purchases

7. B50004759, License	Applied Technology	\$117,234.00
Plate Reader Trailers	Services, Inc.	

(Dept. of General Services)

**MWBOO GRANTED A WAIVER.**

**MINUTES**Bureau of Purchases - Acceptance of Technical Proposal  
and Opening of Price Proposal**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the technical proposal of Safety Dynamics, Inc. for Solicitation No. B50004665, Gunshot Location and Detection System and authorize the opening of its price proposal. The Board is also requested to authorize the return of the unopened price proposal of ShotSpotter, Inc., which did not receive a technical score.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On August 10, 2016, the Board opened two proposals for B50004665. The proposal from ShotSpotter, Inc. was referred to the Law Department and found non-responsive. Safety Dynamics, Inc. achieved the minimum technical score required to open its price proposal. Therefore, it is recommended that their technical portion be accepted and their price proposal be opened.

**A PROTEST WAS RECEIVED FROM SHOTSPOTTER, INC. D/B/A SST, INC.**



October 31, 2016

Board of Estimates  
City Hall, Room 204  
100 North Holliday Street,  
Baltimore, MD 21202

**RE: Solicitation Number B50004665 – Gunshot Location and Detection System**

Dear Board of Estimates,

I am the Director of Northeast Region Sales for ShotSpotter, Inc. d/b/a SST, Inc. ("SST"). SST authorized me to represent them before the Board of Estimates. SST submitted a response to Solicitation Number B50004665 and the response was rejected as it was considered non-responsive pursuant to the submission instructions. SST reviewed the response submitted by Safety Dynamics, Inc. and identified several areas in which the Safety Dynamics, Inc. was non-responsive to the submission instructions including:

Section SM2. SUBMISSION INSTRUCTIONS

B. TECHNICAL SUBMISSION

(4) (d) Table of Contents - Proposals must include a table of contents referencing each of the sections listed below. [Safety Dynamics response did not include a table of contents]

(4) (j) 1. Resumes of the proposed management team; resumes should include a description of experience. [Safety Dynamics response did not include any response to this requirement]

Section DS2. System Requirements

A. (2) Viewable mapping identification [Safety Dynamics response on Page 9 states the SENTRI integrates with commercially available mapping systems "(if connected)". So it appears mapping is not included with the SENTRI system which falls short of the requirement.]

B. Mobile Capabilities

(1) Mobile specific software for patrol units [Safety Dynamics did not address this requirement in their response. On Page 12-13, they suggest "An End User System

ShotSpotter, Inc. dba SST, Inc.

7979 Gateway Blvd., Suite 210

Newark, CA 94560

+1 510 794 3100 main

+1 888 274 6877 toll free

[www.sst-inc.com](http://www.sst-inc.com)

[www.shotspotter.com](http://www.shotspotter.com)

Performance Workshop” to discuss “desired functional specifications” including “screen presentation specifications. This indicates Safety Dynamics does not have mobile specific software for patrol units as required]

(2) Integrated capable system (iOS, Android, etc) [On Page 8, Safety Dynamics will only use email or Short Message Service (SMS) for notifications on smartphones. This falls short of the requirement for an integrated capable system.]

C. (4) Audio playback capabilities [Safety Dynamics did not address this requirement in the description of their software on Page 9.]

(6) Viewable sound wave pattern screen at the workstations [Safety Dynamics did not address this requirement in the description of their software on Page 9.]

E. (1) Vendor has prime responsibility for installation of the system [At the top of Page 14, Safety Dynamics specifies that “BPD or its designee/s will provide: a 120VAC connection at each location; and have the necessary authorization for all structures that each device will be installed on. In addition, if a location should require wireless cellular communication, the BPD or its designee/s are responsible to ensure that a strong cellular signal is available at that location. Further, the use of third party cell towers, **cellular service... are not provided as part of this offer.**” Placing these major requirements on BPD shows Safety Dynamics is NOT taking PRIME responsibility for installation of the system.]

G. Service/Maintenance

(1) 24/7 emergency number for critical incidents with on-site response required within 4 hours of notification.

(2) 8 hour/5 days a week non-critical issues.

(4) Maximum 24 hour response for non-critical system components (weekdays) [Safety Dynamics response does not address any of the requirements (above) in the description of their Maintenance & Warranty on Page 13. SDI will test the system “every six months to ensure proper working order” for a “fixed hourly rate and cost of travel” if requested]

#### Section DS5. Warranty, Spare Equipment and Training

B. ... Warranty shall include all parts, labor and travel necessary to return the equipment to its original working condition. [On Page 13, Safety Dynamics does not specify that labor is covered in their warranty.]

C. ... The Vendor shall detail a training program. [Safety Dynamics did not detail a training program in their response. On Page 13, they merely suggest a “Training Program Development Workshop” to develop a “system end user manual.” A manual is not a training program.]

#### Section DS12. Vandalism/Theft

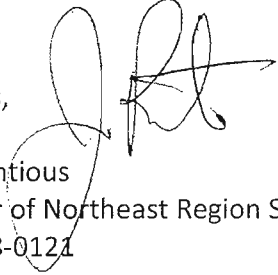
A. ... The City shall not assume any responsibility for vandalism or theft of the contractor’s materials, products, and/or equipment. [On Page 13 of Safety Dynamics response, “Should replacement of cameras, circuitry, microphone arrays, or wireless communication become necessary due to damage from **vandalism**, accidental



mishandling, or other events beyond SDIs control, replacement components can be handled at **cost plus shipping and handling.**”]

SST has been harmed as our solicitation response is not being reviewed by the Board of Estimates and considered for award, and yet a non-conforming response from another submitter will be reviewed and considered for award.

Regards,

  
Jack Pontious  
Director of Northeast Region Sales  
202-258-0121



September 22, 2016

Mr. Timothy Krus  
City Purchasing Agent  
Bureau of Purchases  
231 E. Baltimore Street  
Baltimore, MD 21202

**Re: B50004665-Gunshot Detection and Location System**

Dear Mr. Krus,

We are in receipt of your letter dated September 13, 2016 in which you state our response to the subject solicitation was determined to be non-responsive pursuant to the submission instructions due to our paragraph on page 32 on "Detailed Flex Agreement." Our comment on page 32 is that our exhibit is superior to our proposal in the event of any question of precedence. **We did not state that our exhibit takes precedence over your solicitation.** Our interpretation of section SM4 G. is that any exception, deviation, modification or alternation to the solicitation needs to be prominently displayed. Furthermore, after careful review, we do not see any inconsistencies between our exhibit and proposal that would require a determination of precedence. Therefore, we would appreciate further clarification on why this section was considered to be an exception/deviation.

We regularly respond to a variety of Request for Proposals (RFP) and the paragraph from page 32 is standard language we include in our responses. To date, we have never had an RFP response be deemed non-responsive due to a technicality related to the preparation of the response. We are the only provider of wide-area acoustic gunshot detection and location services for law enforcement and are considered sole source in many municipal procurements. This wide-area system uses acoustic sensing technology protected by 32 unique and current patents to identify, discriminate, record and locate gunshots and other explosive events to law enforcement and police departments within seconds of the shots being fired. The sensing is accomplished via multiple networked acoustic sensors deployed over a wide area that communicate registered gunshot and explosion activity back to a central server. No vendor, other than SST, Inc., possesses the comprehensive, field-proven, and patent-protected product offering, as well as the professional services and support, domain knowledge, expertise, longevity and customer references.

We would welcome another chance to work with you to in your mission to reduce gun crime in your city.

Regards,

A handwritten signature in black ink, appearing to read "Sonya Strickler", written over a white background.

Sonya Strickler  
VP Finance & Controller  
510-794-3134

cc: Ms. Deborah Finnerty  
Procurement Specialist  
Bureau of Purchases  
231 E. Baltimore Street  
Baltimore, MD 21202

Neal Janey, Jr.  
Director, Mayors Office of Criminal Justice  
Office of the Mayor  
100 N. Holliday Street, Room 334  
Baltimore, MD 21202

Mayor Stephanie Rawlings-Blake  
Office of the Mayor  
250 City Hall, 100 N. Holliday Street  
Baltimore, MD 21202

David Ralph  
Interim City Solicitor  
Baltimore City Law Department  
100 N. Holliday Street  
Baltimore, MD 21202

Glenn Fueston  
Director  
Governor's Office of Crime Control and Prevention  
100 Community Place  
Crownsville, MD 21032

Kevin Davis  
Commissioner  
Baltimore Police Department  
242 W. 29<sup>th</sup> Street  
Baltimore, MD 21211

David B. McMillan  
Assistant Deputy Chief  
Public Safety and Emergency Management  
Office of the Mayor  
630 City Hall, 100 N. Holliday Street  
Baltimore, MD 21202

## MINUTES

Bureau of Purchases - cont'd

President: "The first item on the non-routine agenda can be found on Page 53. Um 1- the Board will hear arguments as to whether the protesting party is a responsive bidder, and will the parties come forward?"

Mr. Tim Krus: "Tim Krus, City Purchasing Agent. This is the opening of prices for Solicitation No. B50004665, Gunshot Location and Detection System. We are requesting that the Board open the prices of Safety Dynamics, but not open the prices of ShotSpotter, because ShotSpotter was found to be non-responsive by the Law Department."

President: "Okay."

Mr. Pontious: "Good morning."

President: "Good morning."

Comptroller: "Good morning."

Interim City Solicitor: "Good morning."

President: "Your name."

Mr. Pontious: "My name is Jack Pontious. I'm the Director of the Northeast Region for SST ShotSpotter and SST ShotSpotter has authorized me to represent them today before the Board of Estimates. May I continue?"

## MINUTES

Bureau of Purchases - cont'd

President: "Um-um."

Mr. Pontious: "Okay. Thank you. So, SST submitted a response to Solicitation No. B50004665 and the response was rejected as it was considered non-responsive pursuant to the submission instructions. SST reviewed the response submitted by Safety Dynamics Incorporated and identified several areas in which the Safety Dynamics incorporated --"

Interim City Solicitor: "Excuse me Mr. Pontious."

Mr. Pontious: "-- was non-responsive."

Interim City Solicitor: "Mr. Pontious. Your protest today is on why ShotSpotter is responsive and then the Board will rule on that. If the Board finds that your protest was responsive uh -- then we can take up any other issues you have with any other bidder. But the first step uh -- for you today is to tell us why um -- your bid was responsive --"

Mr. Pontious: "Okay."

Interim City Solicitor: "-- why we should consider your bid --"

Mr. Pontious: "Sure. Well we were um --"

Interim City Solicitor: "-- ShotSpotter's bid."

## MINUTES

Bureau of Purchases - cont'd

Mr. Pontious: "We were deemed non-responsive for the introduction of our service level agreement um -- which is our standard terms and conditions which we put into every proposal in every city that we do business in and we've done business in over 90 cities across the country. So this service level agreement is our standard terms and conditions which provide for our service level guarantees, and it's a very important document. It does not supersede the contract of the City at all. So we never interpreted it that way, and we didn't want the City to interpret it that way. So it would have probably have been an easy clarification if the Purchasing Department had come to us and said, 'look we have these Service Level Agreement as part of the proposal you didn't take exception to that, can you please clarify why you included that into the RFP response?' and we would have said, 'look this is something that we negotiate with every City upon contract award.' We would certainly want to do that with Baltimore and um -- you know the fact that we didn't take exception to it was why they deemed it -- us non-responsive."

## MINUTES

Bureau of Purchases - cont'd

President: "Ah Mr. Krus, um -- was the same I mean is this argument um -- valid?"

Mr. Krus: "No, it is not -- in our opinion."

Interim City Solicitor: "Do you want the Law Department maybe--"

Ms. Simon: "Lara Simon --"

Interim City Solicitor: "should address --."

Ms. Simon: "from the City Law Department. Ah -- I reviewed ShotSpotter's bid and recommended --."

Interim City Solicitor: "Speak into the mic."

President: "Well, the same information was given to them that was given to the other uh -- company, correct?"

Ms. Simon: "The same ah --."

President: "Information."

Mr. Krus: "Solicitation."

President: "Solicitation."

Ms. Simon: "It's the same solicitation."

President: "So, what was different from that company information that's different from theirs?"

## MINUTES

Bureau of Purchases - cont'd

Mr. Krus: "To address the way that we structured the solicitations which I believe is what you are question is going to. When we go out with a solicitation, we include the City's general terms and conditions and we tell all bidders that if they don't agree with any of those general terms and conditions, they need to come to us before the solicitation opens and ask for permission to have any of those waived, and if they do not receive that, um -- then they can't be waived. In this case, ShotSpotter did not ask for the waiver of any of those general terms and conditions. They clearly stated that everything they had in this service level agreement overrode the City's general terms and conditions and um -- that is completely unacceptable and non-responsive."

President: "Madam Comptroller."

Comptroller: "Can the Law Department put on record why um the service level agreement was the issue?"

Ms. Simon: "Yes, and it wasn't just the service level agreement by itself."

Comptroller: "Okay."



## MINUTES

Bureau of Purchases - cont'd

Ms. Simon: "So the solicitation provides the bidders with instructions about how to submit deviations. Some deviations are permitted and ShotSpotter as Mr. Krus said did not follow those instructions by submitting them beforehand and getting permission of the City Purchasing Agent. Ah -- and the general terms and conditions also show what will happen if you submit a bid that has deviations that is non-responsive, and ShotSpotter's submitted several deviations to the City's terms and conditions. Uh -- one of them is to the City's warranty, ah that was requested in the RFP. The second one is to ownership of data and this is a an important provision here that is a material deviation, where the City requested that all data created or collected from a third party on behalf of the project by the vendor as part of the contract performance, become the property of BPD. Data provided to the vendor by the BPD will remain the property of BPD. The vendor may not release or make use of such data without the written consent of BPD, and ShotSpotter has taken a deviation to this."

## MINUTES

Bureau of Purchases - cont'd

Interim City Solicitor: "And BPD being Baltimore Police Department."

Ms. Simon: "Yes."

Interim City Solicitor: "Just to clarify."

Ms. Simon: "Has taken a deviation to this um -- essentially saying that they reserve the right to copy, publish, display, adapt. They have an ownership right in the data. So, this directly contrary to our ownership provision. Um -- then they also have specifically stated they had attached a Flex Service Agreement and in it they say when they attached it they say the attached ShotSpotter Flex Service Agreement is incorporated herein and by reference it constitutes integral part of this proposal. Unless it's specifically so stated above, should there be any question or precedence between the exhibit and its proposal, then the exhibit single consolidated document shall be superior to the proposal itself, and then when you evaluate the Flex Service Agreement, there are a number of terms that are contrary to the City's general terms and conditions. So, we recommended that this be found non-responsive."

## MINUTES

Bureau of Purchases - cont'd

Mr. Pontious: "May I comment?"

Interim City Solicitor: "Yes."

Mr. Pontious: "In terms of when they say, when we're saying that the ah -- agreement is superseded and takes precedence over the proposal, our intent was not that it takes precedence over the City's contract terms and the City's proposal, it's our proposal. Our technical proposal only. These contract terms are always negotiated upon contract award in our previous experience across the country. So none of this agreement terms and conditions are set in stone cause they always get negotiated upon contract award."

Ms. Simon: "Although it does say that this is incorporated herein and by reference and it's an integral part of the proposal."

Mr. Pontious: "It's an integral part but it doesn't take precedence over the City's contract terms and conditions. It never would."

Interim City Solicitor: "Mr. Pontious let me ask you a question. Did you follow the procedures in the um -- RFP for submitting exceptions to the City's terms and conditions?"

## MINUTES

Bureau of Purchases - cont'd

Mr. Pontious: "No -- yes. We um -- did not put the agreement in the place that the City Purchasing Department wanted and said, we should have said I guess that we take exception to the fact that we could not incorporate our terms and conditions and put that up front saying these are our terms and conditions that we would like to have negotiated upon contract award. So if that's the intent of the Purchasing Department, then sure. Then that's maybe something that we should have done. But again going back to my earlier statement that I think would have been an easier clarification saying what is your intent with adding these service terms and conditions, and we would have easily clarified that with a quick cover letter."

Mr. Krus: "Tim Krus, City Purchasing Agent. These are the standards by which we evaluate every proposal and bid that we receive. Ah ShotSpotter's was not evaluated any differently by Purchasing or Law than we would have evaluated any other proposal which would have been found non-responsive in this way. As a matter of fact, ShotSpotter's was almost a text book case of non-responsiveness in the way that this was submitted."

## MINUTES

Bureau of Purchases - cont'd

Interim City Solicitor: "Mr. Krus or Ms. Simon, my question that I asked the protester was, did he follow the proposals steps for making exceptions?"

Mr. Krus: "They did not."

Interim City Solicitor: "And how so?"

Mr. Krus: "We have a question and answer tab uh -- in the electronic procurement system CitiBuy in which vendors can ask questions about whether or not they can waive certain terms and conditions. We never received any request to waive terms and conditions like that. This was a very long document by the way that we're referring to, and the proposal the main body of the proposal referenced it. Ah and then in looking back at this long document it completely overrode all the City's terms and conditions which typically go out with every solicitation. So, the way that the City does this is we have our general terms and conditions. They sit there in a separate document and we say uh -- we look forward to you agreeing all of them unless you wish to try to take exception."

## MINUTES

Bureau of Purchases - cont'd

Interim City Solicitor: "Do you have anything that you want to add to this?"

Ms. Simon: "Yes. Lara Simon Law Department. The general terms and conditions provide specifically in General Condition 12 how to submit changes or deviations to the specifications."

Interim City Solicitor: "If you could you talk kind of fast."

Ms. Simon: "Sorry."

Interim City Solicitor: "General conditions of what?"

Ms. Simon: "I'm sorry, this is the part two of the request for a bid for the Gun Shot Detection System. This is the general terms and conditions by the --"

Interim City Solicitor: "-- provided by the City."

Ms. Simon: "-- and GC12 and GC16 provide how a bidder may submit proposed deviations to the Bureau of Purchases and the City Purchasing Agent. How those deviations may be considered and how they may be approved. Those directions were not followed in the circumstance and uh -- pursuant to GC13, which is in the instructions this may be deemed a conditional qualifier or non-responsive offer that may be recommended as non-responsive."

## MINUTES

Bureau of Purchases - cont'd

Mayor: "Can you mark that so that I can share it?"

Ms. Simon: "Absolutely, 12, 13, and 16."

President: "Okay, you have anything else?"

Mr. Pontious: "Yes I would just submit that if it's the Board's decision to agree with the decision by the Purchasing Department that they also take a look at the Safety Dynamics response, because we would submit that we have a number of uh -- of uh -- variances to the proposal where Safety Dynamics did not take exceptions as well and that those variances weren't um -- adequately addressed by the Law Department and the Purchasing Department in the way that they took exception to ours and disqualified us in the same way. So obviously, we weren't able to compete on a level playing field."

Mr. Krus: "Tim Krus, I'd also like to quote from the solicitation, 'Exceptions, Modifications, Alterations and Deviations do not insert or include any exception, modification, alteration or deviation not approved in writing by the City Purchasing Agent, per instructions elsewhere in the solicitation. Any approved exception, deviation, modification,

## MINUTES

Bureau of Purchases - cont'd

or alteration should be prominently flagged and easy to identify. Otherwise, the City shall assume that you are responsive and in full compliance with all terms, conditions, specifications and requirements contained in this solicitation.' So, we make it absolutely clear that unless approved in writing by the City Purchasing Agent no exceptions to the City's terms and conditions are acceptable."

President: "I will entertain a Motion."

Interim City Solicitor: "I would move that the protest be denied um and that the Board approve the acceptance of the Technical Proposal um -- as submitted by the Bureau of Purchases in page 53 of the Agenda."

Comptroller: "Second."

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

Mr. Krus: "Thank you."

President: "Thank you."

Interim City Solicitor: "As said, set forth."

\* \* \* \* \*



**MINUTES**

Department of Finance - PILOT Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Payment in Lieu of Taxes (PILOT) Agreement template for the second phase (Phase Two) of the implementation of the Rental Assistance Demonstration Program (RAD) by the Housing Authority of Baltimore City (HABC). The Board is further requested to authorize the Director of Finance to execute individual PILOT agreements in the form of the template with the entities listed herein or their subsidiaries (the Owners), subject to review and approval for form and legal sufficiency by the Law Department.

**AMOUNT OF MONEY AND SOURCE:**

No City funds are requested at this time, and the PILOTs will have no impact on City revenue for the reasons discussed below.

**BACKGROUND/EXPLANATION:**

On April 22, 2015, the Board approved the form of PILOT Agreement to be used for the first phase (Phase One) of public housing units sold by HABC to private entities so that the properties could be renovated and upgraded. The first phase included twelve projects and to date eleven have closed allowing the conveyance of 2,173 units.

The HABC applied for the conversion of about 4,000 public housing units under RAD. The federal Department of Housing and Community Development (HUD) approved HABC's applications. The RAD allows the HABC to convert its current public housing subsidy to a Project Based Housing Choice Voucher, the effect of which is to allow HABC to attract about \$350 million of new capital in the form of Federal, State, and private funds, for the repair and maintenance of its properties.

**MINUTES**Department of Finance - cont'd

The HABC properties, including the properties in Phase Two covered by this request, are currently governed by a Cooperation Agreement between the City and HABC which, among other things, allows for a PILOT by HABC for its properties. The HABC PILOT under the Cooperation Agreement calls for a payment often percent of the shelter rents collected by the HABC, which is, ten percent of the revenue collected directly from tenants. Due to the financing structure that will be necessary to support the rehabilitation work in the RAD properties, HABC will ground lease the land under the buildings and sell its ownership interest in the buildings to a new owner entity that will be partly owned by the HABC. The effect of this new ownership will be that the properties are no longer covered by the Cooperation Agreement. In order to maintain the existing property tax status the HABC has requested and the Finance Department supports a new PILOT agreement for each RAD property. The owners will be entities controlled by a partnership between HABC and the development partners and each owner will be eligible to receive a PILOT under Section 12-104 of the Housing and Community Development Article of the Annotated Code of the State of Maryland.

The PILOT is necessary to preserve the properties' present tax levels, which are in turn necessary to raise sufficient capital for rehabilitation. Without the PILOTs, these properties would not be financeable, would not be able to take advantage of the RAD program and the HABC would not be able to secure the significant capital resources necessary to complete the full modernization and updates to these buildings.

The RAD properties in Phase Two are in various stages of completing their financing. Phase I properties are scheduled to complete their RAD conversion by December 2016. Phase II Properties will begin their RAD Conversion in November 2016. Financing is being secured through the State of Maryland and HUD, which must complete their reviews before the transactions can close. Executed PILOTs are a necessary part of completing that review. The executed PILOT agreements must be provided before loan commitments can be issued and loans closed.

**MINUTES**Department of Finance - cont'd

Because there are six individual PILOTs that will all be identical, the Department is proposing that the PILOT agreement template be approved and the Director of Finance be authorized to execute these PILOT agreements, one for each project, at such time they become necessary to complete the transactions.

A list of the RAD properties, providing the unit count, the HABC developer partner, and addresses is set forth below. The names of the ultimate ownership entities are not shown as they will be created as part of the closing process for each transaction. These six are the last of the RAD properties.

Project Name	Units	Developer	Address
Somerset Ext	65	WODA	1400 E. Monument St., 21205
Govans Manor	191	PIRHL	5220 York Road, 21212
Monument East	170	The Community Builders	633 Aisquith St, 21202
Rosemont Tower	203	Michaels Group	740 Poplar Grove St., 21216
Van Story Branch	357	Community Housing Partners	11 W. 20th St., 21218
Ellerslie Apartments	117	Telesis Corporation	601 Wyanoke Ave., 21218

UPON MOTION duly made and seconded, the Board approved the Payment in Lieu of Taxes Agreement template for the second phase (Phase Two) of the implementation of the Rental Assistance Demonstration Program by the Housing Authority of Baltimore

## MINUTES

Department of Finance - cont'd

City. The Board further authorized the Director of Finance to execute individual PILOT agreements in the form of the template with the foregoing entities listed herein or their subsidiaries (the Owners), subject to review and approval for form and legal sufficiency by the Law Department.

**MINUTES**

Department of Finance - Performance Audits of the Department of Housing and Community Development

**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested to **NOTE** receipt of the Department of Housing and Community Development Performance Audits. In accordance with AM Policy 404-5, Quadrennial Audits Policy, the Department of Finance submits to the Board of Estimates the Department of Housing and Community Development Quadrennial Performance Audits for Fiscal Years 2011, 2012, 2013, and 2014.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Council Bill 12-0053 was enacted on August 15, 2012. The Ordinance amended the City Charter, in Article VII, Section 4.5, to require 13 specific Executive Departments (Principal Agencies) to undergo a quadrennial audit (separate financial and performance audits).

The performance audit reviewed several areas (housing code enforcement, registration and licensing, blight elimination, housing rehabilitation loans, and building and zoning inspection and permits). Recommendations were developed for each area. The Department concurs with the findings and recommendations and has made significant efforts to standardize its performance measure recordation methods and has already implemented some of the recommendations. The Department will take appropriate actions to address the issues raised by the audit.

**MBE/WBE PARTICIPATION:**

N/A

## MINUTES

Department of Finance - cont'd

President: "The second item on the non-routine agenda can be found on page 57, Department of Finance, Performance Audits of the Department of Housing and Community Development. Will the parties please come forward?"

Director of Finance: "Good Morning Mr. President, Madam Mayor, Honorable members of the Board. I'm Henry Raymond, Director of Finance. I'm being joined by uh -- Commissioner Graziano from uh -- the Department of Housing and Community Development and his senior staff. In accordance with Administrative Manual Policy 404-5, Quadrennial Agency Audit Policy, the Department of Finance submits to the Board of Estimates, the Department of Housing and Community Development's Performance Audit for Fiscal Year 2011, 12, 13, and 14. The Board of Estimates is requested to NOTE the Performance Audit. The Performance Audit reviewed five areas, housing code enforcement, registration and licensing, blight elimination, housing rehabilitation loans, and building and zoning inspections and permits. The external audit firm uh -- Hamilton, LLC, made recommendations for each of these

## MINUTES

Department of Finance - cont'd

five areas. The Department concurs with the findings and the recommendations and has made significant efforts uh -- to implement those findings and take the appropriate uh -- corrective actions. Uh -- so, at -- at this point uh -- we'll entertain any questions you may have."

President: "Anybody have any questions? No questions? I'll entertain a Motion."

Mayor: "Second."

Comptroller: "We just Note it -- just Note it."

President: "I mean, the Audit has been NOTED."

Director of Finance: "Yes. Thank you very much."

Mayor: "Thank you."

Comptroller: "Thank you."

President: "It's very odd to see both -- the City agencies there together. I'm used to seeing --"

Mayor: "We should all be together."

President: "I'm used to seeing --"

Comptroller: "Who was the auditor? Did you mention that?"

## MINUTES

Department of Finance - cont'd

Director of Finance: "I'm sorry. Hamilton, LLC was the external audit firm assigned for the Department of Housing and Community Development."

Comptroller: "Thank you."

President: "Alright, the audit has been **NOTED**."

Director of Finance: "Thank you."

President: "Thank you."

\* \* \* \* \*



**MINUTES**

Department of Finance - Revision of Administrative  
Manual Policy 303-3

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the revised Administrative Manual Policy 303-3 entitled Payment of City Obligations.

**AMOUNT OF MONEY AND SOURCE:**

There are no costs associated with this action.

**BACKGROUND/EXPLANATION:**

The City of Baltimore is committed to establishing strong partnerships with its vendors. Businesses and non-profit organizations, especially smaller ones, rely on timely and consistent payments to ensure cash flow for projects and payroll for employees. A working group comprising various city agencies reviewed the current processes and procedures in place for vendor payments and recommended various changes to improve the process. The specific revisions to this policy include:

- Requiring all contracts and purchase orders to be in writing prior to actual purchase,
- Allowing a streamlined review for low-risk change orders involving time or material cost estimates,
- Requiring every City agency to designate an "Accounts Payable Lead" whose job it is to track invoices for the agency or office, monitor timeliness of the review of an invoice, and make every effort to ensure payment within 30 calendar days from submission of a proper invoice,
- Encouraging agencies to request courtesy invoice copies of invoices to begin the verification process,

**MINUTES**Department of Finance - cont'd

- Requiring agencies to communicate with vendors and attempt to rectify any issues with an invoice,
- Requiring agencies to alert vendors of the need for an invoice if no invoice is received within six months of completion or the work or services provided,
- Establishing a period of time, in accordance with federal, state, and city laws that a proper invoice must be submitted for the City to pay,
- Requiring periodic oversight and review procedures by the Mayor's Office and the Department of Finance to ensure compliance among agencies, and
- Specifying the Director of Finance may establish more detailed guidelines pertinent to enforcing this policy.

These changes will improve the City's on-time payment of invoices, which will improve its overall relationships with vendors. Improving on-time invoice payments will have a positive impact on the small businesses and non-profit organizations located in and around Baltimore City, which will, in turn, positively impact Baltimore's economy.

For these reasons, the Department of Finance respectfully requests the Board of Estimates approve this policy, which will become effective upon approval.

MINUTES



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AM-303-3

*m*

*Payment of City Obligations*

**SCOPE**

Board of Estimates policy requires prompt payment of the City of Baltimore obligations; provides for the payment of interest by the City after a certain period of time; provides certain exemptions from the City's payment of interest; and authorizes the Director of Finance to perform certain duties generally relating to the payment of City obligations.

**DEFINITIONS**

"Proper invoice" has the meaning stated in Article 5, §37-1 of the Baltimore City Code<sup>1</sup>.

"Receipt date" has the meaning stated in Article 5, §37-1 of the Baltimore City Code<sup>2</sup>.

**POLICY REQUIREMENTS**

It is the policy of the City that payment pursuant to any authorized written procurement or construction contract shall be made by the City to the contractor not later than the date specified in the contract or, if no date is specified, then not later than 30 days from the receipt date of a proper invoice.

An agency or office responsible for paying City obligations may adopt a separate, more specific or unique policy regarding payment of City obligations that is consistent with the requirements of this policy. Such a policy shall require review and approval by the Director of Finance in writing and posted online.

**CONTRACT INITIATION**

In accordance with existing City laws, policies, and procedures, all costs associated with a purchase order or other authorization shall be established in writing between the City and a vendor prior to purchase. Any changes in the cost of a contract or purchase require a change order or, if applicable, an amendment. The Department of Finance may establish procedures for streamlined approval of low-risk change orders for time and material cost estimates that are in accordance with Generally Accepted Accounting Principles. The Department of Finance shall

<sup>1</sup> According to Article 5, §37-1 of the Baltimore City Code, "Proper invoice" means an invoice which contains the contractor's federal Employer's Identification Number or Social Security Number and the contract or purchase order number or other description of the contract and which contains or is accompanied by such substantiating information and documentation as required by the Director.

<sup>2</sup> According to Article 5, §37-1 of the Baltimore City Code, "Receipt date" means the date that a proper invoice and receiving notice or, in the case of a construction contract, a proper construction estimate is received and recorded by the Bureau of Payroll and Disbursements.

## MINUTES

  
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AM-303-3

*m****Payment of City Obligations***

issue written guidance describing any streamlined procedures are effective until explicitly rescinded or overturned by future written guidance issued by the Department of Finance.

**INVOICE REVIEW AND APPROVAL**

Every City agency or office responsible for payment of City obligations shall appoint an "Accounts Payable Lead" and "Accounts Payable Alternate." The Accounts Payable Lead shall be responsible for tracking invoices for the agency or office, monitoring timeliness and review of the invoice and shall make every effort to ensure payment within 30 calendar days from submission of a proper invoice. The Accounts Payable Lead shall alert management within the agency or office, the Accounts Payable Contact(s) within the Department of Finance, and the Accounts Payable Contact(s) within the Mayor's Office when an invoice is not paid within 30 calendar days. The Accounts Payable Alternate shall perform the duties of the Accounts Payable Lead in his/her absence or when the Accounts Payable Lead is otherwise unavailable.

While vendors shall send invoices to the location specified in the contract, they should also send courtesy copies to the agencies or offices responsible for paying City obligations simultaneously.

No invoice may be approved unless it is a proper invoice. These courtesy copies shall not be used as the basis for receiving goods or services. Blind receiving of invoices is a key component of the City's three-way match of the purchase order, the receipts, and the invoice. Properly executed receiving establishes the total permit-to-pay amount on a purchase order at any given point in time.

Agencies or offices responsible for the payment of City obligations shall take all necessary steps to alert vendors or contractors that an invoice is not proper and explain why. A determination that an invoice is not proper and therefore, payment cannot be made, shall be in writing, a copy of which shall be kept in the file of record for the contract.

Agencies or offices shall alert vendors or contractors that an invoice is needed for work performed or services rendered if no invoice is received within 6 months of completion of the work or services provided.

**COLLECTION LIMITATIONS**

Consistent with City, State, or Federal law, the Finance Director may determine a period of time after which an invoice is no longer valid and for which the City has no obligation to pay. Such a determination shall ensure there were demonstrable and documented attempts to resolve any outstanding questions.

## MINUTES

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AM-303-3

*m**Payment of City Obligations***COMPLIANCE**

The Mayor's Office and the Department of Finance shall determine procedures to review the timeliness of payments of obligations as well as compliance with existing laws, policies, and procedures.

**INTEREST**

Any amount due and payable pursuant to law and under an authorized written procurement contract or a construction contract, which remains unpaid for more than 45 calendar days after the receipt date, shall accrue interest. The interest shall accrue at a rate specified by the Board of Estimates for the period that begins 31 calendar days after the receipt date. If the written contract specifies a date before which payment must be made by the City, then the provisions of that contract shall apply to the payment of interest by the City.

**EXEMPTIONS**

The City is not liable for the payment of interest if a proper invoice for accrued interest is not submitted within 30 calendar days after the payment date of the amount on which the interest accrued, if there is a dispute between the City and the contractor, or for more than one year following the 31<sup>st</sup> calendar day after the receipt date or on amounts representing unpaid interest.

**RESPONSIBILITIES**

The Director of Finance may adopt guidelines, rules, and/or regulations pertinent to enforcing this policy. The Director may charge the contracting City agency any interest paid, when the City agency was the cause of the delay requiring the payment of interest, otherwise the Department of Finance shall pay the interest provided.

**MINUTES**Department of Finance

UPON MOTION duly made and seconded, the Board approved the revised Administrative Manual Policy 303-3 entitled Payment of City Obligations.

**MINUTES**

Department of Finance - Revised Administrative Manual Policies -  
AM 305-1, Part I and AM 305-I Part II

**ACTION REQUESTED OF THE B/E:**

The Board of Estimates is requested to approve the following revised Administrative Manual Policies:

- AM 305-1 Part I Control of City Inventory and Management of City Assets.
- AM 305-1 Part II Inventory System: Stock Items

**AMOUNT OF MONEY AND SOURCE:**

There are no costs associated with these actions.

**BACKGROUND/EXPLANATION:**

Cost-effective management of the City's assets and accurate tracking of inventory are essential for good government administration. They allow the City to keep its commitment to manage public resources in a prudent and responsible manner. The Inventory Control/Asset Management Work Group was formed to review the current asset management and inventory control procedures and policies and update them as necessary. The specific revisions to these policies are as follows:

AM 305-1 Part I Control of City Inventory and Management of City Assets

The purpose of this policy is to establish safeguards and controls to prevent the loss, abuse, and theft of materials, tools, and equipment owned by, or leased to, the City and assigned to various City administrative units. The revisions to this policy are as follows:

- Specifying that agencies may adopt more stringent policies;
- Outlining the provisions for identifying property to be inventoried;
- Adding a provision on software;

**MINUTES**Department of Finance - cont'd

- Specifying provisions for controlling city property, including identifying sensitive and non-sensitive items;
- Requiring agencies to conduct annual inventory counts and periodic counts of high-value and high-risk items;
- Requiring agencies to catalogue their inventory in a secure electronic system approved by the Mayor's Office of Information Technology (MOIT);
- Specifying that all sensitive items must be assigned to an owner responsible for their safekeeping;
- Defining asset management; and
- Specifying that assets and inventory must be managed in accordance with Generally Accepted Accounting Principles.

AM 305-1 Part II Inventory System: Stock Items

The purpose of this policy is to describe the specific process and procedures for controlling the inventory of stock items. The revisions to this policy are as follows:

- Requiring agencies to conduct a physical inventory count at least once per year;
- Specifying that agencies shall designate employees as responsible for warehouses and storerooms;
- Requiring agencies to utilize an electronic tracking system approved by MOIT;
- Requiring all sensitive items to be appropriately tagged; and
- Specifying that agencies may adopt a more stringent policy.

These changes will improve the City's ability to manage its limited resources. By strengthening its policies regarding inventory control, agencies will be more accountable and will ultimately save money for City taxpayers. For these reasons, the Department of Finance respectfully requests that the Board approve these policies, which will become effective upon Board approval.



## MINUTES

  
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AM-305-1 Part I

*m*                    ***Control of City Inventory and  
Management of City Assets*****SCOPE**

This policy establishes safeguards and controls to prevent the loss, abuse, and theft of materials, tools, and equipment owned by, or leased to, the City and assigned to various City administrative units. Adherence to these control and management procedures should reduce financial loss suffered by the City and maximize productivity of the administrative unit owning or leasing such equipment. It is the responsibility of the agency/bureau head or designee to ensure that the established procedures are implemented.

**POLICY REQUIREMENTS**

It is the policy of The City of Baltimore that all City materials, tools, and equipment owned by, or leased to, the City:

1. Be safeguarded against theft, abuse, and loss;
2. Be managed and utilized in a prudent and effective manner to maximize their value;
3. Be financially valued and depreciated in accordance with Generally Accepted Accounting Principles; and
4. Be catalogued and inventoried and tracked in accordance with Generally Accepted Accounting Principles.

The Mayor's Office shall establish guidelines to implement this policy. Agencies may develop their own guidelines so long as they are as stringent as those developed by the Mayor's Office and have been reviewed and approved by the Mayor's Chief of Staff or his/her designee.

**IDENTIFICATION**

Each agency that utilizes and/or manages materials, tools, and equipment shall designate employees whose primary responsibility it is to catalogue, value, and monitor the supply of the materials, tools, and equipment. These employees may not purchase materials, tools, and equipment.

Materials

- Management of inventories must be vested in specific individual(s) who are different than those responsible for purchasing.
- Materials must be stored in a secured area reasonably protected from physical deterioration and not accessible to the public or to unauthorized employees.
- Fragmentation of material storage areas must be avoided so as to facilitate control and to avoid the accumulation of excess stocks.

## MINUTES

  
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AM-305-1 Part I

*m**Control of City Inventory and  
Management of City Assets*

- Materials must only be issued with a written receipt and in the quantities immediately needed. Employees may not draw their own materials without oversight.
- Surplus materials must be returned immediately to stock. Consistent failure to have surplus materials returned to stock must be investigated.
- Inventories must be maintained on regularly stocked items.
- Office supplies should be physically located so that management is aware of any unusual usage by an employee.
- All materials must be tagged and tracked.

Tools

- Hand and power tools must be issued to specific employees and a signed receipt kept for same.
- The damaged original must accompany requests for replacement tools.
- Records must be kept of all tools issued to each employee. They must be inventoried periodically and upon termination.

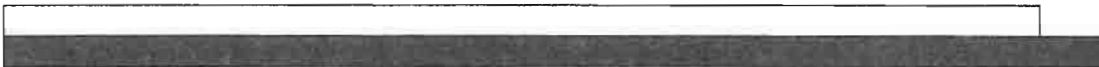
Equipment

- Inventories of valuable equipment items that are easily portable, e.g., slide projectors, typewriters, desk computers, hand mowers, vacuum cleaners, mobile phones, tablets, etc., require special attention. This equipment must be tagged, and officially assigned to a specific person who agrees to keep the equipment safeguarded.
- Each item must be indelibly identified as City property that includes an identification number.
- Records must be kept of all equipment. All equipment must be tracked and tagged.
- An individual employee must be identified as accountable for personal use equipment. The Unit Supervisor, where the equipment is utilized, is accountable for common equipment.
- Equipment must not be loaned to another organizational unit without the signature of a responsible agency official. The borrowing agency is accountable for the condition of the tool upon return.
- Agencies must avoid keeping damaged, inoperable, or excessive equipment in stock.
- Employees who damage or destroy equipment may be subject to discipline as determined by their department or agency.
- Employees are not allowed to borrow equipment for personal use.

Vehicles and Other Rolling Stock

- The use of City vehicles must conform to all established Citywide policies.

MINUTES



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AM-305-1 Part I

*m*

*Control of City Inventory and Management of City Assets*

Software

- Licenses for software must be managed and tracked.
- The Mayor’s Office of Information Technology shall develop standards and guidelines with agency input for software management distribution.

**CONTROL OF CITY PROPERTY**

Agencies or bureaus at the time of procurement shall identify in a uniform manner materials, tools, and equipment as:

1. Either assets or expenses and as
2. Either sensitive or non-sensitive.

Sensitive items are those items that are attractive for personnel use, pilferable, and or hazardous, and therefore require a greater degree of control and accountability. These include such items as desktop and laptop computers, smart phones, tablets, firearms, medicinal drugs, caustic chemicals, etc.

Unless otherwise specified by law, contract, or other binding agreement. all items purchased using City funds that are considered non-sensitive with a value of \$500 or more, or sensitive with a value of \$250 or more must be physically tagged.

All City Property, when no longer needed by the City agency with possession of or control over the property, must be transferred or disposed of in accordance with the Property Disposal Program (see AM-306-1 and AM-306-1-1) and categorized as one of the following:

- Excess property, as defined in AM-306-1;
- Surplus property, as defined in AM-306-1;
- Salvage property, as defined in AM-306-1; or
- Scrap property, as defined in AM-306-1.

All City Property that is procured or otherwise acquired by the City with the sole intention of transferring ownership to another party (e.g. program incentive gifts, promotional items, emergency preparedness supplies, back-to-school supplies, employee awards) shall be clearly marked as such, and should not be counted as City inventory.

Agencies or Bureaus shall:

MINUTES



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AM-305-1 Part I

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***Control of City Inventory and  
Management of City Assets***

- Ensure all City Property is valued and managed in accordance with Generally Accepted Accounting Principles and
- Cataloged in a secure, reliable, and protected inventory management system that has been authorized or recommended by the Mayor’s Office of Information Technology.

From time to time, the Department of Finance shall request financial information pertaining to asset depreciation as well as the cost, use, and procedures for safeguarding and managing materials, tools, and equipment.

Agencies or Bureaus shall physically count all materials, tools, and equipment at least once per fiscal year and establish a procedure for performing continuous cycle counts for high-theft and/or high-dollar items. The Director of Finance may determine special procedures certain when necessary.

All sensitive items shall be assigned to an owner who is responsible for its safekeeping.

The custodial agency with inventory items or assets that have a set shelf life or expiration date, or a warranty period, should include this information in the inventory and/or asset tracking system (e.g. ballistic vests. pharmaceuticals. replacement windows).

**ASSET MANAGEMENT**

Assets are resources controlled by the City that have value and from which future economic benefits may be derived. In addition to investments and funds, assets include property and structures, as well as certain materials, tools, and equipment.

Agencies or bureaus controlling assets shall manage City assets in accordance with Generally Accepted Accounting Principles and AM305-1 Part III Capital Assets and Accounting.

**RELATED POLICIES**

- AM-305-1 Part II INVENTORY SYSTEM: STOCK ITEMS
- AM-306-1 PROPERTY DISPOSAL PROGRAM
- AM-306-1-1 PROCEDURE FOR DECLARING EXCESS PROPERTY
- AM-501 CITY OWNED VEHICLE POLICIES

MINUTES



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AM-305-1 Part II

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*Inventory System: Stock Items*

- Employees whose duties do not include physical custody of inventories or perpetual inventory record keeping should perform physical counts.
- Segregate obsolete or damaged goods and materials and dispose of the same by established procedures.
- Inventory counts should be subject to adequate verification, i.e., recounts or spot checks.
- Investigate and resolve any difference between physical counts and inventory records.
- Ensure all sensitive items, as defined in AM-305-1 Part I, are appropriately tagged.

**REPORTING REQUIREMENTS**

When a theft or diversion is identified or suspected, there are several alternative reporting requirements depending on the circumstances.

- If there is physical evidence that the loss resulted from a theft, for example, breaking and entering, the Police Department should be contacted. Similarly, the Police Department should also be contacted if there is obvious evidence of a theft such as an employee being seen taking City property for personal use. In addition to notifying the Police Department, the City’s Insurance Manager must be notified of such losses.
- If there are suspicions or allegations of theft or diversion by an employee, the Agency should undertake an inquiry calling on the Department of Audits from appropriate assistance. The Department of Audits will coordinate the reporting of such crime(s) to the Office of the State’s Attorney, the State Prosecutor’s Office, or other appropriate channels. Minor thefts or diversions involving City employees will be dealt with by the agency head for appropriate disciplinary action.
- Agency heads who become aware of irregularities, must report the matter immediately to the City Solicitor by MEMORANDUM for recommendations as to appropriate actions to be taken.
- Another reporting mechanism available to all employees is the City Fraud Hotline, 396-3589.

**IMPELEMENTATION**

Unless otherwise specified by law, contract, or other binding agreement, agencies may adopt a separate process or policy, subject to approval by the Director of Finance that is at least as stringent as this policy.

**RELATED POLICIES**

AM-305-1 Part I

CONTROL OF CITY INVENTORY AND MANAGEMENT OF CITY ASSETS

AM-205-5

EMPLOYEE CLEARANCE ON TERMINATION

AM-205-5-1

EMPLOYEE CLEARANCE CHECKLIST

MINUTES



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AM-305-1 Part II

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*Inventory System: Stock Items*

AM-306-1	PROPERTY DISPOSAL PROGRAM (EXCLUDING REAL PROPERTY)
AM-501-1	CITY OWNED VEHICLES
AM-505-1	INSURANC ADMINISTRATION

**MINUTES**Department of Finance - cont'd

UPON MOTION duly made and seconded, the Board approved the foregoing revised Administrative Manual Policies for AM 305-1, Part I Control of City Inventory and Management of City Assets; and AM 305-1, Part II Inventory System: Stock Items.

**MINUTES**

Department of Finance - Revised Administrative Manual Policies  
AM 400-3, 401-1, 401-1-1, 406-1, 420-1,  
and 420-4

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**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested to approve the following revised Administrative Manual Policies:

- AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts
- AM 401-1 Petty Cash Fund
- AM 401-1-1 Establishing, Increasing, Decreasing, or Replenishing Petty Cash Funds
- AM 406-1-1 Processing a Journal Entry
- AM 410-1 Payment of Settlement and Judgments
- AM 420-1 Calendar The City of Baltimore's Budget Process
- AM-420-4 Operating Budget

The changes are effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

There are no costs associated with these actions.

**BACKGROUND/EXPLANATION:**

The Administrative Manual (AM) communicates official City policies and procedures that affect the City's operations and its employees. By distilling provisions of the City Charter, Board of Estimates policies and rules, Memoranda of Understanding, as well as the decisions and directives of the



**MINUTES**Department of Finance - cont'd

City Administration, the published policies provide uniform and consistent operating rules. The Administration has conducted a comprehensive review of the Administrative Manual to identify individual policies in need of revision. The revisions reflect updates to outdated or obsolete procedures and will provide greater clarity to City operations, functions, and requirements.

The revisions are being submitted in groups addressing similar subject matter. This collection of AM revisions pertains to City finance issues as well as the City's Settlement and Judgment Policy. All policies in this set are in the 400 series and the proposed changes in each are listed below.

AM 400-3 Indirect Cost Reimbursement for Federal Grants and  
Contracts

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The purpose of this policy is to lay out the requirement to submit overhead rate proposals in order to receive federal grants or contracts. The revisions to this policy are as follows:

- Updating the contact information for the person that should be contacted to set up appointments with Accounting.

AM 401-1 Petty Cash Fund

The purpose of this policy is to outline the proper and improper uses of the City's Petty Cash Fund. The revisions to this policy are as follows:

- Replacing references to a "Direct Payment Order" with "Expenditure Authorizations";
- Changing the conditions for use of the fund to read: "minor office, operating, and maintenance supplies of up to \$25";

## MINUTES

Department of Finance - cont'd

- Removing the prohibited use of "routine purchases readily obtained from the Bureau of Purchases' Warehouse"; and
- Removing the option that allows checks to be signed by facsimile.

AM 401-1-1 Establishing, Increasing, Decreasing, or replenishing Petty Cash Funds:

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The purpose of this policy is to outline the responsibilities of the several parties involved with petty cash funds. The revisions to this policy are as follows:

- Replacing several references to "Direct Payment Orders" with "Expenditure Authorizations" and
- Changing the timeframe for the Bureau of Accounting and Payroll Services to receive an approved Expenditure Authorization from 10 to 5 work days prior to the date agency reimbursement is needed.

AM 406-1-1 Processing a Journal Entry:

The purpose of this policy is to outline the responsibilities for processing a journal entry. The revisions to this policy are as follows:

- Removing the chart on Accounting Adjustment;
- Removing the portion of the "Interdepartmental Services Rendered" chart dealing with "Agency Being Charged"; and
- Revising the remaining process to account for the use of City Dynamics.

**MINUTES**Department of Finance - cont'dAM 410-1 Payment of Settlement and Judgments:

The purpose of this policy is to establish the process for approval of settlements and judgments against the City. The revisions to this policy are as follows:

- Increasing the dollar thresholds for approval authority for the Deputy Chief of Central Bureau of Investigation, Chief of Litigation, and Small Settlement Committee;
- Changing the makeup of the Small Settlement Committee to include two senior lawyers within the Law Department; and
- Including a provision that allows the City Solicitor or Deputy City Solicitor to approve any settlement amount, with the only restriction being that they must inform members of the appropriate committee for matters over \$5,000.00.

AM 420-1 Calendar The City of Baltimore's Budget Process:

The purpose of this policy is to outline the process for the creation of the City's budget. The revisions to this policy are as follows:

- Combining the schedules for the Capital Budget and Operating Budget into one document and
- Expanding on the process by detailing the steps taken after the Mayor approves Year 1 of the budget and it is monitored for compliance.

**MINUTES**

Department of Finance - cont'd

AM 420-4 Operating Budget:

The purpose of this policy is to provide definitions for several important terms used during the process of creating the City Operating Budget. The revisions to this policy are as follows:

- Removing any references to the Motor Vehicle Fund and
- Specifying that the "Conduit Enterprise Fund" is in place for "maintaining the system."

**MBE/WBE PARTICIPATION:**

N/A

## MINUTES

  
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AM-400-3

*m*     *Indirect Cost Reimbursement for Federal Grants  
and Contracts***FEDERAL REQUIREMENT**

The Federal Government requires recipients of federal grants and contracts to submit overhead rate proposals for its approval in order to claim reimbursement for any overhead costs chargeable to a federal grant or contract (see Federal OMB Circular A-87).

In some cases, overhead is used as part of the local "match." If the overhead rate proposals are not submitted, the City will have to use cash, rather than overhead, to supply any required "match."

**ASSISTANCE IN PREPARING PROPOSALS**

Due to the complexity of preparing these overhead rate proposals, the Bureau of Accounting Operations is providing assistance to all City agencies who receive federal funds.

If your agency is currently receiving federal funds, immediately set up an appointment with Accounting by calling or writing:

Sandra Stecker  
Bureau of Accounting and Payroll Services  
4<sup>th</sup> Floor  
401 E. Fayette St.  
Phone: 401-396-3767

MINUTES



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AM-401-1

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*Petty Cash Fund*

**SCOPE**

A petty cash fund is an amount of money available to an agency, bureau, or division to pay expenses where the use of an EA (Expenditure Authorization) is inappropriate. The Director of Finance must approve the establishment of a petty cash fund and authorize the maximum amount of cash to be made available in the fund.

**APPROVED USES**

Payment for the following expenses may be disbursed from the petty cash fund:

- Minor office, operating, and maintenance supplies, up to maximum value of \$25.00. The item is needed to meet an emergency situation where time does not allow the procurement of items from a designated supplier.
- Employee expenses, totaling \$25.00 or less, incurred while in a “travel within City limits” status. (Such expenses must be permissible for reimbursement in accordance with AM-240-7.)

**PROHIBITED USES**

Payment for the following expenses shall not be disbursed from the petty cash fund:

- Employee expenses incurred frequently.
- Employee expenses where the total amount exceeds \$25.00.
- Meal allowance.
- Salaries and wages.
- Out-of-town travel expenses.
- Mileage reimbursement.
- Stationery.
- Business Cards.
- Sales tax.
- Postage stamps or mailing services available at the Municipal Post Office.

**SALES TAX EXEMPTION**

The City is exempt from payment of State of Maryland sales tax. Agencies which make direct

## MINUTES

  
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AM-401-1

*m**Petty Cash Fund*

purchases must supply the City's tax exemption number (3000055-9) to the vendor at the time of purchase.

**DISBURSING OFFICER**

The petty cash fund must be administered by a disbursing officer designated by the agency or bureau head. The Bureau of Accounting and Payroll Services is to be notified when there is a change in the disbursing officer. At the time of changeover, the authorized fund amount must be accounted for in writing by the relieved disbursing officer and verified by the agency head or designee. This accounting also applies to the Petty Cash Fund in the offices of elected officials.

**ADMINISTRATION**

It is the responsibility of the designated disbursing officer to maintain the petty cash fund, approve reimbursements and replenish the fund to the amount authorized by the Director of Finance. (See AM-401-1-1 for procedures.)

The petty cash fund must be kept in a locked and secure location and may not be combined with any other cash on the premises. If it is discovered that funds are missing, the City Police Department must be notified immediately and a report of the incident must be completed.

**DISBURSEMENTS**

An employee must receive approval from the agency head or disbursing officer prior to making any purchase for which petty cash funds are expected to be used.

When money is taken from the petty cash fund for an allowable expense, a PETTY CASH VOUCHER (28-1418-5094) (AM-401-1-1) must be placed in the petty cash fund for the amount disbursed. This voucher must be properly completed and accompanied by the original receipt of purchase.

The use of these vouchers enables the disbursing officer to account for the total amount of the fund at any time. (Total vouchers on hand + total cash on hand + amount of un-reimbursed Direct Payment Orders, if any, = total petty cash fund.)

**CHECKING ACCOUNTS**

Under certain circumstances, a petty cash fund may be used to establish an agency checking account for the payment of expenses. If such an account is authorized, the following controls apply:

- Prior authorization for the establishment and amount of the checking account must be obtained from the Director of Finance and the Board of Estimates.
- The depository for such funds must be one designated by the Board of Finance.

## MINUTES

<i>a</i>	AM-401-1

*m*                      *Petty Cash Fund*

- Funds may be withdrawn only by checks bearing the signatures of the agency head or his designee, and the disbursing officer.
- Signatures on checks must be manual.

The agency head, his designee and the disbursing officer must be bonded in such amount as may be determined appropriate by the Director of Finance.

**AUDITS**

The City auditor is authorized to perform an audit of any agency's petty cash fund.

**RELATED POLICIES**

For additional information, see:

AM-205-16,	MEAL ALLOWANCE
AM-239-1,	ELECTED OFFICIALS BUSINESS EXPENSES
AM-240-7,	TRAVEL WITHIN CITY LIMITS
AM-240-11,	EMPLOYEE EXPENSE REPORT
AM-303-1,	DIRECT PAYMENT ORDER
AM-401-1-1,	ESTABLISHING, INCREASING, DECREASING OR REPLENISHING PETTY CASH FUNDS
AM-503-1,	OPERATIONS MUNICIPAL POST OFFICE
AM-508-1-1,	STATIONERY
AM-508-2-1,	BUSINESS CARDS



MINUTES



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AM-401-1-1

*m* **Establishing, Increasing, Decreasing,  
or Replenishing Petty Cash Funds**

<u>Section 1</u>	Establishing, Increasing or Decreasing the Amount of Petty Cash Funds
RESPONSIBILITY	ACTION
Agency	1. Submit a MEMO (28-1418-5007) to the Director of Finance requesting the establishment of, or change in amount of, a petty cash fund. Include the following information in the request: <ul style="list-style-type: none"> <li>◦ Amount requested.</li> <li>◦ Justification.</li> <li>◦ Name and location of disbursing officer (employee responsible for the fund).</li> <li>◦ Anticipated frequency of reimbursement.</li> </ul>
Director of Finance	2. Evaluate request: <ul style="list-style-type: none"> <li>▪ <u>If disapproved</u>, note decision and reason on request and return to agency. Procedure ends here.</li> <li>• <u>If approved</u>, note decision on request and forward to Bureau of Accounting and Payroll Services.</li> </ul>
Bureau of Accounting & Payroll Services	3. Upon receipt of approved request, create account, or note change in amount of petty cash fund. Retain approved request in files.
Agency	4. Upon receipt of approval, submit an EA (Expenditure Authorization) to Bureau of Accounting and Payroll Services for the approved amount. Retain copy of approved request in files.
Bureau of Accounting and Payroll Services	5. Upon receipt of DIRECT PAYMENT ORDER: <ul style="list-style-type: none"> <li>◦ <u>For requests establishing a petty cash fund</u>, verify approval</li> </ul>

MINUTES



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AM-401-1-1

*m* **Establishing, Increasing, Decreasing,  
or Replenishing Petty Cash Funds**

	<p>and obtain account number. Forward check to agency.</p> <ul style="list-style-type: none"> <li>• <u>For requests changing the amount of an established petty cash fund</u>, verify approval, note change in amount, and forward check to agency.</li> </ul>
<b>Section 2</b>	<b>Establishing a Petty Cash Fund Checking Account</b>
<b>RESPONSIBILITY</b>	<b>ACTION</b>
Agency	<p>1. Submit a MEMO to the Director of Finance requesting the establishment of a petty cash fund checking account. Include the following information in the request.</p> <ul style="list-style-type: none"> <li>• Proposed depository.</li> <li>• Amount requested to establish account.</li> <li>• Source of funds used to establish account.</li> <li>• Names and locations of persons authorized to sign checks.                             <ul style="list-style-type: none"> <li>• Signatures of persons authorized to sign checks.</li> </ul> </li> <li>• Whether signatures will be manual or facsimile. If facsimile, explain how signature plate or device will be safeguarded.</li> </ul>
Director of Finance	<p>2. Evaluate request:</p> <ul style="list-style-type: none"> <li>• <u>If disapproved</u>, note decision and reason on request and return to agency. Procedure ends here.</li> <li>• <u>If approved</u>, note decision on request and forward to Board of Estimates.</li> </ul>
Board of Estimates	<p>3. Approve or disapprove request:</p> <ul style="list-style-type: none"> <li>• <u>If disapproved</u>, note disapproval on request. Return to Director of Finance for subsequent transmittal to requesting</li> </ul>

MINUTES



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AM-401-1-1

*m* **Establishing, Increasing, Decreasing,  
or Replenishing Petty Cash Funds**

	<p>agency. Procedure ends here.</p> <ul style="list-style-type: none"> <li>• <u>If approved</u>, note approval on request. Return to Director of Finance.</li> </ul>
<b>Director of Finance</b>	4. Forward approved request to Bureau of Accounting and Payroll Services. Send copy of approved request to agency.
<b>Agency</b>	5. Upon receipt of approval, submit an EA (Expenditure Authorization) [AM-303-1-1] to Bureau of Accounting and Payroll Services for the approved amount. Retain copy of approved request in files.
<b>Bureau of Accounting and Payroll Services</b>	6. Upon receipt of the EA (Expenditure Authorization) and approved request, initiate action to create an account. Forward check to agency.
<b><u>Section 3</u></b>	<p style="text-align: center;"><b>Replenishing Petty Cash Funds</b></p> <p>The Approved EA (Expenditure Authorization) must be received by the Bureau of Accounting and Payroll Services at least 5 working days prior to the date that agency reimbursement is needed.</p>
<b>RESPONSIBILITY</b>	<b>ACTION</b>
<b>Agency</b>	<ol style="list-style-type: none"> <li>1. Complete an EA (Expenditure Authorization) for an amount equal to the total of all Petty Cash Vouchers (28-1418-5094).</li> <li>2. Attach all Petty Cash Vouchers and receipts to the EA (Expenditure Authorization).</li> <li>3. Submit Direct Payment Order and attachments to the Bureau of Accounting and Payroll Services.</li> </ol> <p><i>Note: If petty cash funds are missing, notify police and obtain 2 copies of police report. Attach 1 copy of police report to Director Payment Order and submit to Bureau of Accounting and Payroll</i></p>

MINUTES



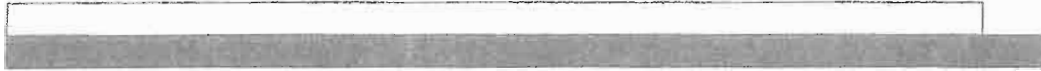
*a*

AM-401-1-1

*m* **Establishing, Increasing, Decreasing,  
or Replenishing Petty Cash Funds**

	<i>Services. Retain one copy for agency files.</i>
<b>Bureau of Accounting and Payroll Services</b>	<p>4. Upon receipt of the EA (Expenditure Authorization), Petty Cash Vouchers, receipts and police report (if applicable). review documents for accuracy and completeness.</p> <ul style="list-style-type: none"><li>◦ If petty cash fund is being properly used, forward check to agency.</li><li>◦ If petty cash fund is being misused, notify agency head, Director of Finance, and City Auditor of the misuse. If necessary, withhold entire check for replenishment of fund until corrective action has been taken or forward check for reimbursement of properly supported items only.</li></ul>

**MINUTES**



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AM-406-1-1

*m*

*Processing a Journal Entry*

**FOR INTERDEPARTMENTAL SERVICES RENDERED**

RESPONSIBILITY	ACTION
<p><b>Agency Rendering Service</b></p>	<p>1. All Journal Entries are done on line through City Dynamics. Complete instructions are available in the Microsoft Dynamics Journal Entry Manual, Version 2.</p> <p>2. Journal Entries must be approved by a supervisor before sending them to the Bureau of Accounting and Payroll Services.</p>
<p><b>Accounting</b></p>	<p>3. Sees Journal Entry in City Dynamics verifies that it has been approved and that the appropriate backup is attached. The entry is then posted.</p>

MINUTES



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AM-410-1

*m* ***Payment of Settlement and Judgments***

**SCOPE**

This policy clarifies the process in which the Law Department approves or recommends for approval settlements and judgments against the City, its agencies, and employees. It also sets forth the circumstances requiring Board of Estimates approval of a settlement or judgment.

**INTERNAL LAW DEPARTMENT APPROVAL OF CLAIMS SETTLEMENTS**

Pursuant to the Law Department's internal policies and procedures, no settlement involving the payment of money can be entered into without the prior review and approval by the appropriate approving authority. The Deputy Chief of the Central Bureau of Investigation (CBI) has settlement approval authority up to \$4,000. The Chief of Litigation has settlement approval authority up to \$5,000. Typically, settlements between \$5,001 and \$8,000 will be approved by the Small Settlement Committee of the Law Department, which is made up of three members (one of the City Solicitor, Deputy City Solicitor or Chief of Litigation and two senior lawyers within the Law Department). Typically, settlements of more than \$8,000 will be approved by the Large Settlement Committee of the Law Department, which is made up of at least three members, including the City Solicitor, the Deputy City Solicitor, and the Chief of Litigation. The City Solicitor or Deputy City Solicitor may approve or recommend a settlement of any amount, but for matters over \$5,000 will inform other members of the appropriate settlement committee of such settlements.

**PAYMENT OF SETTLEMENTS**

The Law Department will submit any proposed settlement valued at \$25,000 or more to the Board of Estimates for approval.

**PAYMENT OF JUDGMENTS**

Final judgments are orders of court that do not require Law Department or Board of Estimates approval. The Law Department will pay final judgments in any amount once all appeals have been exhausted or a determination is made not to appeal.

MINUTES



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AM-420-1 Calendar

*m* *The City of Baltimore's Budget Process*

Results Teams issue Guidance Documents identifying Priority Outcomes and requesting proposals to deliver outcomes in these areas for the 2 years of the planning cycle.

The Mayor approves the budget. The adopted budget is now monitored for compliance.

City agencies submit operating and capital budget submissions highlighting strategies to advance the Priority Outcomes.

The City Council approves the budget and sends it to the Mayor for final approval.

Results Teams evaluate and rank operating budget requests, and make recommendations to Mayor. The Planning Commission reviews the capital budget & makes recommendations.

The City Council holds hearings and Taxpayer Night to review the recommended budget.

The Department of Finance finalizes the operating and capital budgets for year 1 of the plan to present to recommended budget to the Board of Estimates.

The Board of Estimates passes the budget and sends the recommended budget to City Council for consideration.

The Board of Estimates holds budget hearings and a Taxpayer Night to allow comment on the proposed budget.

The operating and capital budgets are submitted to the Board of Estimates for review. The Board holds hearings and Taxpayer Night.

A majority vote of the Board of Estimates approves the budget and sends it to the City Council for consideration.

City agencies prepare updated capital plan budget requests. The Planning Commission reviews these requests and recommendations for the coming fiscal year.

The City Council holds budget hearings and a Taxpayer Night as part of their consideration of the recommended budget.

The Department of Finance makes revised budget recommendations based on updated information.

The City Council votes on the budget and sends it to the Mayor for approval.

Year two of the budget planning process begins by reviewing and revising revenue and expenditure assumptions for the upcoming fiscal year.

The Mayor approves Year 1 of the budget. The adopted budget is now monitored for compliance.

## MINUTES

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AM-420-4

*m**Operating Budget***SCOPE**

The operating budget is a plan approved by the Board of Estimates and the City Council for appropriating funds to agencies for operating costs during a fiscal year. This plan establishes legal expenditure limits and reflects appropriations budgeted according to programs and sources of funding.

**TERMS**

The following is a listing of frequently used terms with definitions specific to the operating budget.

**ACTIVITY:** A subdivision of a program that specifies a specific function of the program. Some programs may be accomplished through the performance of only one activity, while other programs may require the performance of two or more activities.

**AGENCY:** An organization authorized by the Mayor and City Council to operate in the best interest of the public. Each agency is responsible for submitting a budget request outlining projected costs of operation for the upcoming fiscal year to the Director of Finance and/or Planning Commission, as applicable.

**APPROPRIATION:** An authorization granted by City Ordinance to make expenditures and incur obligations in a specified amount from a designated fund account for a specific project.

**FISCAL YEAR:** The year from July 1 through June 30, designated by the calendar year in which June 30 occurs.

**FUND:** A sum of money segregated for specific purposes. Use of this money requires adherence to special regulations established for each type of fund. The various funds are:

1001 General – A fund comprised primarily of City tax revenues; used to support many City operations.

2000 Internal Service – A fund to provide for the cost of goods and services furnished by certain agencies to other agencies.

2022 Convention Center Bond Fund – Established in Fiscal 1995 to budget and account for hotel tax revenues to be dedicated to support the payment of principal and interest associated with City indebtedness to finance one-third of the \$151 million cost of the joint city-state expansion of the Baltimore Convention Center.

2024 Conduit Enterprise Fund – Established to budget for revenue charged to non-City entities renting space in the City owned and operated underground conduit system and for operating and capital expenses and Maintaining the system.

2070 Waste Water Utility – A fund comprised of payments received for sewage service; used to



## MINUTES

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AM-420-4

*m**Operating Budget*

support operations of the sewage system.

2071 Water Utility – A fund comprised of payments received for water; used to support operations of the water supply system.

2073 Loan & Guarantee Enterprise – A fund established to budget for the self-supporting of program of loans and guarantees administered by the Department of Finance pursuant to policies and procedures approved by the Board of Estimates.

2075 Parking Enterprise – A fund comprised of revenues from garage operations, installment purchase payments, and various parking related revenues; used to support the development of off street parking facilities.

2076 Parking Management Fund – A fund comprised of monies transferred from the Parking Enterprise Fund and of certain parking related revenues; used to budget for fund transfers from the Parking Enterprise Fund and to the General Fund and to support certain parking activities.

4000 Federal – A fund comprised of federal grants; used to support specific purposes.

5000 State – A fund comprised of State grants; used to support specific purposes.

6000 Special – A fund comprised of grants from private sources; used to support specific purposes.

**GRANT:** Revenue received from the private sector or from another government to support a specific function.

**OBJECT OF EXPENDITURE:** A grouping of similar goods, services, or other expenses used to categorize spending. The Objects of Expenditure are listed below.

- Object 0 – Transfers
- Object 1 – Salaries
- Object 2 – Other Personnel Costs
- Object 3 – Contractual Services
- Object 4 – Materials and Supplies
- Object 5 – Equipment - \$4,999 or less
- Object 6 – Equipment - \$5,000 or more
- Object 7 – Grants, Subsidies, and Contributions
- Object 8 – Debt Service
- Object 9 – Capital Improvements

**OPERATING BUDGET:** A plan for appropriating funds to agencies for operating costs during a fiscal year. This plan establishes legal expenditure limits and reflects appropriations according to programs and sources of funding. Included are capital improvements under \$50,000, items of repairs, maintenance or emergency nature under \$100,000, and Bureau of Water and Waste Water

MINUTES



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AM-420-4

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*Operating Budget*

items of repair, maintenance or emergency nature costing less than \$250,000.

**PROGRAM:** A subdivision of an agency's operating budget. Some agencies require only one program, while other agencies require two or more programs.

**REVENUE:** Income generated by taxes, fines, licenses, notes, bonds, penalties, investment income, property rental, user charges, grants, and other sources.

**SALARY/WAGE SAVINGS:** Unexpended or unappropriated part of the gross salaries and wages approved for permanent full-time positions. These savings result from positions which are vacant or filled by employees in lower pay classifications.

**SUB-OBJECT OF EXPENDITURE:** A sub-division of an object of expenditure to identify specific commodities and/or services. A listing of common sub-objects and their descriptions is in the Operating Budget Instructions, which are issued annually by the Bureau of the Budget and Management Research.

**RELATED POLICIES**

- AM-419-1            BUDGET ACCOUNT NUMBER
- AM-420-1           BUDGET PREPARATION OVERVIEW
- AM-420-3           OPERATING BUDGET PREPARATION

**MINUTES**Department of Finance - cont'd

UPON MOTION duly made and seconded, the Board approved the Administrative Manual Policies for the foregoing revised Administrative Manual Policies in AM 400-3, Indirect Cost Reimbursement for Federal Grants and Contracts; AM 401-1, Petty Cash Fund; AM 401-1-1, Establishing, Increasing, Decreasing, or Replenishing Petty Cash Funds; AM 406-1-1, Processing a Journal Entry; AM 410-1, Payment of Settlement and Judgments; AM 420-1, Calendar The City of Baltimore's Budget Process; and AM-420-4, Operating Budget.

**MINUTES**

Department of Finance - Revised Administrative Manual Policies -  
AM 501-1, 501-2, 501-2-1, 501-3, 501-10,  
501-10-1, 501-11, 501-12, 501-14, 505-1,  
505-1-1, and 506-1

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**ACTION REQUESTED OF THE B/E:**

The Board of Estimates is requested to approve the following revised Administrative Manual Policies:

- AM 501-1 City-Owned Vehicles
- AM 501-2 Part I Training Courses, Driver Permits, Authorizations, and Licenses for City-Owned Vehicles
- AM 501-2 Part II Commercial Driver's License
- AM 501-2-1 Obtaining a Driver Permit for City-Owned Vehicles
- AM 501-3 Personal Use of City-Owned Vehicles
- AM 501-10 Motor Vehicle Accident: Actions to be Taken
- AM 501-10-1 Baltimore City - Motor Vehicle Accident Reporting Requirement
- AM 501-11 Vehicle Damage and Malfunction
- AM 501-12 Use of Communications Devices Prohibited when Operating City Motor Vehicles or Driving Personal Vehicles for City Business
- AM 501-14 Seat Belt Use
- AM 505-1 Insurance for Loss or Damage to City Property
- AM 505-1-1 Procedures for Property Claims: Loss or Damage to City Property Including Contents
- AM 506-1 Building Maintenance

The revisions are effective upon Board of Estimates approval.

**MINUTES**

Dept. of Finance - cont'd

**AMOUNT AND SOURCE OF FUNDS:**

There are no costs associated with these actions.

**BACKGROUND/EXPLANATION:**

The Administrative Manual (AM) communicates official City policies and procedures that affect the City's operations and its employees. By distilling provisions of the City Charter, Board of Estimates policies and rules, Memoranda of Understanding, as well as the decisions and directives of the City Administration, the published policies provide uniform and consistent operating rules. The Administration has conducted a comprehensive review of the Administrative Manual to identify individual policies in need of revision. The revisions reflect updates to outdated or obsolete procedures and will provide greater clarity to City operations, functions, and requirements.

The revisions are being submitted in groups addressing similar subject matter. This collection of AM revisions pertains to risk management and general services issues. All policies in this set are in the 500 series and the proposed changes in each policy are listed below.

**AM-501-1 City-Owned Vehicles:**

The purpose of this policy is to compile a list of all Administrative Manual policies that relate to City-owned vehicles. These revisions update the list of vehicle policies.

**AM-501-2 Part I Training Courses, Driver Permits, Authorizations, and Licenses for City-Owned Vehicles:**

The purpose of this policy is to describe the requirements for a City employee to be authorized to drive a City-owned vehicle. The revisions to this policy are as follows:

**MINUTES**Department of Finance - cont'd

- Adding sections on "Recertification Driver Training" and "Requirement for Renewals of Basic and Recertification Training";
- Adding a requirement for special purpose instructors to maintain required/suggested credentials;
- Adding a provision requiring an employee that allows their City of Baltimore Driver Permit/Authorization (CBDP/A) to expire for at least 5 years, to take a basic course again;
- Adding a provision that allows agencies to make a request to the Division of Occupational Safety (DOS) that an employee's CBDP/A be suspended or revoked; and
- Adding seven new reasons to suspend or revoke an employee's CBDP/A.

AM-501-2 Part II Commercial Driver's License:

The purpose of this policy is to outline the requirements for all Commercial Driver License holders to maintain a City of Baltimore Driver Permit. The policy also describes the physical examinations and testing procedures required for City employees who operate a commercial motor vehicle. The revisions to this policy are as follows:

- Adding a requirement to test for drugs and alcohol sooner than the standard two years if an employee's previous physical examination result calls for it;
- Adding several new provisions to the CDL Drug Testing Procedure;
- Adding a provision that requires DOS to suspend an employee's City driving privileges if they do not appear at a scheduled DOT physical exam or regulated drug and alcohol test; and
- Adding a reference to the City of Baltimore Substance Abuse Policy in the Related Policies section.

**MINUTES**

Department of Finance - cont'd

AM-501-2-1 Obtaining a Driver Permit for City-Owned Vehicles:

The purpose of this policy is to lay out the procedures for obtaining a license to operate special purpose vehicles. The revisions to this policy are as follows:

- Adding a requirement that agencies must provide DOS with a roster of potential attendees of scheduled training courses at least two workdays beforehand (If DOS finds that a name on the roster list is not authorized to participate, they must notify the agency within a reasonable time and provide a reason for why this person was rejected);
- Requiring every driver to carry a Yellow Driving Permit; and
- Adding a requirement that agencies forward the following to DOS:
  - o Sign-In Sheet;
  - o Final Packets;
  - o Yellow Permit Cards; and
  - o Accident Reports.

AM-501-3 Personal Use of City-Owned Vehicles:

The purpose of this policy is to regulate personal use of City-owned vehicles by City employees. The revisions to this policy are as follows:

- Changing the name of the policy from "Mayor's Motor Vehicle Freeze Committee-Assigned Vehicles" to "Personal Use of City-Owned Vehicles";
- Updating several provisions to ensure the policy is current and valid; and
- Adding a new section on "Tax Liability."

**MINUTES**Department of Finance - cont'dAM-501-10 Motor Vehicle Accident: Actions to be Taken:

The purpose of this policy is to lay out the actions that must be taken when a City employee is involved in a motor vehicle accident while conducting City business or using a City-owned vehicle. The revisions to this policy are as follows:

- Adding a requirement that if an employee is to be treated at a hospital other than Mercy, they must contact their immediate supervisor;
- Adding a requirement to call details reported on the Employee Incident Report to Acetic Systems within 24 hours; and
- Adding a requirement for a copy of the Motor Vehicle Accident Report, alcohol test result, and any other relevant documents related to the accident to be sent to DOS to include in an employee's files.

AM-501-10-1 Baltimore City - Motor Vehicle Accident Reporting Requirement:

The purpose of this policy is to lay out the requirements for reporting an accident involving a City-owned vehicle or a vehicle on City business. The revisions to this policy are as follows:

- Clarifying that this policy must be followed even when an accident is minor;
- Requiring employees to answer all questions listed in this policy when asked by the 311 Agent; and
- Adding a section where the employee in question is required to sign the policy.



**MINUTES**

Department of Finance - cont'd

AM-501-11 Vehicle Damage and Malfunction:

The purpose of this policy is to lay out the process for how the City handles vehicle damage and vehicle malfunctions. The revisions to this policy are as follows:

- Clarifying that this policy must be followed even when an accident is minor;
- Changing "Vehicle Damage Descriptions" to "Vehicle Damage Reports";
- Authorizing the revocation, suspension, or termination of driving privileges if an employee was found to be negligent/abusive in causing an accident;
- Establishing that the Office of Risk Management has the authority to permanently terminate an employee's Driver Permit; and
- Adding references to the "Related Policies" section.

AM-501-12 Use of Communications Devices Prohibited when Operating City Motor Vehicles or Driving Personal Vehicles for City Business:

The purpose of this policy is to prohibit the use of communication devices when a City employee is operating a vehicle on City business. The revisions to this policy are as follows:

- Exempting laptop/notebook computers in fire vehicles;
- Adding "seasonal employees" to the definition of "Employee"; and
- Expanding the definition of "Personal Communications Devices" to include Smartphones, computers, GPS, etc.

**MINUTES**Department of Finance - cont'dAM-501-14 Seat Belt Use:

The purpose of this policy is to require all City employees to wear seat belts while in a moving vehicle engaged in City business. The revisions to this policy are as follows:

- Expanding the scope of the policy by applying it to vehicles rented by the City;
- Adding "seasonal employees" to the definition of "Employee"; and
- Adding a provision requiring that if a violating employee is reprimanded in writing, a copy of that reprimand must be forwarded to the Office of Risk Management within 30 days of the violation.

AM-505-1 Insurance for Loss or Damage to City Property:

The purpose of this policy is to describe how losses involving City-owned real property are to be handled. The revisions to this policy are as follows:

- Adding examples of what could be considered real property loss;
- Including a provision where the City's Self-Insurance Fund is responsible for covered claims which have a loss of \$10,000.01 to \$495,000.00;
- Raising the loss threshold throughout most of the policy; and
- Removing the final two sections of the old policy.

AM-505-1-1 Procedures for Property Claims: Loss or Damage to City Property, Including Contents:

The purpose of this policy is to establish the procedures for dealing with real property loss or damage. The revisions to this policy increase the loss threshold dollar value.

**MINUTES**

Department of Finance - cont'd

AM-506-1 Building Maintenance:

The purpose of this policy is to outline the responsibilities of the Department of General Services ("DGS") in performing building maintenance as well as outlining the procedure for requesting maintenance. The revisions to this policy are as follows:

- Replacing the three divisions of General Services Engineering, Construction Management, and Building Maintenance with two divisions called Major Projects and Facilities Maintenance;
- Including the provisions for the previous Building Maintenance Division in the new Facilities Maintenance Division and adding the abatement of asbestos, mold, and other environmental hazards;
- Directing any questions on the topic of leased buildings to the Department of Real Estate;
- Including the contact information of the Archibus Office; and
- Removing several steps in the procedure to request work.

MBE/WBE PARTICIPATION:

N/A

**MINUTES**  
*a***AM-501-1***m****City-Owned Vehicles*****SCOPE**

The series of Administrative Manual policies on City-owned vehicles communicates the City's policies on the purchase, assignment, control, operation, and maintenance of all City vehicles and the responsibilities of all parties involved in these activities. The policies are approved by the Board of Estimates.

**POLICIES**

The City's vehicle policies have been divided into the following numbered policies and procedures:

- AM-501-2, Part I Training Courses, Driver Permits, Authorizations and Licenses for City-Owned Vehicles
- AM-501-2, Part II Commercial Driver License (CDL)
- AM-501-2-1 Obtaining a Driver Permit for City Owned Vehicles
- AM-501-2-2 Notification of City Vehicle Policy (form)
- AM-501-3 Mayor's Motor Vehicle Freeze Committee (MMVFC) Assigned Vehicles
- AM-501-9 Motor Vehicle Rental
- AM-501-10 Motor Vehicle Accident
- AM-501-10-1 Motor Vehicle Accident Reporting Requirement Procedures
- AM-501-11 Vehicle Damage and Malfunction
- AM-501-12 Use of Communications Devices Prohibited When Operating City Motor Vehicles or Driving Personal Vehicles on City Business
- AM-501-14 Seat Belt Use
- AM-501-15 Motor Vehicle Maintenance and Repairs
- AM-501-16 Purchase of City Motor Vehicles

Other related policies include:

- AM-500-01, Smoke-Free Workplace

## MINUTES

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AM-501-1

*m**City-Owned Vehicles***ONLINE FORMS**

Motor vehicle-related forms are available online within the related policies and will no longer be warehouse-stocked items. Links are in policy numbers, AM-501-3, 501-10 and 501-11, for the following forms:

- Vehicle Assignment Request (#28-1408-5037)
- Vehicle Payroll Deduction Authorization (#28-1418-5008)
- Vehicle Maintenance Record (#28-1902-5032)
- Vehicle Use Record (#28-1908-5038)
- Motor Vehicle Accident (#28-1758-5026)
- Vehicle Damage Description (#28-1418-5079)

## MINUTES

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AM-501-2, Part I

*m Training Courses, Driver Permits, Authorizations  
and Licenses for City-Owned Vehicles*

**SCOPE**

This Policy applies to all City employees (civil and non-civil service) who will operate a vehicle for and/or owned by the Mayor and City Council of Baltimore. Eligibility for a City of Baltimore Driver Permit/Authorization (CBDP/A) is contingent upon a City employee having a valid Maryland State driver's license with the appropriate license class code, (employees with licenses from another State not Maryland may be eligible if that State is proven to be their actual state of residency...i.e. commute between the state and City employment each day and evening of employee's work day/shift), and meeting the requirements for such Permit/Authorization as outlined in this policy. A City employee who does not have a valid City of Baltimore Driver Permit will not be allowed to operate any type of City-owned vehicle. A CBDP/A may be suspended or revoked by the Department of Finance, Division of Occupational Safety (DOS), or the employee's agency head when circumstances warrant it.

Failure to maintain (for any reason) a CBDP/A, may result in the immediate transfer, demotion, and/or termination of the affected employee. A current file of individuals whose CBDP/As and/or State drivers' licenses have been suspended or revoked shall be maintained by DOS and at the agency level. Employees who have been approved for a CBDP/A but reside in another state outside of Maryland must provide DOS with a certified copy of their State Driving Record every six (6) months, in January and July.

Issuance and/or reinstatement of a CBDP/A, upon request of a City Agency shall be solely the discretion of DOS.

**TRAINING**Basic Driver Training

The Basic Driver Training Course provides instruction in basic driving and safety techniques for the Mayor's Motor Vehicle Freeze Committee (MMVFC) and activity-assigned vehicles. DOS and/or their assigned representatives administer this course. DOS designs the course (which currently includes the National Safety Council's Defensive Driving Course, vision examination, and other required elements. Although these may change in the future, all aspects of the course must be passed in order to attain or retain a City Driver's Permit. A MMVFC/activity-assigned vehicle is defined as a car, station wagon, or truck with a 2,000 pound load capacity or less. (See AM-501-2, Part II, *Commercial Driver License* (CDL) policy. Completing this course in full is a prerequisite for obtaining a CBDP/A.

Recertification Driver Training

The Recertification Driver Training Course provides an update to the preceding Basic Driver Training Course in driving and safety techniques for the MMVFC and activity-assigned vehicles. DOS and/or their assigned representatives administer this course. This course is designed as an

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update to the Basis Driver Training Course and must be completed in full every three years to maintain an active and current CBDP/A.

Requirement for Renewals of Basic and Recertification Training

If an employee fails to renew his CBDP/A by participating/complying with the above referenced required training classes, the employee may be subject to the appropriate action which may include suspension of driving privileges by DOS and/or disciplinary action by agency for insubordination (up to and including termination). Please note that if it has been five (5) or more years since an employee has participated/complied with his/her Recertification Driving Training Course, the employee will be required to attend the Basic Driving Training Course again instead of the Recertification Course in order to receive CBDP/A.

Special Purpose Vehicle Training

The Special Purpose Vehicle Training Course is administered by each agency having personnel who are required to use special purpose vehicles. A special purpose vehicle is defined as any vehicle that requires anything other than a Class C license to operate. Prior to special purpose vehicle training, the agency must have an approved training course on file with DOS and special purpose instructors shall maintain and timely keep up to date any and all required and/or suggested credentials authorizing he/she to instruct.

An agency head must notify DOS by memo within five (5) days after employees have completed the course. The memo should state those employees who have been qualified to operate a special purpose vehicle and the type of vehicle each is permitted to operate. DOS will issue the Special Purpose Vehicle Permit to each qualified employee.

**REQUIREMENTS FOR OBTAINING A DRIVER PERMIT**

Basic Vehicle Permit

Upon request of a City Agency for an employee to operate a City-owned MMVFC or activity-assigned vehicle, an employee must meet all of the below listed requirements. Upon meeting all of the requirements, an individual (must be a City employee not a contractual employee or volunteer) will be issued a City of Baltimore Driver Permit by DOS. A City of Baltimore Driver Permit is valid for three (3) years and is renewable only if the employee completes the Driver Recertification Training Course (every three (3) years) and continues to meet all of the following listed requirements.

- Be at least 21 years of age with at least three (3) years of licensed driving experience.
- Possess a current and valid Maryland State driver's license (employees with licenses from another State outside of Maryland may be eligible if that State is proven to be their actual

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state of residency ... i.e., commute between the state and City employment each day and evening of employee's work day/shift), with the appropriate license class code.

- Have successfully completed the Basic Driver Training Course.
- Have reviewed and signed a NOTIFICATION OF CITY VEHICLE POLICY (AM-501-2-2) provided by DOS.

As noted above, employees that have allowed his/her CBDP/A to lapse/expire for five (5) or more years, shall be required to take the BASIC course again in lieu of taking a Recertification course in order to regain their COB driving privileges.

Special Purpose Vehicle Authorization

In order to operate any type of City-owned special purpose vehicle an employee must meet all of the below listed requirements. Upon meeting all of the requirements, a Special Vehicle Permit will be issued by DOS indicating the type of special purpose vehicle he/she is authorized to operate. This authorization is valid for three (3) years and is renewable only if the employee successfully completes an additional Special Vehicle Training Course and continues to meet all of the following requirements.

- Be at least 21 years of age.
- Possess a valid State driver's license with the appropriate license class code.
- Possess a current and valid City of Baltimore Driver Permit.
- Have successfully completed a Special Vehicle Training Course.
- Have reviewed and signed a NOTIFICATION OF CITY VEHICLE POLICY provided by DOS.

Exception to Age Requirement

If an agency head finds it necessary for an employee under age 21 and/or with less than three (3) years of licensed driving experience to operate a City-owned vehicle on a basic or special vehicle permit, a memo detailing the reason(s) for the request should be forwarded to DOS. A certified copy of the employee's Motor Vehicle Administration driving record must be attached to the memo for evaluation. DOS will notify the agency head of the decision on a case-by-case basis. Any blanket exceptions need approval by the Board of Estimates.

**SUSPENSION OR REVOCATION OF CITY OF BALTIMORE DRIVER PERMIT/**



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and Licenses for City-Owned Vehicles*****AUTHORIZATION**

Suspension or revocation of an employee's City of Baltimore Driver Permit/Authorization by the employee's agency head must be reported by memo within three (3) workdays to the MMVFC and to DOS. The memo must cite the reason(s) for the suspension or revocation and specify actions taken to prevent recurrences. DOS may revoke or suspend an employee's CBDP/A even if the employee's agency head elects not to take such action. Further, an agency may request DOS to suspend or revoke an employee's CBDP/A when warranted and agency shall provide documentation and/or communication memorializing that the request is warranted. This documentation shall be noted in the employee's electronic driver's file as well as in his/her hard file, both of which is maintained/housed at DOS.

An employee's City of Baltimore Driver Permit/Authorization may be suspended or revoked for any of the following reasons, which include but are not limited to:

- Driving any vehicle (City owned or privately owned) while under the influence of alcohol or drugs.
- Any violation to the Maryland State Driver's Handbook or restriction placed on a State driver's license (including but not limited to refusing a chemical test, interlock device restriction, even when employer vehicle exempted, if an alcohol related restriction code is on and/or added to our state license, etc...)
- Leaving the scene of an accident or failure to report an accident in accordance with AM-501-10.
- Operating or ordering the operation of City-owned vehicle with the knowledge that the vehicle has safety deficiencies.
- Unsafe driving practices or persistent violation of safety rules. Negligence, misuse, and/or abuse of City-owned vehicle.
- Frequent accidents, i.e. more than two (2) accidents in a year.
- Failure to properly secure a City-owned vehicle, i.e. runaway vehicle.
- Suspension, revocation, or expiration of State driver's license.
- Failure to inform supervisor and DOS of the suspension, revocation, or expiration of State driver's license.
- Failure to pay traffic or parking fines for violations incurred while using a City-owned vehicle.

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- Any points on State driving record.
- Failure to perform vehicle safety and operating checks.
- Using a City-owned vehicle (or privately owned vehicle while on duty for the City) for pleasure, to conduct personal business, and/or to transport passengers not engaged in official City business.
- Medical problems which may interfere with the safe operation of a City-owned vehicle, as determined by the City of Baltimore Occupational Medical Services (Mercy Clinic).
- Failure to inform supervisor and DOS of the medical problems which may interfere with the safe operation of a City-owned vehicle.
- Alteration/forgery of a CBDP/A by employee.
- Obtaining fuel while City driver permit is suspended.
- Use of personal communication devices (hand-held or hands-free) in accordance with AM-501-12.
- Smoking in a City-owned vehicle in accordance with AM-501-13.
- Failure to wear seat belts by anyone in the vehicle in accordance with AM-501-14
- Expiration and/or lapsing of CBDP/A permit and/or any other licenses required to fulfill employee's job responsibilities;
- Failure to comply/show-up at scheduled medical appointments at City clinic that are scheduled by agency, DOS and/or any other agency in order to maintain relevant licenses to fulfill job responsibilities;
- Failure to comply/show up for random drug and/or alcohol random testing;
- By request of authorized personnel of employee's City agency, and/or other authorized City personnel and/or authorized personnel and when warranted and documentation has been forwarded to DOS identifying why the suspension/revocation is warranted;
- Per recommendation and/or request by a professional within the City of Baltimore Employee Assistance Program;
- For out of State licensed approved drivers/employees of the City of Baltimore, if an updated Motor Vehicle Report is not provided to DOS every 6 months;

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***m Training Courses, Driver Permits, Authorizations  
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- Other reasons or circumstances which are deemed as unsafe operation of a City-owned vehicle by DOS or the department head.

The Law and Police Departments are also responsible for reporting any of the above instances within three (3) workdays to DOS.

**REPORTING SUSPENSION, REVOCATION OR EXPIRATION OF STATE DRIVER'S LICENSE**

An employee must officially notify, either in person or in writing, his supervisor and DOS of the suspension, revocation, or expiration of his/her State driver's license within one (1) workday. Failure to notify as required may result in suspension of the employee from work.

DOS and the agency head will periodically obtain and review the Maryland State driving record of each employee who possesses a City of Baltimore Driver Permit in order to monitor compliance with the *Administrative Manual* policy. Employers who have been approved for a CBDP/A but reside in another State outside of Maryland must provide DOS with a certified copy of their State Driving Record every six (6) months, in January and July. Appropriate action will be initiated as required for employees who are in violation of this policy. The appropriate action may include suspension of driving privileges by DOS and/or disciplinary action by agency for insubordination (up to and including termination).

**RELATED POLICIES**

AM-106-1,	CITY OF BALTIMORE SAFETY PROGRAM
AM-501-1,	CITY-OWNED VEHICLES
AM-501-2, PART II,	COMMERCIAL DRIVER LICENSE (CDL)
AM-501-2-1,	OBTAINING A DRIVER PERMIT FOR CITY-OWNED VEHICLES
AM-501-2-2,	NOTIFICATION OF CITY VEHICLE POLICY
AM-501-6,	VEHICLE MAINTENANCE/REPAIRS
AM-501-8,	ACTIVITY-ASSIGNED VEHICLES
AM-501-10,	MOTOR VEHICLE ACCIDENT
AM-501-11,	VEHICLE DAMAGE AND MALFUNCTION
AM-501-12,	USE OF COMMUNICATIONS DEVICES PROHIBITED WHEN OPERATING A CITY OWNED MOTOR VEHICLE OR DRIVING A PERSONAL VEHICLE ON CITY BUSINESS
AM-501-13,	NO SMOKING IN CITY VEHICLES
AM-501-14,	SAFETY BELTS

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***a*****AM-501-2, Part II*****m******Commercial Driver's License*****SCOPE**

This policy applies to all City employees (Civil Service and non-Civil Service) who will operate Commercial Motor Vehicles (CMV) for and/or owned by the Mayor and City Council of Baltimore. The purpose of this policy is to outline the requirements for all Commercial Driver License (CDL) holders to maintain a City of Baltimore Driver Permit and the specifics of the physical examinations and testing procedures, according to the federal Department of Transportation (DOT) regulations.

**REQUIREMENTS**

In order to operate a City-owned Mayor's Motor Vehicle Freeze Committee (MMVFC) or activity-assigned vehicle, an employee must meet all of the requirements of AM-501-2, Part I. Upon meeting all of the requirements, an employee will be issued a City of Baltimore Driver Permit by the Department of Finance, Division of Occupational Safety (DOS).

In addition, all City drivers operating a CMV for and/or owned by the Mayor and City Council of Baltimore are subject to the provisions of the federal DOT regulations. The regulations require that all CDL holders be randomly tested for alcohol and drugs and successfully complete a physical examination every two (2) years, and/or sooner depending on the result of their preceding physical examination expiration date, effective January 1, 1995.

A City of Baltimore Driver Permit is valid for three (3) years and is renewable, only if the employee completes a Driver Recertification Training Course and continues to meet all of the requirements of the Motor Vehicle policies in the *Administrative Manual* Section 501. Drivers are to notify their immediate supervisor of conditions that adversely change their driving status.

A CMV, according to 49 CFR 382.107, means "a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- has a gross vehicle weight rating of 26,001 or more pounds; or
- is designated to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F)."

**CDL BIENNIAL PHYSICAL EXAMINATION**

The purpose of this examination is to determine a driver's physical qualifications to operate a

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***a*****AM-501-2, Part II*****m******Commercial Driver's License***

CMV according to requirements and guidelines in 49 CFR 391.41-49. All City drivers are required to successfully complete this examination and obtain a two-year Medical Examiner's Certificate (i.e.: DOT Card) from the City of Baltimore Occupational Medical Services (Mercy Clinic). The City of Baltimore does not recognize Medical Examiner's Certificates (DOT Cards) obtained from any outside medical facility.

The CDL biennial physical examination will consist of:

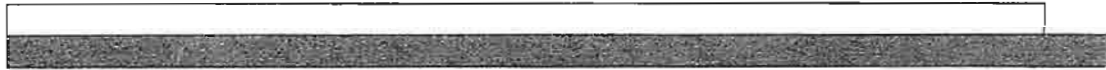
- Reviewing medical history.

Checking for the following:

- Limbs (foot, leg, hand and arm) and their corresponding motion and function (including fingers & hands for power grasping);
- Insulin dependent diabetes;
- Cardiovascular disease;
- Respiratory functions;
- High blood pressure;
- Vascular, rheumatic, arthritic, orthopedic, muscular, or neuromuscular disease;
- Epilepsy or any condition likely to cause a loss of consciousness;
- Mental, nervous, organic, or functional disease or psychiatric disorder;
- Vision disorder;
- Hearing function; and also
- Substance use.
- Performing breath alcohol and urine drug tests, according to City policy.

Failure to successfully meet any of the requirements of the CDL biennial physical examination will result in disqualification from receiving the Medical Examiner's Certificate (DOT Card) and the driver will be considered as "Does Not Meet Standards (DMS)."

Depending upon the outcome of the employee's physical examination, the employee may receive a Medical Examiner's Certificate (DOT Card) for either three (3) months, six (6) months or one (1) year in place of the two-year Medical Examiner's Certificate and is considered "Temporarily Qualified (TQ)".

**MINUTES***a***AM-501-2, Part II***m****Commercial Driver's License***

An employee may also be "Deferred (DEFF)" from receiving a Medical Examiner's Certificate (DOT Card) until additional required information is forwarded to the Mercy Clinic by the employee. It is required that this information be received by the Mercy Clinic within fourteen (14) workdays.

If an employee is classified as "Temporarily Disqualified (TD)", the employee must recover from the physical condition(s) that lead to the limitation(s) prior to being issued the Medical Examiner's Certificate (DOT Card). Employees are required to closely follow all medical directions for rapid full recovery.

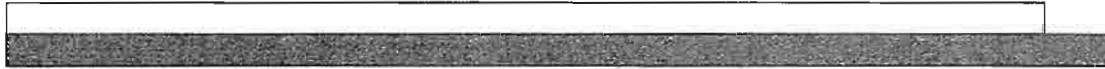
**CDL DRUG TESTING PROCEDURE**

DOS maintains the listing of CDL drivers from which random selections are made for drug and/or alcohol testing. Agencies shall supply the names of employees and any subsequent changes with CDL to DOS within 10 workdays. If the CDL employee no longer maintains a CDL due to a change in his/her position's responsibilities, the Agency shall notify DOS within 10 work days of when the Agency was put on notice of the change in job responsibilities/position. If the CDL employee has a privately issued CDL from an entity/company other than the City but still occasionally performs job responsibilities that would require a CDL, regardless of whether his/her primary job position/responsibilities require him/her to maintain a CDL, the CDL employee will be required to participate in the random drug and alcohol testing. If the Agency offers a stipend to employees incentivizing them to maintain a CDL even if their primary job responsibilities do not require them to maintain a City issued CDL or privately earned CDL, the employee shall be subject to the random drug and alcohol testing. If under an Agency's supervisor/manager's discretion, he/she provides for an employee to maintain a CDL issued by the City regardless of the employee's job responsibilities, the employee will be subject to the random drug and alcohol testing. If the City plays any part in issuing and/or helping to maintain an employee's CDL and/or DOT card issued by the City clinic, that employee will be subject to the CDL random drug and alcohol testing as well as any other related policies and procedures/requirements that go along with having this additional credential. When the Agency has established/defined to DOS that an employee no longer and never will be performing job duties that require a CDL (regardless if the employee maintains his/her own private CDL), then and only then will DOS update the electronic driver database to reflect this change so that the now, non-CDL employee will not be included in the random drug/alcohol testing.

DOS may notify the agency of the names of employees requiring CDL biennial physicals prior to the expiration of the two-year Medical Examiner's Certificate (DOT Card). At that point, the agency human resources/personnel designee must contact the Mercy Clinic to schedule examinations. Agencies will receive a daily list from the Mercy Clinic with the names of CDL holders that need to report for testing on the scheduled day.

The agency human resources/personnel designee will notify the employee selected to be at the Mercy Clinic, 323 North Calvert Street, at the beginning of the employee's shift. The employee

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**Commercial Driver's License**

will report to the Mercy Clinic with the following: a completed Request for Services Form (#28-1608-5151), a completed Supervisory Drug/Alcohol Testing Order form (#28-1608-5157), and City photo identification. (Note: The drug/alcohol testing order form does not have to be signed by a Substance Abuse Control Officer, SACO). If the employee fails to show up to the scheduled DOT physical appointment and/or any of his/her re-scheduled DOT/CDL related appointment(s), DOS shall suspend the employee's City driving privileges until the employee successfully completes the updated physical examination and DOS has been notified of such.

**RANDOM TESTS**

All CDL employees shall be subject to regulated drug and alcohol testing as enumerated in the Baltimore City Substance Abuse Control Policy. Failure of a CDL City employee to participate in the regulated drug and alcohol testing shall authorize DOS to suspend the employee's City driving privileges.

**TEST RESULTS**

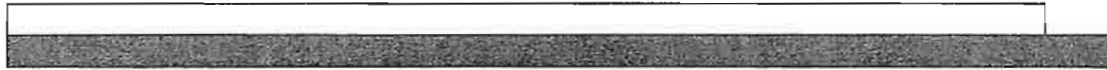
Negative Test Results: DOS will receive a written report stating negative test results. The employee will continue to work and will be subject to future testing if selected again by the random selection process.

Positive Test Results: DOS will receive a written report stating positive test results. DOS will suspend the employee's driving privileges.

**RELATED POLICES**

- AM-106-1, CITY OF BALTIMORE SAFETY PROGRAM
- AM-501-1, CITY-OWNED VEHICLES
- AM-501-2, PART I, TRAINING COURSES, DRIVERS PERMITS, AUTHORIZATIONS, AND LICENSES FOR CITY-OWNED VEHICLES
- AM-501-2-1, OBTAINING A DRIVER PERMIT FOR CITY-OWNED VEHICLES
- AM-501-2-2, NOTIFICATION OF CITY VEHICLE POLICY
- AM-501-6, VEHICLE MAINTENANCE/REPAIRS
- AM-501-8, ACTIVITY-ASSIGNED VEHICLES
- AM-501-10, MOTOR VEHICLE ACCIDENT
- AM-501-11, VEHICLE DAMAGE AND MALFUNCTION
- AM-501-12, USE OF COMMUNICATION DEVICES PROHIBITED WHEN OPERATING CITY MOTOR VEHICLES OR DRIVING PERSONAL VEHICLES FOR CITY BUSINESS
- AM-501-13, BALTIMORE CITY SMOKING POLICY
- AM-501-14, SEAT BELT USE
- SCAP, CITY OF BALTIMORE SUBSTANCE ABUSE POLICY

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***Obtaining a Driver Permit for  
City-Owned Vehicles***

The City of Baltimore Driver Permit allows an employee to operate a City-owned car, station wagon, and truck with 2,000 lb. load capacity or less and/or a commercial motor vehicle (CMV) where the driver possesses a commercial driver license (CDL). This driver must maintain a current Medical Examiner's Certificate (DOT card) by successfully completing a physical examination with the City of Baltimore Occupational Medical Services (Mercy Clinic). If an employee is to operate any other type of vehicle, he/she must complete a Special Purpose Vehicle Training Course (AM-501-2) in addition to following this procedure:

**RESPONSIBILITY****ACTION**

***AGENCY HEAD OR  
AUTHORIZED REPRESENTATIVE***

1. Contact Department of Finance, Division of Occupational Safety (DOS), to schedule employees for the Basic Driver Training Course and/or Re-certification Course. In scheduling employees to participate in a training course, Agency shall provide DOS with a roster list, in writing via email/electronic communication, of the potential training course attendees at least two (2) work days before the scheduled training course to provide sufficient time for DOS to pre-screen each potential attendee's eligibility to attend the training course. This roster list shall be sent by Agency to DOS via email communication. There shall be no walk-in attendees allowed to participate in the training courses held either at DOS and/or at off-site training locations.
2. Notify employees of the date, time and location of the course. Exceptions or noncompliance to course arrangement must be cleared with DOS at least one (1) work day in advance.

***EMPLOYEE***

3.
  - a. Present a valid Maryland State driver's license or approved equivalent to the instructor at the beginning of the course.
  - b. If applicable, surrender current City of Baltimore Driver Permit to the instructor at the beginning of the Re-certification Course for administrative purposes.
  - c. Take corrective lenses to the course(s) if they are legally



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*m**Obtaining a Driver Permit for  
City-Owned Vehicles*

required for driving.

*DIVISION OF OCCUPATIONAL SAFETY*

4. Verify that the employee meets all requirements for obtaining a City of Baltimore Driver Permit in AM-501-2, Part I. As it relates to No. 1 above, DOS shall inform Agency via email communication within a reasonable time prior to the start of the training course as to whether the pre-screened roster of potential attendees may in fact participate in the proposed scheduled training day. If not, a reason shall be provided by DOS on the electronic roster list that it communicated via email from DOS to Agency.
5. Conduct Basic Driver Training Courses and/or Re-certification Course for employees.
6. Have each employee, who has successfully completed the applicable driver training course; review a NOTIFICATION OF CITY VEHICLE POLICY, AM-501-2-2. Require each employee to sign notification.
7. Issue City of Baltimore Driver Permit upon receipt of signed NOTIFICATION OF CITY VEHICLE POLICY or as soon as possible after completion. The operator of a City vehicle must carry their City Yellow Driving Permit or a copy of a recent "lost card form" in his or her possession at all times while operating the City vehicle.

**OFF-SITE TRAINING - PROCEDURES OF DOS TO BE FOLLOWED BY AGENCY CONDUCTING TRAINING COURSE THAT ARE PROVIDED OFFSITE AND LOCATED OTHER THAN DOS:**

Agency shall forward to DOS:

Sign-In Sheet – The Safety and Training Representative and/or his/her staff will scan and email a copy of the sign-in sheet for the class taking place at Agency (other than DOS) within 2 hours after a class starts.

Final Packets – Final packets of class attendees will be walked over and hand delivered to DOS by the Agency's Safety and Training Representative(s). The final packet will include signed

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*m****Obtaining a Driver Permit for  
City-Owned Vehicles***

copies of all of the required policies by each employee that attended the class, a copy of the scanned sign-in sheet and the final roster of attendees. If all signed copies of the required policies are not included in the final packets of class attendees, DOS will not request for the issuance of the yellow permit cards for those class attendees until these documents are provided by the training agency.

Yellow Permit Cards – Once issued by Fuel Systems – Each Agency will be responsible for picking up their respective employees' yellow permit cards. DOS will require the Agency representative who arrives to pick-up the yellow permit cards to print and sign his/her name so there is no confusion as to who signed for the delivery of the cards from DOS. The cards shall be picked up within one work day of being notified by DOS (unless other arrangements have been communicated to DOS by Agency) that the cards are ready for pick up.

Accident Reports – Will be walked over and hand delivered by the Agency and will be delivered within three (3) work days of the accident unless DOS is advised otherwise and then it will be delivered no later than one week (7 calendar days) after the date of the accident. When the accident reports are delivered to DOS by the Agency, there will be an itemized list provided by Agency with a list of all reports that are being delivered to DOS. This itemized list is to be signed by the DOS representative that receives the report and the Safety and Training representative delivering the reports. This itemized list shall also note the time and date that the reports were delivered and received to/by DOS by the Agency. This list shall serve as the "receipt"/confirmation that these reports were delivered to DOS by Agency.

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AM-501-3

*m*      *Personal Use of City-Owned Vehicles***SCOPE**

This subtitle regulates the personal use, by City employees, of City-owned vehicles. Unless otherwise authorized by this title, no City-owned vehicle, of any kind, shall be used by City employees for personal, non-work related purposes.

The provisions of this subtitled shall be administered by the Mayor's Motor Vehicle Freeze Committee ("MMVFC"), which shall be composed of representatives of the Fleet Management Division of the Department of General Services, the Department of Finance, and the Office of the Mayor.

**GENERAL PROVISIONS**

- Individuals whose residence is located more than 60 miles from Baltimore City Hall (100 Holliday St. Baltimore, MD 21202), are not eligible for assignment of a City-owned Vehicle.
- Assigned vehicles shall not be used to conduct personal business except for an employee's commute to or from home.
- An assignee is responsible for the condition of a City-owned vehicle (see AM-501-15).
- An assignee must immediately inform the MMVFC by memo of any change in residence. Failure to do so may result in revocation of assignment.
- Passengers in assigned vehicles are limited at all times to those engaged in official City business. Violations of this policy and/or the policy relating to the personal use of an assigned vehicle may result in revocation of assignment, disciplinary action, and may also result in civil liability and/or the loss of the employee's and/or the passenger employee's City of Baltimore authorized driver's permit.
- All traffic or parking fines incurred as a result of any violation of motor vehicle laws will be borne by the assignee. The City reserves the right to deduct from the assignee's paycheck any unpaid fines or penalties incurred while operating a City-owned vehicle.
- **When an assignee authorizes, for limited purposes (and after receiving previous written and/or electronic authorization/approval by the agency/bureau head) another operator to use a City-owned vehicle, the operator must currently (at the time of intended use) meet all City/State licensing, operating, and use requirements, including but not limited to, be in compliance with all City of Baltimore training courses, driver permit requirements, authorizations and licenses for City-owned vehicles.**

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*m* ***Personal Use of City-Owned Vehicles***

- “City-owned Vehicles” include all vehicles leased or rented by the City or any City agency.

**ASSIGNMENT**

The Mayor’s Office (Deputy Mayor of Operations), in accordance with the below, shall be responsible for approving any request for the assignment of City-owned vehicles to designated employees.

- All Members of the Board of Estimates, Members of the City Council, and the State’s Attorney for Baltimore City will be assigned a vehicle upon request.
- The Baltimore City Fire Department (“BCFD”) and the Baltimore Police Department (“BPD”) shall make their own assignment of City-owned vehicles to those employees required to respond to public-safety emergencies, subject to the overall size and financing of the City’s vehicle fleet.
  - At the beginning of each Fiscal Year, BCFD and BPD shall submit a list to the MMVFC, reviewed and approved by the Fire Chief and Police Commissioner respectively, of all City-owned vehicles assigned to individuals authorized to make personal use of such vehicles, including the individuals to whom such assignments are made and their residential address.
  - Both BCFD and BPD, in the event of any change in vehicle assignment during the Fiscal Year, shall promptly update their respective lists of assigned City-owned vehicles and submit such update to the MMVFC.
- Vehicle assignment for all other City employees will be in conformity with the overall vehicle needs of the City, and will be consistent with the function of the employee requesting assignment of a City-owned vehicle. In general, employees eligible for such assignment will possess a unique level of authority for critical City operations, and will be required to be available to report to emergencies on an on-call basis, and are therefore eligible for assignment of a City-owned vehicle and required to use it for commuting purposes.
  - A Vehicle Assignment Request (form #28-1408-5037), together with written justification for such an assignment, must be submitted to the MMVFC. The request will be forwarded to the Mayor’s Office for approval. Any disapproved Vehicle Assignment Request may be appealed by the relevant agency head by directing a memo to the MMVFC.
  - A Fringe Benefit Computation Form must accompany the Vehicle Assignment Request.

## MINUTES

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AM-501-3

*m* ***Personal Use of City-Owned Vehicles***

- No change in vehicle assignment may be made without approval by the MMVFC.
- All assignments of a City-owned vehicle shall be renewed each Fiscal Year. The MMVFC will issue a list of assignments to the assignees and their respective agency heads by June 1. Each agency head shall communicate to the MMVFC which assignments continue to be necessary.
- Required Reporting:
  - All Assignees: A Vehicle Maintenance Record (form # 28-1902-5032) must be completed on a monthly basis by each assignee.
  - Control Employees: A Vehicle Use Record (form #28-1908-5038), or similar report (acceptable to the Payroll Department), must be completed on a weekly basis by each assignee if deduction of "Official Business Use" will be requested. All 52 vehicle logs are to be submitted to the Payroll Department at the end of the calendar year for tax calculations.

**TAX LIABILITY**

The taxation of personal use of a City-owned vehicle is explained by Internal Revenue Service (IRS) Publication 15-B. The value of the personal use of a City-owned vehicle is considered a taxable fringe benefit, described in more detail below. The commute to and from work is considered personal use. See IRS Publication 15-B for more information, available at <https://www.irs.gov/pub/irs-pdf/p15b.pdf>.

- All employees shall use the "Commuting Rule" to determine the personal use value of a City-owned vehicle for income tax reporting purposes, *except* Control Employees, who shall use the "Lease-Value Rule."
- Commuting Rule. This rule applies to all employees other than control employees. The taxable personal use is valued at a flat rate of \$1.50 for each one-way commute (from home to work or from work to home). This category of employees shall be required to use the assigned City-owned vehicle for commuting purposes.
- Lease-Value Rule. This rule applies to Control Employees only. The taxable personal use by an employee is valued by multiplying the annual lease value by the percentage of personal miles used. The annual lease value is found in IRS Publication 15-B.
  - A Control Employee is an elected official or an individual whose compensation is equal to or exceeds Federal Government Executive Level V. Compensation information for the current year is available at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>.

## MINUTES

  
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AM-501-3

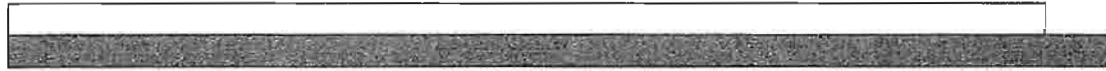
*m*      ***Personal Use of City-Owned Vehicles***

- An employee will be able to reduce his/her annual tax liability by the percentage of miles driven (and recorded on the Vehicle Use Record or similar report) on an annual basis for work-related purposes.
- Exceptions. Under the Qualified Non-Personal Use Exception, a police officer, fire fighter, or public safety officer shall not have tax liability for use of clearly marked police, fire, or other public safety vehicle. Law enforcement officers shall not have tax liability for use of an unmarked vehicle if the use is officially authorized.
  - A public safety officer is an individual serving a public agency in an official capacity, with or without compensation, as any of the following:
    - Law enforcement officer: a full-time employee of a governmental unit that is responsible for preventing or investigating crimes involving injury to persons or property that is authorized to carry firearms, execute warrants, and make arrests, and regularly carries firearms (except when it is not possible to do so because of the requirements of undercover work).
    - Firefighter.
    - Chaplain.
    - Member of a rescue squad or ambulance crew: persons trained in rescue activity or the provision of emergency medical services and having the legal authority and responsibility to engage in rescue activity or provide emergency medical services.

**CONSULT YOUR TAX ADVISOR**

The City is not responsible for your proper accounting of the use and payment of taxes for the City-owned vehicle as a taxable fringe benefit. Please contact your tax advisor to assist you in complying with the law.

## MINUTES

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AM-501-10

*m****Motor Vehicle Accident:  
Actions to be Taken*****SCOPE**

This policy governs those actions to be taken when a City employee is involved in a motor vehicle accident while in the conduct of City business and/or the accident involves the use of a City-owned vehicle or in a personal vehicle while on City business.

It is the responsibility of the agency bureau head or designee to ensure that the required MOTOR VEHICLE ACCIDENT REPORT (MVAR form #28-1758-5026) has been completed, signed and submitted to the Central Bureau of Investigation (CBI), Law Department; Office of Risk Management/Division of Occupational Safety (ORM/DOS), Finance Department; Central Garage Division, Department of Public Works; and the agency head within 24 hours following an accident. A supply of this form must be carried in the glove compartments of all City-owned vehicles at all time.

**REQUIRED ACTIONS**

When involved in a motor vehicle accident, an employee must:

- Summon the local police to the scene of the accident.
- Make no statements at the scene of the accident to anyone except the investigating police officer, an identified investigator from CBI or an identified investigator from the ORM/DOS.
- Obtain names and addresses of person(s) involved in the accident.
- Call 311 to report the details of the accident. (See "Motor Vehicle Reporting Requirement" as listed at the end of this policy).
- If you are injured, notify the agency you work for of the injury(s) as soon as is practical, and if there is an injury, complete an Employee Injury Report (EIR) and have your supervisor call the claim/injury details into ActecSystems CMI at 1-800-877-607-8600.
- Submit the Motor Vehicle Accident Report (MVAR) within 24 hours to the parties identified in the above section (SCOPE) and on the report form.
- Notify CBI or ORM/DOS as necessary. (ORM/DOS is responsible for notifying Maryland Occupational Safety and Health Administration (MOSHA) of certain injuries.)

**INJURY**

If the employee is injured and able to be transported, the employee (with completed EIR) shall immediately report to the Baltimore City Occupational Medical Services (Mercy Clinic) facility, 323 N. Calvert Street (after hours employee injuries are to be seen/treated at the Mercy Emergency

MINUTES



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AM-501-10

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***Motor Vehicle Accident:  
Actions to be Taken***

Room), or if an employee is to be treated at any other hospital or other emergency facility, the employee and/or authorized representative shall call his/her immediate supervisor and notify him/her of where the employee is being treated.

If an employee was injured in the accident, an EMPLOYEE INCIDENT REPORT (EIR) (form #28-1608-5149) must be completed then submitted by the agency head or designee to those listed on the form.

- Call the details reported on the EIR – within 24 hours – to ActecSystemsTeleprompt (toll-free, 24 hours a day), 1-877-607-8600.

**PROPERTY DAMAGE**

The employee or their supervisor must immediately call the accident details in 311 for any motor vehicle accident which resulted in property damage. Between 8:30 a.m. and 4:30 p.m. Monday through Friday, call 410-396-3400; after hours the employee should call 410-396-3100 where the City Hall operator will connect the employee with the CBI duty officer.

**DRUG AND ALCOHOL TESTING**

All drivers involved in an accident while operating a City-owned vehicle or while in performance of their City work, even in a privately-owned vehicle, shall be tested immediately for a complete drug and alcohol screening at the Baltimore City Occupational Medical Services (Mercy Clinic), 323 N. Calvert Street (**after hours at Mercy Emergency Room**), per the City’s Substance Abuse Control Policy. The supervisor is to escort or assign a designee to escort the employee to the Mercy Clinic for testing following an accident. A copy of the MVAR, drug/alcohol test results and any and all other relevant documentation related to the accident shall be sent to DOS to include in the employee’s driver file.

**RELATED POLICIES**

AM-204-10,	JOB INJURY
AM-502-1, PART II,	COMMERCIAL DRIVER LICENSE



## MINUTES

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AM-501-10-1

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***Baltimore City – Motor Vehicle  
Accident Reporting Requirement***

**SCOPE**

The Motor Vehicle Accident Reporting Requirement below outlines the procedures in reporting motor vehicle accidents involving a City of Baltimore motor vehicle and/or accidents involving a personal vehicle while in use for City business.

**MOTOR VEHICLE ACCIDENT REPORTING REQUIREMENT**

**Beginning October 1, 2012**, City employees are required to document **ALL** accidents involving a City of Baltimore Motor Vehicle (or involving a personal vehicle while in use for City business) – **no matter how minor** – by calling the City’s 311 Call Center between the hours of 6:00 a.m. and 10:00 p.m. (7 days a week). If the accident occurs between 10:00 p.m. and 6:00 a.m., the employee/supervisor should call the next business day. The 311 Agent will take the accident details over the phone. The City defines an accident as an intentional/unintentional damaging event, including injury/damage to persons or property. **This new procedure will allow the City to accurately track all City vehicle accidents.**

311 Vehicle Accident Reporting Standard Procedures:

- Immediately report the accident to your supervisor.
- Call the Police Department, as required by City Policy.
- The Driver or Supervisor will call 311 and tell the Agent you are reporting a City Motor Vehicle Accident.
- The Agent will then ask you the questions listed below. Be prepared to provide all of the information requested.
- If the accident involves a possible Workers’ Compensation claim, you are also required to call ACTEC Systems at 1-877-607-8600. You are also to complete the required Motor Vehicle Accident Report (MVAR).

When Calling 311, please be prepared with the following Information:

1. Accident Location
2. City Drivers Name
3. City Employees’ Name Reporting the Accident
4. City Vehicle # (the City number assigned to the vehicle)
5. City Vehicle Tag # (license plate #)
6. Reporting Agencies Name (who do you work for)
7. Accident Date
8. What time did the accident take place?
9. How many vehicles (including City Vehicle) were involved in the accident?
10. Was or will a Workers’ Compensation claim be filed?
  - i. If you answer yes here, you will be instructed to report the employee’s injury to ACTEC Systems 1-877-607-8600, complete an EIR (Employee Injury Report) and

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AM-501-10-1

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***Baltimore City – Motor Vehicle  
Accident Reporting Requirement***

when appropriate, send the employee to Mercy Hospital/City’s Occupational Medical Clinic.

- 11. Was a 3rd party (non-city vehicle/person) also involved in the incident?
- 12. Were the Police called to the scene? (As required by City policy)
- 13. Was a Police report written?
- 14. Was a City of Baltimore Motor Vehicle Accident Report Completed? (As required by City policy)
- 15. Contact person’s name, title and phone number.

Please have City employees who operate a City of Baltimore Motor Vehicle or a personal vehicle while in use for City business sign this document showing that they are aware of this new procedure.

\_\_\_\_\_  
Employee Name – Please Print

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature

Douglas S. Kerr, Risk Manager  
 City of Baltimore  
 Department of Finance  
 Office of Risk Management  
 401 E. Fayette Street, Suite 700  
 Baltimore, MD 21202  
 (443) 984-3786  
 Fax: 410-396-1071  
 BlackBerry: 443-250-7413

MINUTES



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AM-501-11

*m* **Vehicle Damage and Malfunction**

**SCOPE**

Whenever vehicle damage, malfunctions, or accidents occur, appropriate actions must be initiated within 24 hours by the operator or assignee, and the supervisor. Once notified of the damage, malfunction, or accident, Fleet Management Division (FMD), and the Vehicle Damage Inspector become involved in analyzing, investigating and following through on the occurrence in accordance with this policy.

**OPERATOR RESPONSIBILITY**

If vehicle is damaged it is the responsibility of the operator to:

- Report vehicle damage by telephone or in person to his/her immediate supervisor. If the vehicle operator is not the assignee, the operator must also report the damage to the assignee.
- Notify FMD, by telephone of vehicle damage, and arrange for repairs.
- Complete and forward a VEHICLE DAMAGE DESCRIPTION to the immediate supervisor detailing the incident.

If vehicle malfunctions, it is the responsibility of the operator to:

- Report vehicle malfunction immediately to FMD and arrange for repairs.

If vehicle is in an accident, it is the responsibility of the operator to:

- Report accidents in accordance with AM-501-10, Motor Vehicle Accidents.

**SUPERVISOR RESPONSIBILITIES**

Upon receipt of the operator’s completed Vehicle Damage Description, review all information, complete the “IMMEDIATE SUPERVISOR” section of the form and distribute to the appropriate parties.

**FMD RESPONSIBILITIES**

The FMD, within three (3) workdays from the initial observation or discovery of vehicle damage, must file a VEHICLE DAMAGE REPORT, (form # 28-4908-5077) concerning the damage and notify the proper parties:

- Vehicle Damage Investigator
- Agency Vehicle Coordinator

MINUTES



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AM-501-11

*m*      **Vehicle Damage and Malfunction**

- Risk Management, Division of Occupational Safety

The above actions must be taken if the FMD:

- Discovers vehicle damage while servicing or inspecting a vehicle; or
- Discovers vehicle damage while investigating vehicle malfunction; or
- Receives a report of vehicle damage.

If the vehicle must be repaired by an outside vendor, the FMD must obtain a written estimate from the vendor stating the following information:

- Type of damage.
- Probable cause of damage.
- Estimated cost of repairs, i.e., an itemized breakdown of costs for labor and parts.

The FMD, must submit a copy of the above-cited estimate with a Vehicle Damage Report to the Vehicle Damage Investigator.

The FMD may not release any vehicle which has been damaged without submission of a Vehicle Damage Report for that vehicle.

**Vehicle Damage Investigator**

The Vehicle Damage Investigator is responsible for reviewing and/or investigating all cases of vehicle damage involving City-owned vehicle. The investigator must determine whether damage occurred through negligence, misuse, and/or abuse, and notify the responsible party(ies). The investigator must recommend specific disciplinary action and direct charges to the agency budget. In each case of vehicle damage, required investigative duties and necessary reports must be submitted within 20 days of completion of vehicle damage investigation.

**VEHICLE DAMAGE INVESTIGATION RULING**

The Investigator may direct:

- An agency/bureau head to send any City-owned vehicle to the FMD for inspection.
- The FMD to conduct an inspection of any City-owned vehicle.

Copies of the VEHICLE DAMAGE RULING should be submitted to:

- Fleet Management Division.

MINUTES



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AM-501-11

*m*      **Vehicle Damage and Malfunction**

- Agency Fleet Coordinator.
- Risk Management, Division of Occupational Safety

Within 15 work days from receipt of the Vehicle Damage Ruling, the agency head must state on the form the disciplinary actions or reasons for not taking action by returning the form to the Investigator. If an employee is judged to have been negligent, abusive, etc., then the agency head may direct the following actions upon consultation with the Law Department and Office of the Labor Commissioner:

- Suspension/termination.
- require employee repayment.
- reprimand the employee.
- revoke vehicle assignment.

Failure by the agency head to return the Vehicle Damage Ruling within the 15 work day time limit will result in the recall of the vehicle by the FMD, with all recall costs to be borne by the agency. Written notification of such failure will be made by the investigator to the Mayor.

**RISK MANAGEMENT, DIVISION OF OCCUPATIONAL SAFETY**

The Division of Occupational Safety has the authority to immediately suspend an employee's City of Baltimore Driver Permit and/or Special Purpose Vehicle Authorization. See AM-501-2, Part 1, Training Courses, Driver Permits, Authorizations and Licenses for City-Owned Vehicles, for complete information concerning suspension and revocation of the Driver Permit and Special Purpose Vehicle Authorization.

**RELATED POLICIES**

AM-501-2, PART I,	TRAINING COURSES, DRIVER PERMITS, AUTHORIZATIONS AND LICENSES FOR CITY-OWNED VEHICLES
AM-501-2, PART II, AM-501-11,	COMMERCIAL DRIVER LICENSE VEHICLE DAMAGE AND MALFUNCTION

## MINUTES

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AM-501-12

***m Use of Communications Devices Prohibited When  
Operating City Motor Vehicles or  
Driving Personal Vehicles for City Business***

**SCOPE**

City employees are prohibited from using personal communications devices and/or wearing any type of headset/headphones including Bluetooth, to send, receive, listen to and/or review communications at any time while driving City-owned/leased vehicles for any purpose, or while driving their personal vehicles on City business. This policy also applies while operating a, moving, and/or in-gear motorized vehicle.

This policy does not apply to the use of communications devices issued to first responders (Fire and Police) for official emergency communications, Departmental issued laptop/notebook computers for fire and/or police vehicles, and City-issued two-way radio with push-to-talk technology when no passenger is in the vehicle

**DEFINITIONS**

Employee – Any individual employed by and/or paid by the Mayor and City Council of Baltimore. This includes hourly and salaried workers, supervisors, managers, department heads, bureau heads, and elected officials and their appointed staffs. The policy also applies to seasonal employees, consultants, volunteers, and staff provided by temporary agencies (seasonal employees) while operating their own personal vehicle on City business.

Personal Communications Devices – Personally owned or City issued, communication devices such as, but not limited to, cell phones, pagers, text pagers, two-way radios, any and all hands-free devices, wireless devices (Blackberries, Smartphones including but not limited to iPhones, Androids, iPads, iPod Touch, etc.), computers, laptops, etc., GPS (and/or any type of global positioning system), Infrared devices, network cards, Bluetooth technology, speakerphones, and/or headsets/headphones of any type.

Hands Free Communications Device – Any communication device/equipment not requiring the use of hands or to be held by hands.

Motorized Vehicle – Any vehicle registered with the State MVA (car, van, truck) and/or any State or Department of Transportation (DOT) registered vehicle.

**WHAT IS PROHIBITED**

The following represent unsafe acts and are **NOT** allowed:

- Any use of a cell phone when driving;
- The writing, sending or reading of text or email messages when driving;

**MINUTES***a*

AM-501-12

***m Use of Communications Devices Prohibited When  
Operating City Motor Vehicles or  
Driving Personal Vehicles for City Business***

- The use of any voice activated technologies to write, send, or read text or email messages while driving;
- Use of a Personal Communications Device by the driver while operating a moving and/or in-gear motorized vehicle;
- Use of laptop, notebook, net book, iPad or other type of computer when driving;
- Use of two-way radio by driver/operator when another a passenger, is able to handle the communication;
- The use of any hand-held or hands free communication device in any manner while fueling and/or refueling any vehicle (personal, City, or other) at any time in any location; and
- The use of any hand-held or hands free communication device at any location involving a potential or confirmed fuel spill, gas leak, or any potentially hazardous and/or flammable spills or vapors.

**WHAT IS ALLOWED**

- The use of City-issued two-way radio that operates with push-to-talk technology is allowed to be used by the driver/operator only in situations when there is no passenger present in the cab or vehicle who is able to use the radio communication;
- The use of a personal communications device by first responders for official emergency communications;
- The use of Police and/or Fire Department issued laptop/notebook computers for marked patrol vehicles; and
- The use of a wireless communication device to contact the 9-1-1 system.

**PLACING OR RECEIVING CALLS AND MESSAGES**

If communication is necessary using a personal communications device either outgoing or incoming, the driver is to wait until he/she reaches a safe place to park before placing or receiving calls, text messaging and emailing.

**DISCIPLINARY ACTION**

Failure to comply with this policy may result in loss of an employee's City driving permit and/or

MINUTES



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AM-501-12

*m Use of Communications Devices Prohibited When  
Operating City Motor Vehicles or  
Driving Personal Vehicles for City Business*

progressive disciplinary action up to and including termination.



## MINUTES

  
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AM-501-14

*m**Seat Belt Use***SCOPE**

All employees of the City of Baltimore are required to wear seat belts (at all times while the vehicle is in operation) when traveling in city-owned/leased vehicles for any purpose or while driving their personal vehicles on City business. **All occupants including the driver and any and all passenger(s) shall wear seat belts.** No vehicle shall be operated unless all occupants are secured by a seat belt. This policy also applies to employees while operating moving and/or ingear motorized off-road equipment.

This policy will also apply to consultants, volunteers and staff (either provided by temporary employment agencies or doing business directly with the City (including seasonal employees) while operating their own personal vehicles on City business.

**DEFINITIONS**

*Employee:* Any individual employed by, who works for and or is paid by the City of Baltimore. This includes (but is not limited to) hourly and salaried workers, supervisors, managers, department heads, bureau and agency chiefs, elected officials and their appointed staffs, consultants, volunteers and staff from employment agencies.

*Operation:* The vehicle is considered to be in "operation" when the key is turned to the on position and the engine is running.

**DISCIPLINARY ACTION**

Failure to comply with this policy may result in the suspension/revocation of an employee's City of Baltimore Driver Permit/Authorization and/or may also result in progressive disciplinary action for **any** occupant. Disciplinary action for sworn and civilian members of the Baltimore Police Department shall be in accordance with the provisions and directives contained in its General Orders. Disciplinary action for employees of the Fire Department will be in accordance with the Manual of Procedure.

*Seat Belt Visual Audits*

The Office of Risk Management/Division of Occupational Safety will be conducting random visual inspection audits to see if the driver and occupants of the City vehicle are wearing seat belts. The audit will show the date and time of the infraction as well as the location and vehicle ID number (and tag if available). Once that information is gathered, it will be turned over to the responsible Agency for progressive disciplinary to take place against those in violation of the policy.

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AM-501-14

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*Seat Belt Use*

**RELATED POLICIES**

AM-501-2,

TRAINING COURSES, DRIVER PERMITS,  
AUTHORIZATIONS AND LICENSES FOR CITY-OWNED  
VEHICLES

## MINUTES

  
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AM-505-1

*m Insurance for Loss or Damage to City Property*

## SCOPE

The Office of Risk Management, (Department of Finance), must be notified within 24 hours by telephone and or email of any loss to City-owned real property, including contents. In cases of loss or damage to real property, the Building Inspection/Maintenance Engineer for the building/agency shall also be notified. An example of a real property loss would be a building fire, water damage due to a blown water pipe, or stolen laptops or other stolen property.

## LOSSES

1. Losses of \$10,000.00 or less are absorbed by the affected agency.
2. Losses above \$10,000.01 to the limits of commercial insurance policy's deductible, (currently at \$500,000), are covered by the City's Self-Insurance Fund. (The first \$10,000.00 of a covered loss is still the agency's responsibility.) The City's Self-Insurance Fund will be responsible for covered claims which have a loss value of \$10,000.01 to \$490,000.
3. Losses **in excess** of the commercial insurance policy's deductible, (currently at \$500,000), are covered by a commercial insurance policy. (In such cases, the first \$10,000.00 is the agency's responsibility; the City's Self-Insurance Fund covers the next \$490,000, or the limits of the commercial insurance policy's deductible.)
4. The City's Self-Insurance Fund **is not** responsible for the unexplained disappearance of City-owned property.
5. The City or the City's Self-Insurance Fund **is not** responsible for the loss, damage, or unexplained disappearance of a City employee's personal property, unless it is proven to be used for work and is a requirement of employment.
6. **Only losses that would be covered (a covered event or covered cause of loss) under the City's commercial insurance policy (whether or not the \$500,000 deductible was breached), will be paid by the City's Self-Insurance Fund.**

When there is a loss of other City property (fencing damage, stolen copper from AC units, city owned light poles and guard rails, etc.), but not as a result connected with a real property or its contents:

1. Losses up to \$10,000.00, depending on the particular type of loss and the insurance policy providing such coverage, are absorbed by the affected agency.
2. The City's Self-Insurance Fund covers losses above \$10,000.01 to limits of the commercial insurance policy's deductible. (The first \$10,000.00 of a covered loss is still the agency's responsibility.)

## MINUTES

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AM-505-1

*m Insurance for Loss or Damage to City Property*

3. Losses in excess of the commercial insurance policy's deductible are covered by a commercial insurance policy. (In such cases, the first \$10,000.00 is the agency's responsibility; the balance of the commercial insurance policy's deductible, is the City's responsibility.) When there is a loss, the entire amount of the loss may be covered by the City's Self-Insurance Fund or by a commercial insurance policy, subject to the procedures above.

The amount of the deductible, which is applied in all of the above circumstances, may be at the administrative discretion of the Office of Risk Management, (Department of Finance), in some cases. See AM-505-1-1.

**RELATED POLICIES**

AM-505-1-1,

PROCEDURES FOR PROPERTY CLAIMS: LOSS OR  
DAMAGE TO CITY PROPERTY, INCLUDING CONTENTS

MINUTES



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AM-505-1-1

*m* **Procedures for Property Claims:  
Loss or Damage to City Property, Including Contents**

**RESPONSIBILITY**

**ACTION**

**AGENCY HEAD**

Notify within 24 hours by telephone or e-mail the following officials of any City-owned property damage or theft:

- a.) Office of Risk Management, Dept. of Finance, 401 E. Fayette St., 7<sup>th</sup> floor, (410-396-5115).
- b.) Your agency's Building Inspection /Maintenance Engineer (only when real property (such as buildings) is involved).

Complete the Risk Management Incident Report and mail or e-mail it to the Office of Risk Management. **Risk Management Incident Report is attached.**

**BUILDING INSPECTION/  
MAINTENANCE  
ENGINEER**

Personally inspect and prepare estimate of reported loss or damage. Send copy of estimate to affected agency and the Office of Risk Management.

**AGENCY HEAD**

Agency Head may select one of the following options:

- Make repairs using own maintenance force, or
- Request the awarding of a contract for such repairs or replacements, or
- Make repairs or replacements at a later date.

If damage, theft or loss is:

- a.) **\$10,000.00 or less, PROCEDURE ENDS HERE.**
- b.) If the loss is greater than **\$10,000.01** to limits of commercial insurance deductible, (currently at \$500,000), send a written request to the Office of

MINUTES



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AM-505-1-1

*m*            ***Procedures for Property Claims:  
Loss or Damage to City Property, Including Contents***

Risk Management, including an itemized list of repairs or replacements based on actual or estimated costs plus any and all information that will substantiate the loss, for approval to reimburse the agency from the City's Self-Insurance Fund. (The first **\$10,000.00** of the covered loss is still the agency's responsibility.)

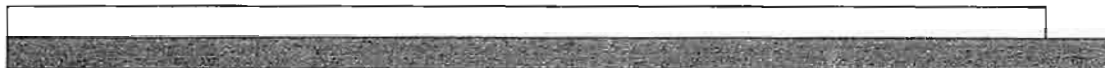
**OFFICE OF RISK  
MANAGEMENT**

If damage or loss is between **\$10,000.01** and \$500,000, the Office of Risk Management will reimburse the agency for repair and/or replacement costs from the Self-Insurance Fund. **The Agency must pay for the repairs first then seek reimbursement from the Office of Risk Management** – Self-Insurance Fund. Repairs must be of similar like kind and quality.

If damage, theft or loss is in excess of \$500,000:

- a.) The Office of Risk Management will reimburse the agency for \$490,000 from the Self-Insurance Fund.
- b.) Risk Management will then notify the insurance company of the claim and negotiate a settlement on behalf of the City and the affected agency for claim costs in-excess of the commercial policy deductible, currently at \$500,000.

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AM-505-1-1

*m*      **Procedures for Property Claims:  
Loss or Damage to City Property, Including Contents**

RISK MANAGEMENT

INCIDENT REPORT FOR REPORTING LOSS OR DAMAGE OF CITY PROPERTY

Agency/Bureau: \_\_\_\_\_ Building Name: \_\_\_\_\_

Address of Loss: \_\_\_\_\_

Contact Person's Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Incident Date: \_\_\_\_\_

Incident Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimated Repair/Replacement Cost: \_\_\_\_\_ Actual Cost: \_\_\_\_\_

Project Manager's Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Date of when the incident was reported to the Office of Risk Management: \_\_\_\_\_

Time Reported: \_\_\_\_\_ Person's Name: \_\_\_\_\_

Police Report #: \_\_\_\_\_ Copy Attached: YES NO

Photos Taken: YES NO      If YES, taken by whom: \_\_\_\_\_

Are there Attached Photos: YES NO

MINUTES



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AM-505-1-1

*m*      ***Procedures for Property Claims:  
Loss or Damage to City Property, Including Contents***

Action Taken Related to the Loss: \_\_\_\_\_

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Signature: \_\_\_\_\_ Final Submission Date: \_\_\_\_\_

Office of Risk Management, 401 E. Fayette Street, Suite 700, Baltimore, MD 21202  
Phone: (410) 396-5115    Fax: (410) 396-1071    E-Mail: Douglas.Kerr@baltimorecity.gov



## MINUTES

*a*

AM-506-1

*m****Building Maintenance*****SCOPE**

The Department of General Services has two divisions that assist with building-related services, the Major Projects Division, and the Facilities Maintenance Division.

**MAJOR PROJECTS DIVISION:**

- Supervises and manages the construction, renovation and alteration, of City-owned buildings.
- Provides architectural and engineering services such as studies, evaluations, designs, and cost estimates for major construction, rehabilitation or renovation projects in City-owned buildings.
- Provides design services for renovation and/or construction in City buildings for various City agencies.
- Provides project management services including construction supervision and oversight, change order review and approval, contractor payments, attendance at progress meetings, evaluations of contractor, subcontractor and design consultant performance for all , evaluations of contractor and subcontractor performance for all construction in City-owned buildings. . Provides Capital Planning Services for agencies that do not have their own capital building programs.
- Requests for Capital Projects can be made throughout the year, based on availability of funding, by filling out the Capital Project form (available on the DGS website).

**FACILITIES MAINTENANCE DIVISION:**

- Operates over 400 City-owned buildings, which are maintained under DGS control.
- Is responsible for the abatement of asbestos, mold and other environmental hazards within City-owned buildings. Provides maintenance and repair services for all City-owned buildings.
- Provides contractual custodial services.
- Provides contractual unarmed guard services.
- Provides contractual lawn cutting, extermination, and other related building services.

## MINUTES

*a*

AM-506-1

*m****Building Maintenance*****LEASED BUILDINGS**

In buildings leased by City agencies, the property owners typically provide certain services in accordance with the specific terms of the lease. For further questions regarding these services, agencies may contact the Department of Real Estate.

**PROCEDURE TO REQUEST WORK**

All requests for maintenance or repair work require a Work Order be placed into the Archibus software system. Specific requests and questions regarding requests should be directed to the Department of General Services. Contact 410-396-3704 for referral information. For technical support with the Archibus software system users should contact the Archibus Office via phone 410-396-8992 or email [Archibus@baltimorecity.gov](mailto:Archibus@baltimorecity.gov).

To request work, the authorized employee should follow the steps below.

1. Determine need for maintenance, minor alterations, or repairs of City buildings.
2. Contact their Service Request Liaison for their agency or floor. (SRL) If you do not know your SRL, contact the Archibus office at (410)396-8992.

**MINUTES**Department of Finance - cont'd

UPON MOTION duly made and seconded, the Board **DEFERRED** the revisions to the Administrative Manual Policies for AM 501-1, City-Owned Vehicles; AM 501-2, Part I Training Courses, Driver Permits, Authorizations, and Licenses for City-Owned Vehicles; AM 501-2, Part II Commercial Driver's License; AM 501-2-1, Obtaining a Driver Permit for City-Owned Vehicles; AM 501-3, Personal Use of City-Owned Vehicles; AM 501-10, Motor Vehicle Accident: Actions to be Taken; AM 501-10-1, Baltimore City - Motor Vehicle Accident Reporting Requirement; AM 501-11, Vehicle Damage and Malfunction; AM 501-12, Use of Communications Devices Prohibited when Operating City Motor Vehicles or Driving Personal Vehicles for City Business; AM 501-14, Seat Belt Use; AM 505-1, Insurance for Loss or Damage to City Property; AM 505-1-1, Procedures for Property Claims: Loss or Damage to City Property Including Contents, and AM 506-1 Building Maintenance for 1 week.

**MINUTES**

Department of Planning - Baltimore City Public School System  
Capital Improvement Program for  
FY 2018-2023

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**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** the report of the Planning Commission on the Baltimore City Public School System's (BCPSS) Capital Improvement Program (CIP) for FY 2018-2023.

**AMOUNT OF MONEY AND SOURCE:**

\$471,924,000.00 - FY 2018-2023 (The CIP includes \$102,000,000.00 in City general obligation (G.O.) bonds and \$369,924,000.00 is State funds)

\$96,608,000.00 - FY 2018 Request (of which \$17,000,000.00 is City G.O. bond funds and \$79,608,000.00 is State funds)

**BACKGROUND/EXPLANATION:**

Annually the BCPSS must submit an updated and detailed CIP for the upcoming fiscal year and the forthcoming five years to the State of Maryland. This CIP submission receives approval from the Board of School Commissioners, the City of Baltimore Planning Commission, Board of Finance, and the Board of Estimates. The FY 2018 BCPS CIP received its first approval by the Baltimore City Board of School Commissioners on September 27, 2016.

On October 6, 2016, the Planning Commission approved the BCPSS CIP for FY 2018-2023.

The requested funding will provide resources to create an educational environment that encourages the highest caliber of teaching, learning, and facility utilization. The Board of

**MINUTES**Department of Planning - cont'd

Estimates' support of this plan will assist the BCPSS' effort to provide enhanced learning environments as it continues to improve educational opportunities for the children of Baltimore City.

UPON MOTION duly made and seconded, the Board **NOTED** the report of the Planning Commission on the Baltimore City Public School System's Capital Improvement Program for FY 2018-2023. The President **ABSTAINED**.

**MINUTES**

Board of Finance - Baltimore City Public School System  
Capital Improvement Program,  
FY 2018 - 2023

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the endorsement of the Baltimore City Public School System (BCPSS) Fiscal Year 2018-2023 Capital Improvement Program (CIP).

**BACKGROUND/EXPLANATION:**

Procedures for administration of the school capital program require that the BCPSS submit annually an updated detailed capital program for the upcoming year and ensuing five fiscal years to the State Interagency Committee on School Construction. As a condition of receiving State school construction aid, the BCPSS is required to submit the CIP by the end of November of each year.

This action requires approval of this program by the appropriate local governing body. As a condition of gaining approval of this local government, a review process has been established that includes the School Board, Planning Commission, Board of Finance, and the Board of Estimates, to serve as the means by which the Mayor will support and endorse the program.

The Board of Finance, at a scheduled meeting on October 24, 2016, considered and endorsed the FY2018 Capital Budget totaling \$96,608,000, and the FY2019-2023 CIP totaling \$375,316,000.00, as summarized below:

**BCPSS Fiscal Year 2018 - 2023**  
**Capital Improvement Plan (\$000)**

<b>Source/FY</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
<b>State</b>	79,608	71,978	62,787	52,722	49,751	53,078	369,924
<b>City</b>	17,000	17,000	17,000	17,000	17,000	17,000	102,000
<b>Total</b>	96,608	88,978	79,787	69,722	66,751	70,078	471,924

**MINUTES**Board of Finance - cont'd

UPON MOTION duly made and seconded, the Board approved the endorsement of the Baltimore City Public School System Fiscal Year 2018-2023 Capital Improvement Program. The President **ABSTAINED.**

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office of Economic and Neighborhood Development</u>			
1. Colin Tarbert	Visit to China Shanghai, China Nov. 3 - 8, 2016 (Reg. fee \$0.00)	Madison Marquette	\$ 0.00

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the trip will require travel outside the continental United States regardless of the source of funds, cost of trip, or length of absence. Madison Marquette will pay the cost of the travel. City funds will not be expended.

**TRAVEL REIMBURSEMENT**

Department of Public Works/Bureau of Water and Wastewater (DPW)

2. Shaaron Phillips	88 <sup>th</sup> Annual Water Environment Federal Technical Exhibition & Conference (WEFTEC) New Orleans, LA Sept. 24 - 28, 2016 (Reg. Fee \$875.00)	Water Funds	\$ 279.64
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On September 14, 2016, the Board approved Ms. Phillips' travel to New Orleans, Louisiana to attend the 88<sup>th</sup> Annual WEFTEC on September 25 - 28, 2016, in the amount of \$2,310.92. Because of a meeting taking place on September 24, 2016, the Director of the DPW approved for Ms. Phillips to leave a day earlier than originally requested.

The subsistence rate for this location is \$186.00 per night. The hotel cost was \$239.00 per night plus hotel taxes of \$40.64 per night.



**MINUTES****TRAVEL REIMBURSEMENT**

Department of Public Works/BWW&W - cont'd

The Department is requesting reimbursement to Ms. Phillips. Ms. Phillips personally incurred the costs of the hotel for September 24, 2016 in the amount of \$239.00 and the hotel taxes in the amount of \$40.64.

**REIMBURSEMENT**

\$239.00 - Hotel (September 24, 2016)  
40.64 - Hotel Taxes (September 24, 2016)  
**\$279.64- Total**

UPON MOTION duly made and seconded, the Board approved the foregoing travel request and the travel reimbursement. The Mayor **ABSTAINED** on item no. 1.

**MINUTES**

Department of Public Works/Office - Rescind Notice of Letting  
Of Construction and Engineering for SC 892R

**ACTION REQUESTED OF B/E:**

The Board is requested to rescind the Notice of Letting for S.C. 892R-Structural Rehabilitation of Chlorine Contact Chambers at Patapsco Wastewater Treatment Plant.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On October 26, 2016, the Board of Estimates approved this project to be advertised on October 28, 2016. Bids (that were scheduled to be opened on December 14, 2016) will not be accepted for this contract because of lengthy revision of the current specifications that need to be done and more funding that needs to be secured. The Office of Engineering and Construction will re-advertise at a later date.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board rescinded the Notice of Letting for S.C. 892R-Structural Rehabilitation of Chlorine Contact Chambers at Patapsco Wastewater Treatment Plant.

**MINUTES**

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

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

Kim A. Trueheart

November 2, 2016

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

Dear Ms. Taylor:

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

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

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

Pages 1 - 120, City Council President and members of the Board of Estimates, BOE Agenda dated November 2, 2016, if acted upon:

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

Email: [kimtrueheart@gmail.com](mailto:kimtrueheart@gmail.com)

5519 Belleville Ave  
Baltimore, MD 21207

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

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

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

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on November 2, 2016.

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

Sincerely,  
Kim Trueheart, Citizen & Resident

*5519 Belleville Ave  
Baltimore, MD 21207*

**MINUTES**

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

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**MINUTES**

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

**BIDS, PROPOSALS, AND CONTRACT AWARDS**

Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that the following agencies had issued addenda extending the dates for receipt and opening of bids on the following contracts. There were no objections.

<u>Department of Public Works</u>	- WC 1290, Water Infrastructure Rehabilitation, Various Locations <b><u>BIDS TO BE RECV'D: 11/09/2016</u></b> <b><u>BIDS TO BE OPENED: 11/09/2016</u></b>
<u>Bureau of Purchases</u>	- B50004600, Various Gloves <b><u>BIDS TO BE RECV'D: 11/09/2016</u></b> <b><u>BIDS TO BE OPENED: 11/09/2016</u></b>

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

<u>Department of Transportation</u>	- TR 17002, Reconstruction of Footways Citywide
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Santos Construction Co., Inc.  
J. Villa Construction, Inc.  
M. Luis Construction Co., Inc.

## MINUTES

Department of Public Works - WC 1353, AMI/R Urgent Need  
Metering Infrastructure Repair  
& Replacement, Various  
Locations (Up to 2" Water  
Service)

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Monumental Paving & Excavating  
R.E. Harrington Plumbing & Heating Co., Inc.  
Spiniello  
Metra Industries  
Civil Construction, LLC

Bureau of Purchases - B50004770, OEM Aftermarket  
Parts and Repair for Lawn  
Mowers and Landscape Equipment

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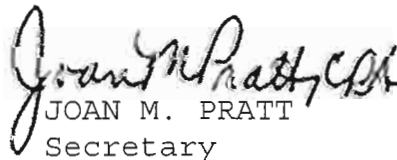
Turf Equipment and Supply Co.  
Port City Equipment Co.  
Gambrill's Equipment Co.

Bureau of Purchases - B50004665, Gunshot Detection &  
Location System (Price Opening)

Safety Dynamics, Inc.

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There being no objections, the Board, UPON MOTION duly made  
and seconded, adjourned until its next regularly scheduled  
meeting on Wednesday, November 09, 2016.

  
JOAN M. PRATT  
Secretary