

MINUTES**REGULAR MEETING**

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

President: "Good morning, the November 30, 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 these hearings will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board members attention to the memorandum from my office dated November 29, 2016, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

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

The Motion carries, the routine agenda has been adopted."

* * * * *

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

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

Advanced Underground Inspections, LLC	\$ 1,500,000.00
Anchor Construction Corporation	\$ 93,654,000.00
Archer Western Construction, LLC	\$738,630,000.00
Charles E. Dorsey Landscape Contractors, Inc.	\$ 180,000.00
Hunt Valley Contractors, Inc.	\$ 3,492,000.00
R.E. Harrington Plumbing & Heating Company, Inc.	\$ 44,856,000.00
Reviera Enterprises, Inc. T/A REI/Drayco	\$ 8,000,000.00
Stolar Construction, Inc.	\$ 6,633,000.00
Total Environmental Concepts, 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:

Building Envelope Consultants and Scientists, LLC	Engineer
George, Miles & Buhr, LLC	Engineer

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BOARDS AND COMMISSIONS - cont'd

KANN Partners	Architect
Kimley-Horn & Associates, Inc.	Landscape Architect Engineer
Manns Woodward Studios, Inc.	Architect
PRIME AE Group, Inc.	Engineer Architect Landscape 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

Office of Civil Rights and - Living Wage Recommendation for
Wage Enforcement FY 2018

The Wage Commission in accordance with Article 5, Subtitle 26, Baltimore City Code (Living Wage), is required to recommend to the Board of Estimates, in December of each calendar year a revised Living Wage Rate for the City of Baltimore service contracts for the coming fiscal year.

The Wage Commission reviewed the yearly revision of the U.S. Bureau of Census Poverty threshold for a family of four. After careful consideration of the Bureau's poverty level for a family of four currently set at \$24,257.00, and other wage data, the Commission is recommending to the Board of Estimates that the Living Wage be increased from the current hourly rate of \$11.65 to \$11.66. This pay rate will apply to City of Baltimore service contracts as recommended by the City Purchasing Agent and designated by the Board of Estimates.

Methodology for calculation:

\$24,257.00 divided by 2,080 (a 40-hour week x 52 weeks) = \$11.66

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

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.

UPON MOTION duly made and seconded, the Board approved the recommendation that the Living Wage for FY 2018 be increased from the current hourly rate of \$11.65 to \$11.66.

Kim A. Trueheart

November 29, 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:
 - a. Page 3, Office of Civil Rights and Wage Enforcement – Living Wage Recommendation for FY 2018, if acted upon:
 - i. This recommendation fails to include Baltimore City municipal employees;
 - ii. This recommendation demonstrates the blatant inequities embodied in the day-today municipal operations of this administration;
 - iii. This recommendation demonstrates the continued failings of the mayoral administration and the Baltimore City Council to enact measures to provide a living wage for both public and private sectors employees.
3. How the protestant will be harmed by the proposed Board of Estimates' action: The Living Wage Rate must be applied to not just every service contract awarded by the City, but must also include every municipal employee. This should NOT be optional and when universally implemented demonstrates this administration's commitment to "Grow Baltimore" and create living wage jobs for all our residents. Application of this new wage rate on service contracts and municipal collective bargaining agreements will act as a multiplier that not only creates jobs for our un/underemployed, but puts desperately needed funds in neighborhoods that are continuing to suffer from the ravages of our slow recovering economic recession.
4. The remedy I seek and respectfully request is that this recommendation NOT be approved unless it is applicable to EVERY service contract issued and collective bargaining agreement executed by the City, without exception.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on November 30, 2013.

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

Sincerely,

5519 Belleville Ave
Baltimore, MD 21207

Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

BOARD OF ESTIMATES 12/11/2013 14 Wage Commission - Living Wage Recommendation for FY 2015

The Wage Commission in accordance with Article 5, Subtitle 26, Baltimore City Code (Living Wage), is required to recommend to the Board of Estimates, on or before December 15, of each calendar year a revised Living Wage Rate for the City of Baltimore service contracts for the coming fiscal year.

The Wage Commission reviewed the yearly revision of the U.S. Bureau of Census Poverty threshold for a family of four. After careful consideration of the Bureau of Census poverty level threshold, currently set at \$23,492.00 for a family of four, and other wage data, the Commission is recommending to the Board of Estimates that the Living Wage be increased from the current hourly rate of \$11.07 to \$11.29. This pay rate will apply to City of Baltimore service contracts as recommended by the City Purchasing Agent and designated by the Board of Estimates.

Methodology for calculation:

$\$23,492.00 \text{ divided by } 2,080 \text{ (a 40 hour week } \times 52) = \11.29

5519 Belleville Ave
Baltimore, MD 21207

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Office of Civil Rights and - Prevailing Wage Rate
Wage Enforcement Recommendation - 2017

ACTION REQUESTED OF B/E:

The Board is requested to approve the recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics, and apprentices on all Prevailing Wage projects awarded by the Mayor and City Council of Baltimore. It is recommended that the rates become effective for contracts that are advertised on or after December 31, 2016.

BACKGROUND/EXPLANATION:

The Commission requested information from contracting associations, unions, and related trade groups on work both public and private in order to establish rates to be recommended to the Board of Estimates.

In reviewing the rates outlined in classifications 1 - 5, there are not a significant amount of changes from the current rates. Many of the rates either remained the same or increased few cents on the dollar. For example:

Class 1: The highest rate increase was observed within the Glaziers position. The 2016 total rate was \$45.58 and the 2017 proposed rate is \$47.93, with an increase of \$2.35.

Class 2: The Power Equipment Operators (Group 1A) yielded the largest increase. The 2016 total rate was \$46.35 and the 2017 proposed rate is \$47.60, an increase of \$1.25.

Class 3: There were no rate adjustments due to the lack of surveys and fringe benefit agreements submitted by eligible contracts operating in Baltimore City.

Class 5: The Plumbers/Steamfitters provide the largest total increase of \$1.66. The 2016 total rate was \$55.35 and the 2017 proposed rate is \$57.01, an increase of \$1.66.

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Office of Civil Rights and - cont'd
Wage Enforcement

Classification 4 applies to federally funded Housing and Urban Development projects and has no impact on the City's general funds. For this reason, the Wage Commission adopted the United States Department of Labor's wage rates for this category.

UPON MOTION duly made and seconded, the Board approved the recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics, and apprentices on all Prevailing Wage projects awarded by the Mayor and City Council of Baltimore to become effective for contracts that are advertised on or after December 31, 2016.

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Baltimore Office of Promotion - Amendment No. 1 to Agreement
& the Arts

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Amendment No. 1 to Agreement with the Baltimore Office of Promotion & the Arts, Inc. (BOPA).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

BOPA will continue to perform the duties and functions outlined in Exhibit 1 of the Amendment No. 1.

Exhibit 1 is the Scope of Services that BOPA will provide to the City for the Program year 2016/2017. Each year, Exhibit 1 of this agreement is updated to reflect the current schedule of events that BOPA will produce in accordance of the Memorandum of Agreement dated April 23, 2014. City funding is provided via the annual BBMR Outcome Budgeting process. The original agreement contained an inadvertent proofreading error at Section k. Indemnification and the parties desire to correct this mutual error.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 1 to Agreement with the Baltimore Office of Promotion & the Arts, Inc.

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Office of the State's Attorney - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a Grant Award from the State of Maryland, Governor's Office of Crime Control and Prevention (GOCCP). The period of the Grant Award is October 1, 2016 through September 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$2,381,124.00 - 5000-580317-1156-117900-600000
\$ 640,723.00 - 1001-000000-1156-117900-600000

BACKGROUND/EXPLANATION:

This Grant Award from the GOCCP will be used to assist in developing and implementing strategies specifically intended to assist victims of crime in the State of Maryland. The Victim/Witness Unit serves the victims and witnesses of all crimes that occur in Baltimore City. The trained therapists and advocates in the Victim/Witness Unit provide court support and accompaniment, individual and group counseling, relocation assistance, restitution assistance and liaison services with prosecutors, public defenders, and law enforcement personnel. Funds will provide personnel salary and fringe benefits, equipment and training.

The Grant Award is late because it was recently received from the grantor.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

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Office of the State's Attorney - cont'd

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

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

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Mayor's Office of Immigrant and - Agreement
Multicultural Affairs

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the agreement with International Rescue Committee, Inc. The period of the Agreement is October 1, 2016 through September 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$254,007.00 - 5000-535917-1250-152800-603026

BACKGROUND/EXPLANATION:

Since 2006, the City has served as the grant administrator for the Refugee Targeted Assistance Program (TAP). In June 2016, the City responded to the Request for Proposal process for the TAP FY17 program. As a result, the City was selected as the Contractor and the Mayor's Office of Immigrant and Multicultural Affairs as the Administrator. The International Rescue Committee, Inc. was selected to provide vocational and employment services as a Subcontractor.

The funds for the Agreement originate from the Federal Office of Refugee Resettlement for the Targeted Assistance Grant program, and are designated for vocational training and employment services for hard-to-place refugees/asylees in the Baltimore metropolitan area. The Mayor's Office of Immigrant and Multicultural Affairs administers the funds allocated for the Baltimore metropolitan area on behalf of the Maryland Department of Human Resources.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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Mayor's Office of Immigrant and - cont'd
Multicultural Affairs

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with International Rescue Committee, Inc.

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Mayor's Office of Employment - Ratification of Amendment of
Development (MOED) Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to ratify the Amendment to Memorandum of Understanding with Jane Addams Resources Corporation (JARC) - Baltimore. The Memorandum of Understanding extends the period through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 4, 2015, the Board approved the original Memorandum of Understanding with JARC to provide welding and computer numerical control machinist related training for seven residents from the Park Heights neighborhood of Baltimore City for the period of July 1, 2015 through June 30, 2016.

This amendment will extend the period of the original agreement. There are no additional costs.

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

UPON MOTION duly made and seconded, the Board ratified the Amendment to Memorandum of Understanding with Jane Addams Resources Corporation - Baltimore.

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Department of Planning - Report on Previously
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds 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. Today, the Board is requested to **NOTE 13** favorable reports by the Planning Commission on November 17, 2016, on Transfers of Funds approved by the Board of Estimates at its meetings on November 2, 2016 and November 9, 2016.

The Board **NOTED 13** favorable reports on Capital Transfers of Funds approved by the Board of Estimates at the meetings on November 2, 2016 and November 9, 2016.

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Baltimore Development - Exclusive Management, Operating
Corporation (BDC) and Booking Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Exclusive Management, Operating, and Booking Agreement (Agreement) for the Pier Six Concert Pavilion (Facility), with Live Nation Worldwide, Inc. and SMG (Operator). The period of the Agreement is January 1, 2017 through December 31, 2023, with one 3-year option.

AMOUNT OF MONEY AND SOURCE:

Annual Rent (Base Rent)

\$400,000.00 - Years one through three

\$425,000.00 - Years four through six

\$450,000.00 - Years seven through ten

In addition, the City will receive 2½% of gross ticket revenue above \$2,500,000.00 for each performance year.

BACKGROUND/EXPLANATION:

In January 2016, the BDC issued a Request for Proposals (RFP) from companies experienced in facilities development, management and the promotion, production and presentation of live entertainment for the Pier Six Concert Pavilion, located at 731 Eastern Avenue in Baltimore's Inner Harbor. The management and operations agreement with the current operator expires on December 31, 2016.

In addition, to the aforementioned annual rent payments to be made to the City during the term of this Agreement, the Operator also agrees to complete not less than \$3,400,000.00 in capital improvements to the Facility during this same term.

Under this new agreement, the Live Nation Worldwide and SMG team must produce a minimum of 25 entertainment shows per season. The

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BDC - cont'd

25 entertainment shows may include those booked by the Baltimore Office of Promotion and the Arts. If an event or show has more than one performance date, then each date will count towards the computation of the required 25 entertainment shows.

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

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

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

A PROTEST WAS RECEIVED FROM OF AEG LIVE MID-ATLANTIC, LLC.



November 28, 2016

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

Re: Request to Speak at the Board of Estimates Meeting Scheduled for November 30, 2016.

Dear Ms. Pratt:

This letter is to serve as the formal request of AEG Live Mid-Atlantic LLC ("AEG") to speak at the Board of Estimates meeting scheduled for November 30, 2016.

This letter is to also serve as a written protest by AEG to the confirmation by the Board of the recommendation of the Baltimore Development Corporation ("BDC") for the award of the contract for the PIER 6 Concert Pavilion submitted pursuant to that certain RFP dated January 11, 2016 issued by the BDC, (the "RFP"). AEG submitted a bid in response to the RFP and has been informed that it is not the successful bidder. Proposed action by the Board at this time will harm and prejudice AEG's ability to be the successful bidder.

A. Violation of City Charter:

AEG contends, among other things, that the BDC violated the Baltimore City Charter Article VI Section 11 (h) (1) (ii), by not following the instructions set forth therein, whereby the Board is obligated to award an RFP contract to the highest scoring responsive bidder, based upon the bids originally submitted and opened publically by the Board.

Instead of complying with the City Charter, after opening the original RFP bids, the BDC made two subsequent requests for additional enhanced "best and final" bids. The possibility of submitting enhanced "best and final" bids was not stated in the RFP, as allowing subsequent enhanced bids is contrary to the nature of a confidential bidding process (and the City Charter).

The rationale for the enhanced bid requests has not been publicly disclosed and that lack of transparency raises questions about the integrity of the entire process and thereby the recommendation of any bid at this time.

B. Refusal to Provide Bids Pursuant to Maryland Public Information Act:

On September 14, 2016, a request was made on behalf of AEG for, among other things, the disclosure of the original bids and all subsequent bids from each RFP respondent. Although the time to respond to that request, including any extensions thereto, has expired, the documents have not been released. Without disclosure of all of the submitted bids, the public, AEG and any



other interested parties are unable to make a fully informed decision regarding a protest of the contract award.

C. Omission of In-Person Presentations;

The RFP specifically references in-person presentations by the bidders; however that step in the process was omitted without explanation by the BDC. AEG's proposal is complex and we have reason to believe that the BDC does not fully understand its terms and conditions. Selecting a bid without in-person presentations denies the Board and the City the opportunity to ensure that they completely understand all aspects of the submitted proposals and can make a fully informed decision as to which proposal is best for the City.

AEG will request that before moving forward with a decision on the contract for Pier 6, the following actions be taken: 1. Review by the Purchasing department of all submitted proposals; 2. The disclosure of all documents relating to the RFP, including the original bids and any subsequent bids of each respondent; 3. A formal determination of whether the BDC violated the City Charter by soliciting and accepting enhanced proposals; and 4. An opportunity for AEG to meet with the BDC to present and explain the sophisticated terms of its proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. William Reid', with a large, stylized flourish at the end.

A William Reid

Senior Vice President

AEG Live Mid-Atlantic

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President: "The first item on the non-routine agenda can be found on pages 11 - 22 Baltimore Development Corporation, Exclusive Management, Operating, and Booking Agreement. Will the parties please come forward? Will the parties please come forward? Okay everybody has to state their name."

Mr. Bill Cole: "Good Morning Mr. President, Bill Cole, President--"

President: "You've got to talk into the mic."

Mr. Bill Cole: "Mr. President Bill Cole, President and CEO of Baltimore Development Corporation."

Mr. William (Bill) Reid: "Bill Reid with AEG Live."

Mr. Cole: "Mr. President BDC undertook a process umm -- starting several months ago umm -- to find a new operator for Pier Six. We're here today with that uh -- agreement."

President: "Umm -- hold for one minute."

Mr. Cole: "Yes sir."

[The Mayor temporarily excused herself from the meeting. The Director of Finance, Henry Raymond sat on behalf of the Mayor during her absence.]

President: "Okay."

Mr. Cole: "We're here today uh -- with the Pier Six Agreement."

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Mr. Reid: "Yes, umm -- good morning, my name is Bill Reid, I am with AEG Live and uh, -- I would like to share some information and some facts with you as this process unfolded for the RFP for Pier Six. We recently have come into Baltimore we meaning, AEG. We now manage the Rams Head Live facility as of August -- September -- Sept -- September 14th and we now have a stake in the City of Baltimore and we now are citizens here and paying our taxes. So, when we got this RFP for Pier Six we were really excited because we felt this would be a great opportunity for us to make a stake in Baltimore. For us to be champions of Baltimore and this venue will be our only outdoor venue in the entire Baltimore/Washington area. But it's interesting as this process unfolded and we got the RFP on January 11, during this we kept hearing anecdotally that this RFP was a done deal. That it was already done to SMG because this was the pay back to SMG for things that they had done. Now we didn't believe that. Because we believe this City believes in fairness, equity, transparency. So, we went into this RFP knowing that this process would be fair and everyone would be treated well. So, on April 11th, when we put our bid in we did our best job we worked through it. We created a comprehensive program and went through

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period of seven to ten years. We put out that there would be 35 to 45 shows. It involved the local community. We had a major minority component and we -- we -- were going to create a place, a destination for Baltimore people to come, not just a concert venue to that end this past season we did something that hasn't been done at Pier Six. We did a three-show series called Jazzy Summer Nights. It was 100% of the vendors were minorities it was hugely successful. This is the kind of program that we wanted to do and that we thought would be beneficial to Baltimore. When we put our bid in we knew it was the best bid. So, on May 25th when we got a letter from BDC saying, we want your best and final bid we were shocked. We went back to the original RFP to look and see if that, was a prerequisite in the RFP, it wasn't. We went back to the Charter of the City to see if that was allowed, it wasn't. So, we went back to our legal team and we were mystified to what to do. So, what we did was, we sent a letter back to BDC, saying, you know we gave you our best and final cause that's what you asked for and we did it and in that letter we also asked that we meet with BDC. Now I've done many, many RFP's in my career. Every single RFP the proponent has been asked to

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make a presentation to the Board or to the RFP entity so that the people grading or looking at the party have a full knowledge of who they are. But more importantly the proponent gets the opportunity to state their case to talk about their proposal to the individual Board members and that beyond the shadow of a doubt will then insure that every Board member hears from the horse's mouth what that proposal was. So, when we asked to make an oral presentation, we never got a response. So, then June 10th we got another letter from BDC, another best and final. We didn't know what to do. So, this was the second best and final, and then thirdly, in August, we got an email no phone call an email from BDC, saying 'we don't understand your offer.' So that is exactly why we should've been granted the opportunity to go into BDC and show the offer, we had a complex offer. It was complicated because it was revenue sharing. But, our offer was worth over a ten-year period over \$20 million dollars. But, what happened was we never got a chance to present it orally. So, the question I asked BDC was how do we know our offer was conveyed to the Board members? How do we know that -- how do we know it was done fairly? How do we know that was beyond process of how

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how things are done. We don't know that. We don't. So, then what happened was when we got ideas or when we heard that we were not selected we went back to Billy Murphy and to his firm Murphy, Falcon & Murphy and I said we need to go on record that this process and we're talking about a process has not followed City Charter. This two best and final was not in the original RFP and something is wrong. Something is fishy. And so what happened was Mr. Murphy wrote Kimberly Clark on September 14th and he said quote 'At best the RFP process for Pier Six has not followed BDC's own guidelines, at worst the process may have been compromised and thereby violated City laws.' We know the process has been compromised, we know. This could be a case of contract steering. So what happened was in that same letter with Mr. Murphy we went back and asked BDC please give us all the information that you have that relates to the original RFP. We wanted to see the bids. We wanted to see the bid on April 11th, because that will tell the story either we were high bidder or we were not, that's what was required. So, then on October 14th we got a letter from one of the City Solicitors, saying, 'Can we

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please a have a brief extension for us to give you that information?' So, on November 22nd our legal counsel wrote again to the City Solicitor saying, 'We have not seen any of this information we requested, and as you know by law you have 30 days to surrender information asked for.' So even given the 30-day extension that was 75 days after we asked for it. So because we never got these documents I can't stand in front of you and give an adequate protest because I don't have the things that we need to show precisely what it is that has happened. So our due process by law has been compromised but more importantly I think this sheds a light on the entire situation. BDC has not been transparent. They have not given this up because if in fact we -- we weren't the higher bidder I'm sure they would have come back and said this is who you are this is-- you didn't win the bid, that has not happened. So in sum, what I'd like to do is it -- I would like to lay out three reasons for our protest."

Interim City Solicitor: "Thank you."

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Mr. Reid: "First, violation of City Charter. BDC violated the Baltimore City Charter Article VI §11(h) (1)(ii) by not following the instructions set forth therein whereby the Board is obligated to award an RFP contract to the highest scoring responsive bidder based upon the bids originally submitted which was on April 11th and opened publicly by the Board. What point is it to have a RFP submission to only have two or three afterwards."

President: "You've got to speak in the mic sir."

Mr. Reid: "Instead of complying with the City Charter after opening the original RFP bids, BDC made two subsequent requests for additional enhanced best and final bids. The possibility of submitting enhanced best and final bids was not stated in the RFP, that's fact. As allowing subsequent enhanced bids is contrary to the nature of a confidential bidding process and -- and the City Charter. Number two, refusal to provide bids pursuant to the Maryland Public Information Act. On September 14, 2016, a request was made on behalf of AEG for among other things the disclosure of the original bids and all subsequent bids from each RFP -- RFP respondent. Although the time to respond to that request including any extension thereto has

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expired. The documents have not been released. Without disclosure of all the submitted bids the public, AEG, and many have not been released. Without disclosure of all of the submitted bids the public, AEG and any interested parties are -- are unable to make a fully informed decision regarding a protest of the contract award. Three, omission of the in person presentation. The RFP -- RFP specifically references in person presentations by the bidders. It's in the RFP. However, that step in the process was omitted without explanation by BDC. Selecting a bid without an in person presentation denies the Board and the City the opportunity to ensure that they completely understand all aspects of the submitted proposals and can make a fully informed decision as to which proposal is best for the City. In sum, how do we know as a bidder that our proposal was submitted correctly, effectively, in the manner in which we wanted it? We don't know that. In fact, we think it wasn't. In fact, we know it wasn't. That's why the process has been flawed. We request well this really comes down to the whole

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point of this why do an RFP if you're not going to honor the process. Why go out to the public and say we want you to come in and make the time and effort to invest and do something with the City if you're not going to follow the rules? If this is an opportunity to just give it to somebody or somebody else or to give it as a favor or something - do that just go ahead and do it and save us all the time and money. But what are you telling the public? Are you telling the public that when you put an RFP out, that when you put your bid in, that there are going to be two subsequent best and finals? That your original bid is not your original bid. Is that what you're telling the public? I think not. Because I think you know what's fair, what's equitable, and what is the right thing to do. The right thing to do is follow the law. Therefore, we request that before moving forward with a decision on the contract for Pier Six the following actions be taken. One, review by the Purchasing Department of all submitted proposals. Two, the disclosure of all documents relating to the RFP including the original bids and any subsequent bids of each respondent. Three, a formal

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determination of whether the BDC violated City Charter by soliciting and accepting enhanced proposals which they did on two occasions, that's fact. An opportunity for AEG to meet with the BDC to present ourselves so that every Board member can meet us know who we are. We are one of the biggest concert companies in the world. We have a presence here. We can bring a lot of big national bands here. An opportunity for AEG to meet with BDC to present and explain the sophisticated terms of its proposal. Clearly we have a record from BDC saying they didn't understand our proposal and our \$20 million dollar proposal was complex because it involved revenue sharing and what is so ironic is that in our RFP we project 45 shows. Last year there were 31 shows on Pier Six. As I read this contract they're talking about 25 shows. So, when you read the press release that BDC put out, they said they wanted to find an operator to do more shows and to increase the length of the season. Now I submit to you, how

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can 25 shows which are six shows less than last year, which are 20 shows less than what we were putting in for be more. For these reasons, we respectfully --"

President: "Sum it up."

Mr. Reid: "request that this approval be deferred."

President: "Umm -- I have -- I have a question before you go -- umm -- to BDC umm -- was all the bidders and I don't know how many bidders it was treated the same?"

Mr. Cole: "Yes, sir we had no in person interviews with any other respondents."

President: "Okay."

President: "Umm --."

Interim City Solicitor: "Excuse me your name again sir?"

Mr. Reid: "Bill Reid"

Interim City Solicitor: "Mr. Reid umm -- do you understand that this was an RFP for Professional Management Services Agreement?"

Mr. Reid: "Yes."

MINUTES

Interim City Solicitor: "Okay, I have no further questions. I'll turn it over to the Law Department."

Mr. Michael Schrock: "Michael Schrock, Baltimore City Law Department. I'm discussing the allegation that's there a violation of the City Charter, which there is not. This is a professional services agreement. The Article that you cited is actually a different section of the Code that deals with non-professional Services. Professional Services are -- is actually 11(d) -- §11(d), which is pursuant to a Resolution the Board of Estimates and there is no such Resolution about these management services umm -- we even have a Solicitor opinion from 1988 umm -- that deals with the Baltimore Arena for similar type services as this RFP, and in that case that was not even competitively bid. Since that time, the City has gone out and competitively asked for solicitations from respondents on this and umm -- basically that solicitation says its professional services, these types of services and the City is not actually expending any money umm -- it's a revenue contract we're receiving revenues.

MINUTES

So, this is something the bid -- the City has solicited out and it's -- it's -- it had a different competitors that has asked for responses. But, the -- the citation you give is not correct. That is for like commodity services not professional services we don't go through that process. So that -- that is just not correct. The second thing is, you made the BAFO allegation that there's nothing in the RFP to allow a BAFO but on page 5 here to allow --."

Mr. Reid: "Excuse me what?"

Mr. Schrock: "You called it a BAFO a Best and Final Offer, I think is how -- how you described it."

Mr. Reid: "Yeah."

Mr. Schrock: "But there's language here that says on page 5 middle of the page that says, 'BDC will not be limited solely to the information provided by the respondent' which you are one. Additional information or modifications to proposals may be requested from any prospective operator.' So, I think it's very clear there that they could ask for modifications to your

MINUTES

responses which apparently they did twice ask you for modification and also the other respondents umm -- so I don't see that - that is correct -- that statement umm -- and BDC has stated here that they filed their normal solicitation process and they allowed the different responders to respond to these uh -- requests for modifications. So, I guess the que-- I -- I don't see anything so far that you brought up any facts that show there's any umm - problems with the integrity of the bidding -- of the uh -- solicitation process."

Mr. Reid: "I -- I would like to respond to that. Well first of all, as relates to the RFP, we are in fact a management company. So we in fact do manage. In fact AEG managed many, many, many buildings many amphitheaters, many smaller amphitheaters theaters, and many arenas. So, we do fit that qualification. In the sense it also asked for programming so it didn't just ask for -- for management in which case you would then make the Arena public. If you're going to make Pier Six public I would applaud that. We would use it, if this is going to be just like

MINUTES

the Arena downtown then do it. I think it would be wonderful. But, we're asking for an exclusive, so you're asking for someone to manage it and to promote it. So we were responding -- in that response we did respond to that. The second thing is and again this could shut me up, if in fact why wasn't the original bid on April 11th surrendered? How come the information we've asked for which is now 75 days late, how come it hasn't been surrendered?"

Mr. Schrock: "Alright and I'll let the -- another attorney respond to that."

President: "Then the Comptroller has some questions."

Ms. Hillary Ruley: "Sure umm -- Honorable members of this Board Hillary Ruley on behalf of the Law Department. As you so rightly said, the right thing to do is follow the law and the government here has no option we are not allowed to give out that information by State Law. Maryland's Public Information Act Section 4-335 requires that the government deny a request for the kind of information sought here because it is confidential commercial financial information. Ah -- the disclosure of that

MINUTES

kind of information prior to this Honorable Board's selection of an award winner, presents a chilling effect on the receipt of those requests if vendors such as yourself or anyone else in the process would know, but simply by submitting their information the kind of things you referenced umm -- programming, management the kind of things you build your business on. If those kinds of things could be disclosed even when this Honorable Body may determine that umm -- that's it's not interested in the proposal anymore. Perhaps it wants to start over, perhaps it wants to do something else. Umm -- so until that decision is made by the deciding body and that's referenced in paragraph h of the request for proposals, until that time happens uh -- case law in Maryland uh -- which is looks also to the federal courts when they do this for FOIA is absolutely clear that the balance weighs in the -- in favor of non-disclosure of anything. You're absolutely right, you wrote to us on September 14th, asking for the documents. We asked for an extension and the reason we did that is so that we could go back to each and everyone one of

MINUTES

these bidders, ask them what they feel is confidential and that's important because at this point nothing can go out until an award made. As soon as an award is made assuming this Honorable Body does make such an award, then it's incumbent upon the Law Department to follow the law and the law requires us not to give out every single piece of information. Not only will your total bid not be disclosed umm -- because by law we can't. But that's the truth for every single other bid. In this situation, the information must be reviewed in the context of the business that you conduct, and as you so well pointed out you have programming issues as well as management. So this is not the same thing as a bid where you get for example, the purchase of widgets uh -- that are standard across an industry this is instead a request for proposals and everything you put in it. Like you said, your bid's unique, and so that's true for perhaps all the other bidders and so the case law actually mandates the government gives you no information. We referenced that in our letter to you of November 23rd, in which we said

MINUTES

umm -- you now the Federal Courts have upheld that a temporary delay in release is appropriate when the records sought will soon be made public. Once the bids are opened and an award is made thus the ultimate purpose of public disclosure envisioned by these kinds of laws can be achieved while balancing the government's need to protect that kind of commercial information for this short period of time. So that's exactly what we've done we followed the letter of the law -- perfectly I believe and umm - certainly stand by that and as soon as this body makes its final determination we stand ready to release the -- you know redacted bids for everyone protecting each company's confidential financial information in this situation."

Mr. Reid: "Can I ask you a --."

President: "Excuse me Madam Comptroller."

Comptroller: "Mr. Reid said that umm - the RFP required that BDC meet with all bidders. Did BDC meet with any of the bidders?"

Mr. Cole: "Madam Comptroller uh -- Bill Cole President and CEO of Baltimore Development Corporation again. Umm -- Mr. Reid has misstated the RFP it does not say that we will meet with all bidders. It says respondents may be required, key word there is may --."

MINUTES

Comptroller: "Okay."

Mr. Cole: "I can tell since I've been at BDC we have not had a single in person interview. We rely on paper submissions exclusively umm -- to review proposals. So the word may is in there for a reason. It doesn't say shall. It says may. Thank you."

Mr. Reid: "In answer to that, we asked for the meeting, w-- we asked for that. So when we responded we asked for the meeting and then we were denied. If I could ask a question umm -- you had said that in October 14th, you responded to all -- or you sent information to all the applicants--."

Ms. Ruley: "No actu--"

Mr. Reid: "for -- for this RFP to ask if there is any confidential information--"

Ms. Ruley: "Um -- I -- ."

Mr. Reid: "Is that what you said I think you did say that."

MINUTES

Ms. Ruley: "What we did is, we reached out to them some might have been letters some might have received a phone call. Some may have been emailed because we're required under the law to do that and we did that in the anticipation of an award today hopefully and that way you don't have any further delay at all. We don't delay that part of our work um -- so, that as soon an award made then, under the law the balance shifts and then everyone can view everyone's redacted proposal and we stand ready to do that this week so long as the Board makes an award."

Mr. Reid: "Well let me ask a question, you never reached out -- you never reached out to us."

Ms. Ruley: "You're the requestor so obviously you ke-- you already have your whole package un-redacted."

Mr. Reid: "No, we would happily had been given everything to everybody else had you called us and you didn't you -- you said -- I believe you said that you wanted to see if the applicants had secret information or trade secrets."

Ms. Ruley: "No."

Mr. Reid: "If that was the case then we would gladly have surrendered it to anybody."

MINUTES

Ms. Ruley: "You requested the information. You already have yours. So there is no reason to contact you about what in your information is confidential, commercial or financial you know -- in your industry you already know your stuff. So I had to contact the other bidders to see what they believe was confidential. Then I don't take their word for it in fact I can't. I have to use all the case law that's developed to see exactly which uh -- pieces of information people request to be withheld we're allowed to withhold. Certainly the government is required to give up as much information as possible while balancing this interest and we're simply implementing the State law here."

Mr. Reid: "Well simply had you asked us --."

President: "Can you umm -- two minutes and we're gonna."

Mr. Reid: "I think clearly and let me sum it up like this. As I said before, there was a bid asked for on April 11th--."

Interim City Solicitor: "It was an RFP."

Mr. Reid: "RFP excuse me, we submitted a bid--."

Interim City Solicitor: "You submitted an RFP response."

Mr. Reid: "We -- we a RFP response. You're correct. There was an RFP we submitted an RFP response on April 11th. We think in our

MINUTES

opinion if we read it and - as the law shows that was the final one and only RFP response. All we ask, and what we have asked before, is to look at all the RFP's at that time for us to then make an effective protest to see if in fact we were the highest bidder or had -- had -- best response as to April 11th is that the correct terminology?"

Interim City Solicitor: "Yes."

Mr. Reid: "Okay. If we had the best response as of April 11th, and I said if we didn't it's a moot point. We go home. We're wrong. If we didn't then I think it's another matter, that's what this is about."

President: "I'll entertain the motion."

Interim City Solicitor: "I MOVE to reject the uh -- protest and to award the contract that's recommended by BDC on page 11 and 12 of the Agenda."

Director of Public Works: "Second."

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

Comptroller: "I Abstain."

President: "Please note that the Comptroller **ABSTAINS**. The MOTION carries."

* * * * *

CLERKS NOTE: Madam Mayor returned during the hearing and voted on this item.

MINUTES

Baltimore Development - Memorandum of Understanding
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Memorandum of Understanding (MOU) by and between the Mayor and City Council of Baltimore (City), acting through the Department of Public Works (DPW), the Department of Transportation (DOT) and Stadium Square Holdings, LLC (Developer).

AMOUNT OF MONEY AND SOURCE:

\$2,300,000.00 - Capital Improvement Program

BACKGROUND/EXPLANATION:

This MOU refers to the construction of public infrastructure surrounding the Stadium Square development in the Sharp-Leadenhall neighborhood, bounded generally by West Cross Street to the north, Race Street to the east, Leadenhall Street to the west, and extending beyond West Ostend Street to the CSX railroad tracks to the south.

Stadium Square Holdings, LLC is developing a multi-block, mixed-use development that will include approximately 700 apartments, 300,000 square feet of office space, 70,000 square feet of retail space, and 2,000 parking spaces. The first phase of the development is scheduled for completion in 2017.

This MOU acknowledges that the City, through the DOT and the DPW will fund and complete certain public infrastructure improvements in the public rights-of-way adjacent to the project. These improvements include 1) a Roadway Project to mill and resurface streets, 2) a Streetscape Project for curb, gutter and sidewalk reconstruction, street light installation, hardscaping, and

MINUTES

BDC - cont'd

street trees, and 3) maintenance and improvements of subsurface water, stormwater, and sanitary sewer utilities, as necessary.

MBE/WBE PARTICIPATION:

The work will be completed by the City in accordance with procurement requirements.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Understanding by and between the Mayor and City Council of Baltimore, acting through the Department of Public Works, the Department of Transportation and Stadium Square Holdings, LLC.

MINUTES

Baltimore Development - First Amendment to Lease Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to Lease Agreement with the Mayor's Office of Human Services (MOHS) for the premises containing 12,130 square feet (7,670 square feet on the fifth floor + 4,460 square feet on the eighth floor) located at 7 East Redwood Street. The First Amendment to Lease Agreement extends the period of the agreement through October 31, 2016.

AMOUNT OF MONEY AND SOURCE:

<u>Base Rent</u>	<u>Monthly Installment</u>
\$220,145.00	\$16,678.75 - November 1, 2016 - October 31, 2017
\$206,149.32	\$17,179.11 - November 1, 2017 - October 31, 2018
\$212,333.76	\$17,694.48 - November 1, 2018 - October 31, 2019
\$218,703.72	\$18,225.31 - November 1, 2019 - October 31, 2020
\$225,264.84	\$18,772.07 - November 1, 2020 - October 31, 2021

The rent will escalate 3% annually after the first year.

BACKGROUND/EXPLANATION:

The MOHS will use the premises for administrative offices. On November 21, 2012, the Board approved the original lease agreement with the MOHS for the period January 1, 2013 through October 31, 2016.

This First Amendment to Lease Agreement will extend the period of the lease agreement through October 31, 2021, with one early cancellation option should the MOHS lose funding greater than 25% of its operating budget. The Landlord will perform no tenant improvements.

MINUTES

BDC - cont'd

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Lease Agreement with the Mayor's Office of Human Services for the premises containing 12,130 square feet (7,670 square feet on the fifth floor + 4,460 square feet on the eighth floor) located at 7 East Redwood Street.

MINUTES

Baltimore Development - Second Amendment to Lease Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Second Amendment to Lease Agreement with the Baltimore Police Department, EODS Division, for the premises containing 4,285 square feet located on the fourth floor at 7 East Redwood Street. The First Amendment to Lease Agreement extends the period of the lease through October 31, 2019.

AMOUNT OF MONEY AND SOURCE:

<u>Base Rent</u>	<u>Monthly Installment</u>
\$70,702.56	\$5,891.88 - November 1, 2016 - October 31, 2017
\$72,823.56	\$6,068.63 - November 1, 2017 - October 31, 2018
\$75,008.28	\$6,250.69 - November 1, 2018 - October 31, 2019

The rent will escalate 3% annually after the first year.

BACKGROUND/EXPLANATION:

The Baltimore Police Department, EODS Division, will use the premises as an administrative office. On October 3, 2012, the Board approved the original lease agreement for the premises containing 4,500 total rentable square feet for the Baltimore Police Department, EODS Division for the period September 1, 2012 through October 31, 2016.

On September 9, 2015, the Board approved the First Amendment to Lease Agreement which reflected a reduction in square footage from 4,500 total square feet to 4,285 total square feet. The remaining 215 square feet is being used for additional building telecommunication equipment.

Under the terms of this Second Amendment to Lease Agreement, the Landlord has agreed to extend the period of the lease agreement through October 31, 2019.

MINUTES

BDC - cont'd

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to Lease Agreement with the Baltimore Police Department, EODS Division, for the premises containing 4,285 square feet located on the fourth floor at 7 East Redwood Street.

MINUTES

Baltimore Development Corporation - Office Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Office Lease Agreement with Ms. Catherine E. Pugh, Tenant, for the rental of 461 sq. ft. of property known as Suites 200 A, B, and C, at the Business Center @ Park Circle located at 2901 Druid Park Drive. The period of Agreement is for two years, and with an option to renew for an additional two years.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$8,298.00	\$691.50

BACKGROUND/EXPLANATION:

Mayor-elect and Senator of the Maryland General Assembly, Ms. Pugh has been a tenant at the Business Center @ Park Circle since 2005, initially as a State Delegate and currently as a State Senator. Her office will continue to use the premises under the tenancy of Committee to Elect Catherine E. Pugh.

The base rent will increase annually by an amount equal to 4%.

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

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

MINUTES

BDC - cont'd

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

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Office Lease Agreement with Ms. Catherine E. Pugh, Tenant, for the rental of 461 sq. ft. of property known as Suites 200 A, B, and C, at the Business Center @ Park Circle located at 2901 Druid Park Drive.

MINUTES

Mayor's Office of Human Services - Agreements

The Board is requested to approve and authorize execution of the various Agreements. The period of the agreement is October 15, 2016 through March 15, 2017, unless otherwise indicated.

1. **THE MARYLAND CENTER FOR VETERANS** **\$155,678.40**
EDUCATION AND TRAINING, INC.

Account: 1001-000000-3572-772800-603051

The organization will use funds to provide 60 emergency overnight shelter beds.

2. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$108,877.60**

Account: 1001-000000-3572-772800-603051

The organization will be using funds to provide 19 emergency overnight shelter beds.

Emergency overnight shelter beds will be provided for homeless men and women on nights that the temperature falls below 32 degrees Fahrenheit. The funds will be dispersed on a per diem basis and will be used to cover personnel costs, utilities, shelter operating costs, and food for clients.

The agreement is late because of a delay at the administrative level.

MWBOO GRANTED A WAIVER.

3. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$ 23,649.00**

Account: 1001-000000-3572-772800-603051

The organization will use the funds to cover the personnel

MINUTES

Mayor's Office of Human Services - cont'd

costs of Winter Shelter Coordinators to help direct clients between partner homeless services agencies providing emergency overnight shelter beds to homeless individuals and families on nights that the temperature falls below 32 degrees Fahrenheit.

The agreement is late because of a delay at the administrative level.

4. **CARROLL COUNTY HEALTH DEPARTMENT** **\$64,655.00**

Account: 4000-490817-3573-763201-603051

The Carroll County Health Department will use funds to provide housing assistance and supportive services to individuals or to families who have a family member with AIDS.

The City is the Grantee for the Baltimore Eligible Metropolitan Statistical Area (EMSA), which includes Queen Anne's County. The City desires to utilize a portion of the grant funds from the U.S. Department of Housing and Urban Development to assist Carroll County in providing intensive case management services and short-term rental assistance to eligible HIV/AIDS clients in the EMSA.

The period of the agreement is July 1, 2016 through June 30, 2019.

The agreement is late because of a delay in receiving signatures from the organization.

MWBOO GRANTED A WAIVER.

MINUTES

Mayor's Office of Human Services - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Mayor's Office of Health, Human Services, - Agreement
Education and Youth

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Agreement with Associated Black Charities, Inc. (ABC). The period of the Agreement is July 1, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$600,000.00 - 1001-000000-4460-742700-607001

BACKGROUND/EXPLANATION:

ABC was founded in 1985 to represent and respond to issues of special significance to Maryland's African American communities, and to foster coordinated leadership on issues concerning these communities. As a community-based resource development and problem solving organization, the ABC of Maryland provides extensive experience in grant making, leadership, strategic planning, and technical assistance. The strengthening of programs and services to various community-based organizations has been accomplished by providing primary grant, program funding, and technical assistance in the four priority areas of family preservation, community revitalization, youth development, and economic empowerment.

The City wishes to support Opportunity Youth workforce programs at various locations in Baltimore City. The ABC is qualified to serve as Fiscal Agent and desires to render such services. The purpose of this City of Baltimore investment is to improve the opportunities available to those disengaged or "opportunity" youth aged 18 to 24 that are not currently active or engaged in education, training, or the workforce.

The ABC agrees to serve as Fiscal Agent and provide fiscal oversight of \$600,000.00 for the term to Opportunity Youth

MINUTES

Mayor's Office of Health, Human Services, - cont'd
Education and Youth

programs and workforce development activities. The ABC will place the funds in an account to be used solely for administering and awarding funding to sub-grantees.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Associated Black Charities, Inc. The Comptroller **ABSTAINED**.

MINUTES

Mayor's Office of Health, Human Services, - Agreement
Education and Youth

ACTION REQUESTED OF B/E:

The Board is requested to ratify the Agreement with Family League of Baltimore City, Inc. (FLBC). The period of the Agreement was July 1, 2015 through June 30, 2016.

AMOUNT OF MONEY AND SOURCE:

\$180,000.00 - 1001-000000-4460-692000-607001

BACKGROUND/EXPLANATION:

The FLBC is the City's Local Management Board. It is a quasi-governmental organization that works with a range of partners to develop and implement initiatives that improve the well-being of Baltimore's children, youth and families. The FLBC work touches the lives of tens of thousands of Baltimore families each year.

This agreement will support the FLBC's efforts to administer the Community Schools planning process at certain Baltimore City Schools taking part in the 21st Century Buildings initiative by providing sub-grants to partner organizations to support the implementation of the planning process. The community schools planning process includes several key steps: building a Planning Team, developing and implementing an asset map and needs assessment, creating a vision as a community school, developing a 12-month action plan and identifying partners to meet the identified needs.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Mayor's Office of Health, Human Services, - cont'd
Education and Youth

UPON MOTION duly made and seconded, the Board ratified the
Agreement with Family League of Baltimore City, Inc.

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. 1627 Thames Street	Brown's Wharf, LLC	One awning 8'8" x 4'
Flat Charge: \$ 210.90		
2. 39 S. Poppleton Street	SHPS Investors, LLC	One fence 20' x 4'
Annual Charge \$ 140.00		
3. 511 S. Clinton Street	D Carey Development, LLC	Mansard cornice 51.4 sq. ft., porch and steps 24 sq. ft.
513 S. Clinton Street	D Carey Development, LLC	Mansard cornice 32.1 sq. ft., porch and steps 96 sq. ft.
515 S. Clinton Street	D Carey Development, LLC	Mansard cornice 50.5 sq. ft., porch and steps 24 sq. ft.
521 S. Clinton Street	D Carey Development, LLC	Oriel window 2 nd floor 120.2 sq. ft.
Flat Charge: \$3,773.43		

MINUTES

Department of Transportation - cont'd

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---|-------------|---------|
| 1. GOVERNMENT SCIENTIFIC
SOURCE, INC. | \$10,000.00 | Renewal |
| Contract No. B50003343 - 200 Proof Ethanol - Baltimore City
Police Department - Req. No. P526192 | | |

On February 4, 2014, the City Purchasing Agent approved the initial award in the amount of \$20,000.00. The award contained three 1-year renewal options. Two renewal options have been exercised. This final renewal in the amount of \$10,000.00 is for the period February 5, 2017 to February 4, 2018.

- | | | |
|--|-------------|-----------------|
| 2. ACTION ALARM SYSTEMS CORP.
d/b/a ACTION INTEGRATED | \$40,863.00 | Selected Source |
| Contract No. 06000 - Burglar Alarm, Access Control System and
Security Camera - Baltimore City Police Department - Req. No
R745775 | | |

Action Alarm Systems Corp., d/b/a Action Integrated is the company that provided the original Access Control System that the BCPD is currently using. They are adding two additional floors to their lease and it would not be cost effective to add an entirely new system.

- | | | |
|--|-------------|---------|
| 3. ZENMAR POWER TOOL
& HOIST SYSTEMS | \$40,000.00 | Low Bid |
| Solicitation No. B50004817 - Repair of Air Operated Tools -
Department of Public Works - Req. No. R744218 | | |

Vendors were solicited by posting on CitiBuy. One bid was received. The Board is requested to approve an award to the sole bidder, whose bid appears to be fair and reasonable. The period of the award is December 1, 2016 through November 30, 2017, with three 1-year renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|--|-------------|---------|
| 4. BOB ANDREWS
CONSTRUCTION INC. | \$59,298.00 | Low Bid |
| Solicitation No. B50004676 - ADA Accessible Ramp - Health Department - Req. No. 733851 | | |

Vendors were solicited by posting on CitiBuy as an informal solicitation, as the agency estimated that the cost of the project was below \$50,000.00 to install a ramp at the Health Department's Early Head Start Center located at 2200 N. Monroe Street. Two bids were received and opened on October 21, 2016. Both were over the informal threshold. The award is recommended to be made to the lowest responsible and responsive bidder.

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.

- | | | |
|--|--------------|-----------------|
| 5. ADAPT PHARMA, INC. | \$195,950.00 | Selected Source |
| Contract No. 06000 - Nasal Narcan - Health Department - Req. No. R744518 | | |

Nasal Narcan is used by first responders and health care providers to stop or reverse the effects of an opioid overdose. Adapt Pharma, Inc. is the manufacturer of this life saving medication and provides the medication to municipalities at a price level equal or lower than that of

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

the secondary market. The period of the award is December 1, 2016 through November 30, 2019, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

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

6. HEYWARD INCORPORATED
 OF VIRGINIA, INC. \$ 78,294.00 Sole Source
 Contract No. 08000 - New Stock Vaughn Pump and Parts -
 Department of Public Works, Wastewater Facilities Division -
 Req. Nos. R739855 and 739848

The Wastewater Facilities Maintenance Division requires Vaughn Pump and Parts for replacement and repair of existing installed equipment. The vendor is the manufacturer's sole distributor for the State of Maryland. 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.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONSVENDOR AMOUNT OF AWARD AWARD BASISBureau of Purchases

7. SKALAR, INC. \$ 20,000.00 Renewal
 Contract No. 08000 - Service Agreement for Skalar San++
 Analyzer Systems - Department of Public Works, Bureau of
 Water and Wastewater - P.O. No. P529942

On January 27, 2015, the City Purchasing Agent approved the initial award in the amount of \$23,000.00. The award contained three 1-year renewal options. On December 9, 2015, the Board approved the first renewal in the amount of \$20,000.00. This second renewal in the amount of \$20,000.00 is for the period February 1, 2017 through January 31, 2018, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

8. BFI WASTE SERVICES, LLC d/b/a
 ALLIED WASTE SERVICE
 OF BALTIMORE \$150,000.00 Renewal
 Contract No. B50002466 - Trash Removal Services for Baltimore
 Convention Center - Convention Center Complex - P.O. No.
 P522081

On October 24, 2012, the Board approved the initial award in the amount of \$426,096.00. The award contained two 1-year renewal options. On December 16, 2015, the Board approved the first renewal in the amount of \$150,000.00. This final renewal in the amount of \$150,000.00 is for the period January 1, 2017 through December 31, 2017. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 8% MBE AND 2% WBE.

	<u>Commitment</u>	<u>Performed</u>	
MBE: L & J Waste Recycling, LLC	8%	\$11,375.54	22%

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONSVENDOR AMOUNT OF AWARD AWARD BASISBureau of Purchases

	<u>Commitment</u>	<u>Performed</u>	
WBE: A2Z Environmental Group, LLC	2%	\$ 4,950.00	10%

MWBOO FOUND VENDOR IN COMPLIANCE.

9. DUKES ROOT CONTROL, INC. \$1,000,000.00 Renewal
 Contract No. B50002616 - Chemical Root Application and CCTV Inspections for Sanitary Sewer Systems - Department of Public Works, Bureau of Water and Wastewater Utility Engineering Division - P.O. No. 522405

On December 19, 2012, the Board approved the initial award in the amount of \$3,012,300.00. The award contained three 1-year renewal options. On November 4, 2015, the Board approved the first renewal in the amount of \$1,000,000.00. This second renewal in the amount of \$1,000,000.00 is for the period December 19, 2016 through December 18, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 12% MBE AND 0% WBE.

	<u>Commitment</u>	<u>Performed</u>	
MBE: Riviera Enterprises, Inc.	12%	\$120,785.74	21%

WBE: N/A

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|---|--------------|---------|
| 10. FULL CIRCLE SOLUTIONS,
INCORPORATED | \$891,360.00 | Renewal |
| Contract No. 06000 - Technical Support and System
Administration for Consolidated Collection System - Finance
Department - P.O. No. P533669 | | |

On October 24, 2012, the Board approved the initial award in the amount of \$1,949,040.00. The award contained two 1-year renewal options. On November 25, 2015, the Board approved the first renewal in the amount of \$891,360.00. This final renewal in the amount of \$891,360.00 is for the period December 19, 2016 through December 18, 2017.

11. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$425,000.00	9908-901027-9146	9908-907333-9146
Gen. Funds	ERP Software	Munis Billing System

This transfer is to provide the remaining funding necessary to complete the project.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

12. ASSOCIATED BUILDING

MAINTENANCE CO., INC.	\$ 0.00	Extension
Contract No. B50001546 - Provide Janitorial Services for the Department of General Services Area A - Department of General Services - P.O. No. P515606		

On November 24, 2010, the Board approved the initial award in the amount of \$461,556.00. The award contained two 1-year renewal options. Both renewals have been exercised and subsequent actions have been approved. This extension is necessary to allow additional time to award and allow transition time for the awarded vendor under Solicitation No. B50004603, bids which were opened on August 31, 2016. The period of the extension is December 1, 2016 through December 31, 2016. The above amount is the City's estimated requirement.

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

Associated Building Maintenance Co., Inc. was found in compliance on March 13, 2015, but was found in non-compliance on May 4, 2016, due to the withdrawal of the named WBE, My Cleaning Services, Inc. from the contract. A more recent compliance review has not been completed due to the pending expiration of the contract.

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

	<u>Commitment</u>	<u>Performed</u>	
MBE: CJ Maintenance	17%	\$34,175.11	21.4%
WBE:	See note below	0	

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

My Cleaning Services, originally named for WBE participation, withdrew from the contract. The vendor has yet to substitute an approved WBE. Guaranteed Cleaning Services, Inc. named by vendor as replacement is not certified with Baltimore City.

13. ASSOCIATED BUILDING

MAINTENANCE CO., INC.	\$ 0.00	Extension
Contract No. B50001547 - Provide Janitorial Services for Area B - Department of General Services - P.O. No. P515603		

On November 24, 2010, the Board approved the initial award in the amount of \$388,032.00. The award contained two renewal options. Both renewals have been exercised and subsequent actions have been approved. This extension is necessary as Solicitation No. B50004604 was awarded by the Board on November 23, 2016, but both the current vendor and the newly awarded vendor have requested additional time to transition operations and personnel. The period of the extension is December 1, 2016 through December 31, 2016. The above amount is the City's estimated requirement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases**MWBOO SET GOALS OF 17% MBE AND 9% WBE.**

Associated Building Maintenance Co., was found in compliance on March 13, 2015 but was found non-compliance on May 4, 2016 due to the withdrawal of the named WBE, My Cleaning Services, Inc. from the contract. A more recent compliance review has not been completed due to the pending expiration of the contract.

	<u>Commitment</u>	<u>Performed</u>	
MBE: CJ Maintenance	17%	\$79,135.00	26.5%
WBE: My Cleaning Services, Inc.*	9%	\$21,312.34	7.1%

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

14. ASSOCIATED BUILDING

MAINTENANCE CO., INC.	\$ 115,000.00	Extension
Contract No. B50001548 - Provide Janitorial Services for Area C - Department of General Services - P.O. No. P515613		

On November 24, 2010, the Board approved the initial award in the amount of \$408,924.00. The award contained two renewal options. Both renewals have been exercised and subsequent actions have been approved. This extension is necessary as

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

Solicitation No. B50004605 was awarded by the Board of Estimates on October 26, 2016, but both the current vendor and the newly awarded vendor has requested additional time to transition operations and personnel. This extension in the amount of \$115,000.00 will make the award amount \$3,085,827.16. The period of the extension is December 1, 2016 through December 31, 2016. The above amount is the City's estimated requirement.

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

Associated Building Maintenance Co., Inc. was found in compliance on November 5, 2015. A more recent compliance review has not been completed due to the pending expiration of the contract.

	<u>Commitment</u>	<u>Performed</u>	
MBE: CJ Maintenance Inc.	17%	\$92,242.88	23.9%
WBE: My Cleaning Service, Inc.	9%	\$45,678.60	11.8%

MWBOO FOUND VENDOR IN COMPLIANCE.

15. DAZSER-BAL CORPORATION

d/b/a JANI-KING OF

BALTIMORE

\$ 110,000.00

Extension

Contract No. B50001751 - Janitorial Services for the
Department of General Services Area D - Department of General
Services - P.O. No. P518313

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

On July 13, 2011, the Board approved the initial award in the amount of \$464,880.00. The award contained two renewal options. Both renewals have been exercised and subsequent actions have been approved. An extension is necessary as Solicitation No. B50004606 for Area D was awarded by the Board on October 26, 2016, but both the current vendor and the newly awarded vendor have requested additional time to transition operations and personnel. This extension in the amount of \$110,000.00 will make the award amount \$3,132,414.00. The period of the extension is December 1, 2016 through December 31, 2016.

MWBOO SET GOALS OF 20% MBE AND 10% WBE.

Dazser-Bal Corporation d/b/a Jani-King of Baltimore was found in compliance on May 4, 2016.

	<u>Commitment</u>	<u>Performed</u>	
MBE: Destiny Group, Inc. t/a KMT Contactors	20%	\$180,473.77	24%
WBE: Fitch Dustdown Co., Inc.	10%	\$ 31,363.00	4%

Vendor has requested and was granted a waiver from the balance of the WBE goal. Per contracting agency, there is no further available opportunity for segmentation.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Comptroller **ABSTAINED** on item no. 8. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the fee simple interest in the property located at 1618 N. Bethel Street (Block 1118 Lot 86) by gift from Wells Fargo, NA, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

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

Wells Fargo, NA has offered to donate to the City, title to the property located at 1618 N. Bethel Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. The open municipal liens accrued through November 2, 2016, other than water bills, are as follows:

MINUTES

Department of Housing and - cont'd
Community Development

1618 N. Bethel Street

Real Property Taxes	2016-2017	\$0.00
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UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 1618 N. Bethel Street (Block 1118 Lot 86) by gift from Wells Fargo, NA, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the fee simple interest in the property located at SS Poplar Terrace 110 FT E. of Longwood Street (3032-027C) by gift from Mr. Albert D. Tynes, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

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

Mr. Tynes has offered to donate to the City, title to the property located at SS Poplar Terrace 110 FT E. of Longwood Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. The open municipal liens accrued through November 3, 2016, other than water bills, are as follows:

MINUTES

DHCD - cont'dSS Poplar Terrace 110 FT E. of Longwood Street

Tax Sale	292709	\$ 669.70
Real Property Tax	2016-2017	73.56
Real Property Tax	2015-2016	90.12
Real Property Tax	2014-2015	158.02
Miscellaneous	7224579	267.70
Miscellaneous	7483209	243.08
Miscellaneous	7686629	269.14
Registration	102138	96.00
Total Taxes Owed:		\$1,867.32

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at SS Poplar Terrace 110 FT E. of Longwood Street (3032-027C) by gift from Mr. Albert D. Tynes, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

MINUTES

Department of Housing and - Grant Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Agreement with the Central Baltimore Partnership, Inc. (CBP). The period of the Grant Agreement is effective upon Board approval for 12 months.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 9910-907225-9588

BACKGROUND/EXPLANATION:

The CBP was established to spur revitalization in Central Baltimore through partnerships with nonprofit organizations, anchor institutions, funders, and private developers and investors.

To accomplish these objectives, the CBP established a Strategic Acquisition Fund that is intended to facilitate redevelopment of vacant properties in commercial corridors that support existing redevelopment efforts or can attract additional investment and development. The Department of Housing and Community Development is providing \$100,000.00 to the fund that will be used for acquisition, appraisals, studies, environmental and stabilization. The CBP will make funds available to their development partners who will pursue acquisition, stabilization, and ultimately redevelopment.

MBE/WBE PARTICIPATION:

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

MINUTES

Department of Housing and - cont'd
Community Development

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$100,000.00	9910-919025-9587	9910-907225-9588
General Funds	Central Baltimore	Central Baltimore
	Partnership -	Partnership
	General Fund	
	Revenue (Reserve)	

This transfer will support Central Baltimore Partnership's efforts to improve commercial corridors by acquiring vacant properties and offering them for redevelopment. Funds will be used to offset acquisition-related costs that are ineligible for State Capital funds.

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

MINUTES

Department of Housing and - Grant Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Agreement with Park Heights Renaissance (PHR). The period of the Grant Agreement is effective upon Board approval for 24 months.

AMOUNT OF MONEY AND SOURCE:

\$420,000.00 - 9910-904122-9588

BACKGROUND/EXPLANATION:

The PHR is a nonprofit organization established in 2007 to implement the Park Heights Master Plan. The PHR provides a variety of community services in addition to undertaking development initiatives that reflect the Master Plan's recommendations.

As part of their development program, the PHR identifies areas outside of the 62-acre Major Redevelopment Area where redevelopment is feasible and supports existing investment.

The 2600 block of Loyola Northway is part of a larger strategy to support Renaissance Gardens, a 60 unit affordable senior housing development located in the 4300 block of Pimlico Road and redevelopment efforts on the 2600 block of Rosewood and 4300 blocks of Park Heights Avenues. Loyola Northway includes 13 vacant buildings that PHR has identified for acquisition, stabilization, and ultimately redevelopment. Video Lottery Terminal Revenue (slots) funds are being provided for construction costs related to stabilization, carrying costs and property maintenance. By stabilizing these properties, PHR will be able to preserve them for future redevelopment and occupancy.

MINUTES

DHCD - cont'd

The PHR's future development plans include façade improvements for existing residents, infrastructure improvements and open space.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$420,000.00	9910-903963-9587	9910-908144-9588
Pimlico Local	Park Heights	Park Heights
Impact Aid - VLT	Redevelopment -	Renaissance
	Pimlico Local	
	Impact Aid - VLT	
	- Reserve	

This transfer will provide appropriations to enable Park Heights Renaissance to acquire and stabilize vacant properties on the 2600 block of Loyola Northway. Funds were approved in the FY 2017 Ordinance of Estimates.

MINUTES

DHCD - cont'd

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

MINUTES

Department of Housing and - Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement with Live Baltimore Home Center, Inc. (LBHC). The period of the agreement is July 1, 2016 through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$ 83,676.00 - 1001-000000-8151-700300-603050
474,315.00 - 1001-000000-8151-700300-603051
\$557,991.00

BACKGROUND/EXPLANATION:

Under the terms of this agreement, the LBHC will use the funds to implement programs that will market Baltimore City by promoting the benefits of Baltimore City living to current residents and potential residents.

The LBHC has satisfactorily carried out marketing efforts under a previous agreement and desires to continue its marketing and promotional efforts.

The agreement is late because of processing delays.

FOR FY 2017, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$48,925.00, AS FOLLOWS:

MBE: \$13,209.75

WBE: \$ 4,892.50

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Department of Housing and - cont'd
Community Development

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Live Baltimore Home Center, Inc.

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 a Land Disposition Agreement (LDA) with Baltimore Green Space: A Land Trust for Community-Managed Open Space, Inc., Purchaser, for the sale of the City-owned property located at 2812 Fox Street.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Purchase price

BACKGROUND/EXPLANATION:

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.

In an effort to further the City's Cleaner Greener initiative, as well as the new Sustainability Plan, which calls on the City to "develop and support a land trust to help communities retain control of appropriate open space upon its commitment to maintain the space," the Department would like to transfer the City-owned property located within the community-managed open space. The property, known as Fox Street Garden located at 2812 Fox Street, has been used by the Remington community for the past six years as a community garden. The property is pending journalization.

The transfer of the property into a land trust represents a cost-effective way to provide neighborhoods with amenities such

MINUTES

DHCD - cont'd

as community gardens and other beautification and recreational spaces. Through their own labor and investments, as well as outside funding, residents increase property values while creating social and environmental benefits.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:

The assessed value of the property is \$1,400.00. The sale of the property to a land trust, whose sole purpose is to ensure the preservation of the community-managed open space, below the appraised value is reflective of the City's understanding that community-managed open spaces serve a specific benefit to the immediate community, eliminate blight, and provide neighborhoods with amenities such as community gardens and other beautification and recreational spaces.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Baltimore Green Space: A Land Trust for Community-Managed Open Space, Inc., Purchaser, for the sale of the City-owned property located at 2812 Fox Street.

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. Allen Eghrari, Purchaser, for the sale of the City-owned property located at 843 N. Washington Street.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - Sale price

BACKGROUND/EXPLANATION:

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

The lot will be sold for \$1,000.00, 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 843 N. Washington Street 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 \$1,000.00, as the Purchaser holds title to the adjacent property as non-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. Eghrari 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. Allen Eghrari, Purchaser, for the sale of the City-owned property located at 843 N. Washington Street.

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. Andrew Stone and Ms. Jaclyn Stone, Purchasers, for the sale of the City-owned property located at 303 E. Lafayette Avenue.

AMOUNT OF MONEY AND SOURCE:

\$500.00 - Sale price

BACKGROUND/EXPLANATION:

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

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

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

The City has agreed to convey the property known as 303 E. Lafayette Avenue to the adjacent property owners. As a condition of conveyance, the Purchasers have agreed to the terms of the Side Yard LDA, which prohibits development of the parcel for a minimum of ten years.

MINUTES

DHCD - cont'd

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

The property was journalized and approved for sale on June 11, 2015.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF THE PROPERTY:

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

MBE/WBE PARTICIPATION:

Mr. Stone and Ms. Stone 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. Andrew Stone and Ms. Jaclyn Stone, Purchasers, for the sale of the City-owned property located at 303 E. Lafayette Avenue.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Episcopal Housing Community Development Corporation, Developer, for the sale of the City-owned properties located at 1411, 1413, 1415, 1417, 1419, and 1421 Argyle Avenue.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - 1411 Argyle Avenue
1,000.00 - 1413 Argyle Avenue
1,000.00 - 1415 Argyle Avenue
1,000.00 - 1417 Argyle Avenue
1,000.00 - 1419 Argyle Avenue
1,000.00 - 1421 Argyle Avenue
\$6,000.00

BACKGROUND/EXPLANATION:

The Developer is the non-profit organization known as Episcopal Housing Community Development Corporation. It is proposing to construct a new 12-unit efficiency apartment building with a manager's office and a meeting room on the six properties. The 12-unit apartment will be financed with public funds and grants.

Once they are constructed, the Developer will rent them out as subsidized rental units to low income tenants with disabilities at affordable rates. The Developer's vision is to provide housing for the homeless and citizens with special needs, which will also include supportive services. The residents will pay no more than 20% of their incomes towards the rent. The Developer will invest \$1,240,751.00 in the project.

MINUTES

Department of Housing and - cont'd
Community Development

The Developer will receive funds from a combination of the City's HOME Funds in the approximate amount of \$700,000.00, the Community Development Administration in the amount of \$726,000.00 and a grant totaling \$600,000.00 from the Harry and Jeanette Weinberg Foundation.

The lots were journalized and approved for sale on December 22, 2010.

The Waiver Valuation price for 1411, 1413, 1415, 1417, 1419, and 1421 Argyle Avenue is \$1,000.00 per property and the purchase price is \$1,000.00 per property.

In accordance with the Appraisal Policy, unimproved real property with an assessed value of \$2,500.00 or less will not require an appraisal.

MBE/WBE PARTICIPATION:

The Developer will purchase the property for a price that is less than \$50,000.00 and will receive City funds or incentives for the purchase or rehabilitation; therefore, MBE/WBE is applicable.

MBE: 27%

WBE: 10%

MINUTES

Department of Housing and - cont'd
Community Development

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Episcopal Housing Community Development Corporation, Developer, for the sale of the City-owned properties located at 1411, 1413, 1415, 1417, 1419, and 1421 Argyle Avenue.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Dainan Bramble, Developer, for the sale of the City-owned property located at 2038 E. Fayette Street.

AMOUNT OF MONEY AND SOURCE:

\$6,500.00

BACKGROUND/EXPLANATION:

The project will involve the rehabilitation of the vacant building, which the Developer plans to rehabilitate for use as a single family home, which will be used as her primary residence. The property is in the Care/Broadway-East neighborhood.

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

The Waiver Valuation price for 2038 E. Fayette Street is \$6,500.00 and the purchase price is \$6,500.00.

MBE/WBE PARTICIPATION:

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

MINUTES

Department of Housing and - cont'd
Community Development

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Dainan Bramble, Developer, for the sale of the City-owned property located at 2038 E. Fayette Street.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Mr. Paul B. Plymouth, Developer, for the sale of the City-owned property located at 1058 W. Fayette Street.

AMOUNT OF MONEY AND SOURCE:

\$5,760.00

BACKGROUND/EXPLANATION:

The project will involve the rehabilitation of the vacant building, which the Developer plans to rehabilitate for use as a two family home. One unit will be his primary residence; the second unit will be rented to a tenant at market rate. The property is in the Poppleton neighborhood.

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

The Waiver Valuation price for 1058 W. Fayette Street is \$5,760.00 per appraisal dated July 27, 2016 and is being sold for \$5,760.00.

MBE/WBE PARTICIPATION:

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

MINUTES

Department of Housing and - cont'd
Community Development

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Mr. Paul B. Plymouth, Developer, for the sale of the City-owned property located at 1058 W. Fayette Street. The President **ABSTAINED.**

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 Washington Realty and Development, Inc., Developer, for the sale of the City-owned property located at 510 E. 21st Street.

AMOUNT OF MONEY AND SOURCE:

\$5,600.00

BACKGROUND/EXPLANATION:

The project will consist of the rehabilitation of the vacant property. The Developer intends to rent out the property after rehabbing it.

The City may dispose of the property by virtue of Article II, Section 15 of the Baltimore City Charter (2010 Edition) and Article 28, Subtitle 8 of the City Code (2010 Edition).

The Waiver Valuation price for 510 E. 21st Street is \$5,600.00 and the purchase price is \$5,600.00.

MBE/WBE PARTICIPATION:

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

MINUTES

Department of Housing and - cont'd
Community Development

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Washington Realty and Development, Inc., Developer, for the sale of the City-owned property located at 510 E. 21st Street.

MINUTES

Department of Housing and - Allonge Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Allonge Agreement by and between the Director of Finance of the City of Baltimore, successor-in-interest to the Loan and Guarantee Program of Baltimore City and Two Associates Limited Partnership (the Partnership).

The Board is further requested to authorize and direct the Mayor, or the Mayor's designee, to execute any and all other documents necessary to effectuate this transaction SUBJECT to legal review for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On August 20, 1987, the Board approved the financing of the new construction of the Dickey Hill Forest Apartments located at 2301 Wheatley Drive. The project consisted of the development of 17 residential buildings with 204 units of affordable rental housing. As part of the original financing, the owner, Two Associates Limited Partnership, entered into an Owner Grantee Agreement with the City of Baltimore borrowing an aggregate sum of \$4,972,600.00 comprised of \$3,719,710.00 in Housing Development Grant (DDG) funds, specifically awarded to Dickey Hill through a National Federal Competition, \$1,002,890.00 as an ARP Grant, and an additional \$250,000.00 of City funds. The City's HDG Grant is secured by a second lien on the real estate. The principal balance of the HDG note as of December 31, 2015 audited financials is approximately \$3,969,710.00 and the accrued interest is the approximate of \$3,553,884.00 for a total of \$7,523,594.00. Additional financing was provided by the State of Maryland's Community Development Administration in the approximate amount of \$630,000.00.

MINUTES

DHCD - cont'd

As of December 31, 2015, the outstanding principal balance to CDA is \$630,000.00 plus \$557,484.00 accrued interest and is secured by a third lien on the real estate.

The primary source of funds for the construction of the project in 1985 was a HUD-insured loan which was refinanced and approved by the Board on March 25, 1998. In 2010, the Partnership received a firm commitment for FHA mortgage financing pursuant to Section 223(f) of the National Housing Act. With the Board's 2010 approval and subordination, the HDG loan term were extended to 2045. Proceeds of the refinancing allowed the borrower to not only reduce the interest rate of the first mortgage, but also allowed them to make substantial repairs to units and prolonged and enhanced the useful life of the project.

The Partnership was organized pursuant to a Partnership Agreement dated August 2, 1985, in accordance with provisions of the Maryland Uniform Limited Partnership Act. Mr. Otis Warren of the Maryland Dickey Hill, Inc., a corporation affiliated with the majority limited partner, is the general partner.

The property is currently underwater as there is more debt than its value can support. Interest on the HDG Note is accruing at the rate of 5% annually and is payable from surplus cash. In year 2045, the accrued interest owed will total approximately \$9,508,420.00 which is three times the amount of the original principal balance. Therefore, the accrued interest on the HDG Note places a financial burden on the project that negatively impacts its success and longevity.

After extension discussions and negotiations with the Borrower, the Board is requested to approve the following:

1. Effective January 1, 2016, the HDG Note will become a Residual Receipts Note with a total balance due of \$7,523,554.00 which will consist of an original principal balance due of \$3,969,710.00 and accrued interest through December 31, 2015 of \$3,553,844.00.

MINUTES

DHCD - cont'd

2. Effective January 1, 2016, the applicable interest due under the Note and the Loan documents will be zero percent.
3. Effective January 1, 2017, annual payments due under the Note will be required only to the extent of the lesser of (i) 1/3 of the Surplus Cash Flow for the prior calendar year, or (ii) \$198,486.00.
4. Any and all payments received by the City will be applied to the outstanding principal balance of the Note.

MBE/WBE PARTICIPATION:

N/A

THE DIRECTOR OF FINANCE HAS REVIEWED AND RECOMMENDS APPROVAL.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Allonge Agreement by and between the Director of Finance of the City of Baltimore, successor-in-interest to the Loan and Guarantee Program of Baltimore City and Two Associates Limited Partnership. The Board further authorized and directed the Mayor, or the Mayor's designee, to execute any and all other documents necessary to effectuate this transaction SUBJECT to review for form and legal sufficiency by the Department of Law.

MINUTES

Health Department - Second Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Second Amendment to Agreement with Associated Black Charities, Inc. (ABC).

AMOUNT OF MONEY AND SOURCE:

\$64,106.00 - 4000-498716-3023-606102-603051

BACKGROUND/EXPLANATION:

On October 5, 2016, the Board approved an Amendment to Agreement with ABC in the amount of \$1,443,459.00 for the period of March 1, 2016 through February 28, 2017.

On November 2, 2016, the Board approved the revised Notice of Award for HIV Emergency Relief Project Grants for carryover of an unobligated balance in the amount of \$169,106.00 into the current budget period of March 1, 2016 through February 28, 2017.

This Second Amendment to Agreement will increase the amount of the funds by \$64,106.00 for the Minority AIDS Initiative services for a total amount of \$1,507,565.00.

This will allow ABC to reimburse the Ryan White Part A direct service providers for additional services.

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

MINUTES

Health Department - 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 Second Amendment to Agreement with Associated Black Charities, Inc. The Comptroller **ABSTAINED.**

MINUTES

Health Department - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve an Employee Expense Statement to reimburse Donn Howard for mileage expenses incurred during the month of June 2016.

AMOUNT OF MONEY AND SOURCE:

\$110.16 - 4000-499016-3023-513200-603002

BACKGROUND/EXPLANATION:

Mr. Howard failed to submit his expense form on time. The expense form is now outside of the guidelines set forth by AM 240-11.

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 Donn Howard for mileage expenses incurred during the month of June 2016.

MINUTES

Health Department - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve an Employee Expense Statement to reimburse Drucilla Brown for tuition expenses.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - 1001-000000-3100-295900-603019

BACKGROUND/EXPLANATION:

Ms. Brown attended the Chamberlain College of Nursing on January 16, 2016 through June 30, 2016, for community health nursing related courses.

In accordance with the Memorandum of Understanding between the City and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 67 & Local 558 Community Health Nurses and Nurses Practitioners - Fiscal Year 2017, Article 14 Education, states that full time nurses, who have completed eighteen months of service, enrolling at an accredited undergraduate or graduate institution in one or more courses which contribute to the professional growth and service in nursing or related fields, will be entitled to tuition reimbursement of \$1,000.00 per person, subject to existing requirements of the program.

The Employee Expense Statement is late because classes were not completed until June 2016 and the report card was not sent out until August 2016.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statement to reimburse Drucilla Brown for tuition expenses

MINUTES

Health Department - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve an Employee Expense Statement to reimburse Juliette Ghee-Pratt for uniform expenses incurred during the month of August 2016.

AMOUNT OF MONEY AND SOURCE:

\$79.92 - 1001-000000-3100-295900-604003

BACKGROUND/EXPLANATION:

Ms. Ghee-Pratt was out of the office and unable to submit her employee expense statement in a timely manner.

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 Juliette Ghee-Pratt for uniform expenses incurred during the month of August 2016.

MINUTES

Health Department - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve an Employee Expense Statement to reimburse Juliette Ghee-Pratt for uniform expenses incurred during the month of May 2016.

AMOUNT OF MONEY AND SOURCE:

\$14.99 - 1001-000000-3100-295900-604003

BACKGROUND/EXPLANATION:

Ms. Ghee-Pratt was out of the office and unable to submit her employee expense statement in a timely manner.

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 Juliette Ghee-Pratt for uniform expenses incurred during the month of May 2016.

MINUTES

Health Department - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the Employee Expense Statement for Ms. Leana S. Wen for the month of August 2016.

AMOUNT OF MONEY AND SOURCE:

\$180.04 - Mileage - 1001-000000-3001-568000-603002
25.00 - Parking - 1001-000000-3001-568000-603003
\$205.04

BACKGROUND/EXPLANATION:

Ms. Wen submitted her Employee Expense Statement on time, but because of staffing changes, her Expense Statement was not processed on time. Therefore, it is outside of the guidelines set forth in AM 240-11.

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

The Department apologizes for the lateness.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statement for Ms. Leana S. Wen for the month of August 2016.

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 Little Italy 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 the rate adjustment at this parking facility is warranted at this time.

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

MBE/WBE PARTICIPATION:

N/A

MINUTES

PABC - cont'd

Location	Proposed Transient Rate Changes	Proposed Monthly Rate Changes			
Little Italy Garage	No proposed rate adjustments	Regular Monthly Rate			
		Regular Rate	Current Rate	Proposed Rate	Last Rate Change
			\$125.00	\$130.00	September 2015

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Parking Authority of - Fourth Amendment to Parking Facility
Baltimore City (PABC) Operations and Management Agreement

The Board is requested to approve and authorize execution of the Fourth Amendment to Parking Facility Operations and Management Agreement with Impark/Danas Parking, LLC (Imp/Dan). This amendment will extend the period of the agreement through November 30, 2017.

AMOUNT OF MONEY AND SOURCE:Baltimore Street Garage:

<u>This</u>	<u>Original</u>	
<u>Amendment</u>	<u>Agreement +</u>	<u>Account Numbers</u>
	<u>Amendments</u>	
\$393,548.00	\$1,932,982.00	2075-000000-2321-407700-603016 Maintenance & Repair
39,336.00	213,070.00	2075-000000-2321-407700-603026 Management & Incentive
99,900.00	602,700.00	2075-000000-2321-407700-603038
<u>\$532,784.00</u>	<u>\$2,748,752.00</u>	Security

BACKGROUND/EXPLANATION:

Imp/Dan manages the Baltimore Street Garage. Under the original agreement, compensation to Imp/Dan was based on a monthly base management fee and a calculation for the incentive fee with reimbursement for approved operating expenses at the parking facility. This amendment requires additional funding to pay for anticipated operating expenses and to compensate Imp/Dan during the extended term upon the original compensation structure. This amendment reflects a total agreement amount of \$3,281,536.00.

MINUTES

PABC - cont'd

The term of the original agreement was seventeen months, from July 1, 2011 to November 30, 2012. The first amendment extended the term through November 30, 2014. The second amendment extended the term through November 30, 2015. The third amendment extended the term through November 30, 2016. This fourth amendment will extend the term through November 30, 2017.

In addition, this fourth amendment will allow the Bureau of Purchases to incorporate the recently developed local, small, minority, and women owned business initiatives into the solicitation for management services at this facility.

	<u>Commitment</u>	<u>Performed</u>	
MBE: Xecutive Security	17%	\$18,470.00	21.7%
WBE: AJ Stationers, Inc.	9%	\$ 2,204.00	2.6%
Tote-It-Inc.		960.00	1.13%
Gibbsx, LLC		18,800.00	22.1%
		<u>\$21,964.00</u>	<u>25.8%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

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 Fourth Amendment to Parking Facility Operations and Management Agreement with Impark/Danas Parking, LLC.

MINUTES

Fire and Police Employees' - Master Services Agreement
Retirement System (F&P)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Master Services Agreement with Amgraf, Inc. The period of the agreement is effective upon Board approval for five years.

AMOUNT OF MONEY AND SOURCE:

\$699,999.00 (Not-to-Exceed) - over 5 years
No general fund monies are involved in this transaction.

BACKGROUND/EXPLANATION:

Since being retained by F&P in 2013, Amgraf, Inc. has demonstrated its expertise by successfully developing and placing into the F&P IT network complex F&P calculators, automated forms, web estimators, form packets, workflow and process improvements, electronic active and retired member statements, and archival retrieval continuation of operations. The Board wishes to engage Amgraf, Inc. to continue to develop and finalize the automation of F&P's benefits calculation and processing.

All consulting services fees and charges will be expended from F&P trust funds not to exceed \$699,999.00 over five years.

APPROVED FOR FUNDS BY FINANCE

MWBOO GRANTED A WAIVER.

MINUTES

F&P - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Master Services Agreement with Amgraf, Inc. The Comptroller **ABSTAINED**.

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

The Board is requested to approve and authorize execution of the Interdepartmental Lease Agreement between the Department of Public Works (Landlord) and the Department of General Services (Tenant) for the rental of a portion of the property known as 210 Guilford Avenue, consisting of approximately 22,303 square feet. The period of the Interdepartmental Lease Agreement is December 1, 2016 through November 30, 2017, with the option to renew for one additional one-year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installment</u>
\$199,388.88	\$16,615.74

BACKGROUND/EXPLANATION

The leased premises will be used for storing cleaning, paper supplies, and building equipment. The Landlord will be responsible for the maintenance of the interior and exterior of the building, including the foundations, roof, walls, gutters, downspouts, air conditioning, and the ventilating and heating system. In addition, the Landlord will be responsible for cleaning the floors, providing janitorial services, trash removal, pest control, and keeping the sidewalks adjacent to the premises and the entrances clear of ice, snow, and debris. The Landlord will also be responsible for all interior and exterior lighting, except for damage caused by the sole negligence of the Tenant, Tenant's employees, guests, agents, invitees, and contractors. The Landlord will furnish and pay for all utilities that are supplied to or used at the premises including oil, gas, electric, and water.

The Tenant will accept the premises in its existing condition. The Tenant will provide all equipment necessary for the operation of the Tenant's programs including but not limited to

MINUTES

Space Utilization Committee - cont'd

telephone and computer services. The Tenant will also be responsible for placing debris from the premises into trash receptacles, keeping the entrance, passageways and areas adjoining or appurtenant to the leased premises in a clean and orderly condition, and free of rubbish and obstruction.

The Space Utilization Committee approved this Interdepartmental Lease Agreement on November 22, 2016.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Interdepartmental Lease Agreement between the Department of Public Works and the Department of General Services for the rental of a portion of the property known as 210 Guilford Avenue, consisting of approximately 22,303 square feet.

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

The Board is requested to approve and authorize execution of a Lease Agreement with New Vision Youth Services, Inc. (Tenant) for the rental of approximately 1,329 square feet of space located at 3939 Reisterstown Road, Suite 204, a/k/a Lower Park Heights Multipurpose Center. The period of the Lease Agreement is October 1, 2016 through September 30, 2019, with the option to renew after negotiations 90 days prior to the lease expiration.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installment</u>
\$9,023.58	751.96

BACKGROUND/EXPLANATION:

The leased premises will be used for office space to provide assistance and training to high-risk youth in both middle and high schools who struggle with behavioral and academic issues.

The Landlord will be responsible for the parking area, maintenance of the exterior and all common areas of the building, all equipment and systems serving the building, trash and snow removal of the building and paying for all utilities such as water, gas and electric. The Tenant will be responsible for liability insurance, security, janitorial and the payment of utilities.

The Lease Agreement is late because of delays in both the Landlord and Tenant administrative process.

MINUTESSpace Utilization Committee - cont'd

The Space Utilization Committee approved this Lease Agreement on November 22, 2016.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with New Vision Youth Services, Inc. for the rental of approximately 1,329 square feet of space located at 3939 Reisterstown Road, Suite 204, a/k/a Lower Park Heights Multipurpose Center.

MINUTES

Space Utilization Committee - Second Amendment to
Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Second Amendment to Lease Agreement between Edison Commercial, LLC (Landlord) and the Mayor and City Council of Baltimore on behalf of the Department of Public Works, Bureau of Solid Waste, Property Management Division (Tenant), for the rental of 1825 - 1829 Edison Highway consisting of a $\frac{3}{4}$ -acre storage yard together with a one-story building and house. The period of the Second Amendment to Lease Agreement extends the period of the lease through October 31, 2021, with the option to renew for one additional five-year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installment</u>
\$112,000.00 - Year one	\$ 9,333.33
\$115,360.00 - Year two	\$ 9,613.33
\$118,820.80 - Year three	\$ 9,901.73
\$122,385.42 - Year four	\$10,198.79
\$126,056.98 - Year five	\$10,504.75

Account: 1001-000000-5153-387800-603013

BACKGROUND/EXPLANATION:

On October 26, 2011, the Board approved a five-year Lease Agreement between Edison Commercial, LLC and the Mayor and City Council of Baltimore on behalf of the Department of Public Works, Bureau of Solid Waste, Property Management Division, for the rental of 1825 - 1829 Edison Highway. The Lease Agreement outlined that the Landlord would perform the improvements at the site and the Tenant would reimburse the Landlord. The costs of the improvements were not to exceed \$70,000.00.

MINUTESSpace Utilization Committee - cont'd

On December 6, 2011, the Board approved the First Amendment to the Lease Agreement to increase the cost of the improvements by \$69,800.00, making the total cost of the improvements \$139,800.00, due to the Department of General Services' determination that additional improvements were needed to the space.

This Second Amendment to Lease Agreement renews the period of the original lease agreement to November 1, 2016 through October 31, 2021, and increases the square footage of the improvements from 13,917 square feet, as stated in the original lease agreement, to 16,000 square feet. All other terms and conditions of the original lease agreement remain unchanged.

The Space Utilization Committee approved this Second Amendment to Lease Agreement on November 22, 2016.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to Lease Agreement between Edison Commercial, LLC and the Mayor and City Council of Baltimore on behalf of the Department of Public Works, Bureau of Solid Waste, Property Management Division, for the rental of 1825 - 1829 Edison Highway consisting of a $\frac{3}{4}$ -acre storage yard together with a one-story building and house.

MINUTES

Space Utilization Committee - Transfer of Jurisdiction

ACTION REQUESTED OF B/E:

The Board is requested to approve the transfer of jurisdiction for the property known as 210 Guilford Avenue and 202 Guilford Avenue from the inventory of the Department of General Services to the inventory of the Department of Public Works (DPW).

BACKGROUND/EXPLANATION:

The property is being transferred to DPW for its Water/Wastewater operations.

The Space Utilization Committee approved this transfer of jurisdiction on November 22, 2016.

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for the property known as 210 Guilford Avenue and 202 Guilford Avenue from the inventory of the Department of General Services to the inventory of the Department of Public Works.

MINUTESSpace Utilization Committee - Transfer of Jurisdiction**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of jurisdiction for the property known as 220 Guilford Avenue also known Guilford Avenue Garage from the inventory of the Department of Housing and Community Development to the inventory of the Department of Public Works (DPW).

BACKGROUND/EXPLANATION:

The property is being transferred to the DPW to be utilized by the patrons of DPW and DPW employees to park their vehicles while conducting City business in 210 Guilford Avenue.

The Space Utilization Committee approved this transfer of jurisdiction on November 22, 2016.

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for the property known as 220 Guilford Avenue also known Guilford Avenue Garage from the inventory of the Department of Housing and Community Development to the inventory of the Department of Public Works.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payments of Settlements</u>			
1. G.H. Goldberg, LLC (prior owner)	2021 E. Biddle Street	G/R	\$ 80.00

On May 04, 2016, the Board approved the acquisition of the leasehold interest, by condemnation, in the real property located at 2021 E. Biddle Street. The Board previously approved the property interest value of \$300.00 based upon an independent appraisal reports. The owners of the property interest valued it at \$515.00.

After negotiations, the parties agreed to settle the case for \$380.00. Therefore, the Board is requested to approve the additional \$80.00 in settlement of this case.

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

2. Pauline Guiragoss (prior owner)	2720 Reisterstown Road	F/S	\$32,500.00
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On October 28, 2015, the Board approved the acquisition of the leasehold interest, by condemnation, in the real property located at 2720 Reisterstown Road. The Board previously approved the property interest value of \$20,000.00 based upon an independent appraisal reports. The City requested an updated appraisal, which resulted in a valuation of \$41,000.00. The owner of the property provided an appraisal that valued the property at \$65,000.00, a difference of \$24,000.00.

MINUTES

Department of Law - cont'd

After negotiations, the parties agreed to settle the case for \$52,500.00. Therefore, the Board is requested to approve the additional \$32,500.00 in settlement of this case.

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

UPON MOTION duly made and seconded, the Board approved the above listed Payments of Settlements.

MINUTES

Mayor's Office of Minority & Women - Consultant Agreements
Owned Business Development

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

In September 2016, the U.S. Department of Commerce - Minority Business Development Agency (MBDA) awarded a competitive grant to the City of Baltimore, Mayor's Office of Minority and Women-Owned Business Development (MWBD) to operate a MBDA Business Center in Baltimore. The full period of the grant award is September 1, 2016 through August 31, 2021.

1. **ANTHONY W. ROBINSON** **\$44,405.00**

Account: 4000-439617-1250-775600-404001

There are 50 MBDA Business Centers throughout the country, and the City of Baltimore is the only municipality awarded a grant to operate a Minority Business Center. Due to the dynamic and competitive nature of MBDA Business Centers nationwide, it has been deemed more suitable to utilize the services provided by Mr. Robinson as a consultant rather than an employee of the City.

Mr. Robinson will serve as a Business Consultant for the Mid-Atlantic MBDA Advanced Manufacturing Project Center in Baltimore (Center). Mr. Robinson's duties will include, but are not limited to, supporting the daily operations of the Center, ensuring the achievement of performance goals, preparing reports for MBDA and MWBD in a timely manner, conducting reviews and analysis of MBDA Portal reports, counseling minority firms on securing large contracts and financial transactions, assisting clients in negotiations with purchasing organizations and financial institutions, meeting performance metrics goals (monthly, quarterly and annually), conducting external client meetings, actively promoting the Center, and participating in status calls and meetings with strategic partner organizations. Mr. Robinson will report directly to the Project Director of the Mid-Atlantic MBDA Advanced Manufacturing Project Center in Baltimore. The period of the Consultant Agreement is October 1, 2016 through August 31, 2017.

MINUTES

Mayor's Office of Minority & Women - cont'd
Owned Business Development

2. **N. SCOTT PHILLIPS LEGAL AND BUSINESS** **\$99,187.00**
CONSULTING SERVICES, LLC.

Account: 4000-439617-1250-775600-404001

There are 50 MBDA Business Centers throughout the country, and the City of Baltimore is the only municipality awarded a grant to operate a Minority Project Center. Due to the dynamic and competitive nature of MBDA Business Centers nationwide, it has been deemed more suitable to utilize the services provided by Mr. Phillips as a consultant rather than an employee of the City.

Mr. Phillips will serve as the Project Director of the Mid-Atlantic MBDA Advanced Manufacturing Project Center in Baltimore (Center). Mr. Phillips' duties will include, but are not limited to, managing the daily operations of the Center, ensuring the achievement of performance goals, supervising Center staff and authorizing consultants, developing and managing strategic relationships that enhance the Center's ability to source contracts, counseling minority firms on securing large contract and financial institutions, coordinating and collaborating on client service efforts, actively promoting the brand of the Center, advising MBEs on accessing global markets, client consulting, public speaking, serving as an instructor for business training classes, representing and promoting the Center statewide, advocating for MBEs within the community, and serving as a point of contact with the MBDA and working with the MBDA on special projects. Mr. Phillips reports directly to the Deputy Director of MWBD. The period of the Consultant Agreement is October 1, 2016 through August 31, 2017.

Messrs. Robinson and Phillips are identified as Key Personnel in the U.S. Department of Commerce MBDA grant.

MINUTES

Mayor's Office of Minority & Women - cont'd
Owned Business Development

The agreements are late due to the administrative process.

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 Consultant Agreements.

MINUTESLaw Department - Settlement Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Settlement Agreement between Baltimore Gas & Electric Company (BGE) and the Mayor and City Council of Baltimore (City) on behalf of the Department of Transportation concerning the BGE's occupancy of the City's Conduit System. Specifically, the parties wish to resolve all outstanding disputes concerning the conduit rental fees charged for BGE's use of the City's Conduit System and adopt, among other things, an agreed-upon conduit rental fee rate structure for the City's Fiscal Year 2017 through Fiscal Year 2022.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City owns and maintains a system of underground conduits which contain electric, telephone, fiber optic and other types of wires and cables. The entities that own these wires and cables, including BGE, pay the City semi-annual fees for use of the conduit system. Development of the conduit system dates back to 1898, when the City, implementing authority granted by the General Assembly, enacted ordinances that provided for construction of the conduits and required corporations owning or operating overhead wires in Baltimore to place their wires in the conduits and pay conduit rental fees to the City. Beginning in 1903, the City and BGE have entered into a series of agreements to govern BGE's use of the conduit system. BGE is by far the largest occupant of the City's conduit system, its wires account for approximately 76% of the occupied conduit space.

At its September 23, 2015 meeting, the Board of Estimates considered and approved a request from the DOT to raise the conduit lease fee. Subsequent to this rate increase, BGE and a

MINUTES

Law Department - cont'd

group of telecommunication providers brought actions in State Court challenging the City's ability to enforce the new conduit lease rate. BGE also sought and was permitted to intervene in the federal court litigation brought by the telecommunication providers. A key issue is whether the increased rate charged to BGE by the City should be recovered solely by BGE customers within Baltimore City or by the entire BGE customer base.

Based on the risks attendant to continued litigation, BGE and the City have continued their efforts to reach an amicable resolution regarding BGE's occupancy of the City's conduit system. The Settlement Agreement currently before the Board for approval provides certainty in the rates the City is entitled to charge BGE – the largest occupant – for City Fiscal Year 2017 through Fiscal Year 2022. It further reduces the risk of BGE re-litigating issues related to the City's conduit lease rate for the foreseeable future.

The Settlement Committee of the Law Department has reviewed this matter, and recommends to the Board of Estimates that settlement of this matter be approved as set forth in the settlement agreement.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement between Baltimore Gas & Electric Company (BGE) and the Mayor and City Council of Baltimore on behalf of the Department of Transportation concerning the BGE's occupancy of the City's Conduit System.

MINUTES

Law Department - Opinion - Request for Refund
of Real Property Taxes

The Board is requested to approve a refund of real property taxes for Mr. Edward J. Vogel, a disabled veteran.

It is the opinion of the Law Department that Mr. Vogel has met the qualifications for a real property tax exemption of disabled veterans, and that he is eligible to receive a refund of taxes paid because Mr. Vogel was honorably discharged from the armed services, declared by the Veteran's Administration to have a permanent 100% service connected disability, and resided in a single family dwelling during the period in question. It has been determined that Mr. Vogel is entitled to a refund of real property taxes, which were paid as follows:

<u>Claimant/s</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
1. EDWARD J. VOGEL	1519 East Fort Avenue	2015/2016	\$2,461.24
		2014/2015	2,436.34
		2013/2014	2,384.03
		Total Refund	\$7,281.61

Pursuant to the Tax Property Article, Section 208(h)(2) it is required that interest shall be paid at the rate the county or municipal corporation charges on overdue taxes and that the interest shall accrue from the date the application is filed with the county or municipal corporation. In order to avoid interest being paid, each claimant's application for a refund must be made within 60 days of the application. Mr. Vogel filed his application on October 20, 2016.

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for Mr. Edward J. Vogel, a disabled veteran.

MINUTES

Department of Public Works - Rules for Qualifications of Contractors, Performance Evaluations of Construction Contractors and Consultants and Procedures and Guidelines for Hearings Before the Office of Boards and Commissions Review Committee

ACTION REQUESTED OF B/E:

The Board is requested to approve the Rules for Qualification of Contractors, Performance Evaluations of Construction Contractors and Consultants and Procedures and Guidelines for Hearings before the Office of Boards and Commissions Review Committee regarding prequalification and contractor/consultant performance reviews. These Rules and Guidelines will be effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On December 17, 2014, the Board of Estimates (Board) approved the creation of the Office of Boards and Commissions Evaluation Committee (Committee) to replace the Contractor Qualification Committee to oversee the operations and functions of the Office of Boards and Commissions (OBC). The OBC's operations are currently governed by the City of Baltimore Rules for Qualification of Contractors (the Qualification Rules, approved by the Board on October 30, 1991) and the Guidelines for the Performance Evaluation of Design Consultants and Construction Contractors (Evaluation Guidelines, approved by the Board on April 28, 2004). The Board empowered the Committee, subject to Board approval, to review and amend the Qualification Rules and Evaluation Guidelines or enact such new rules and procedures as necessary to the operations and functions of OBC and the Committee. The Committee has determined that the existing rules governing OBC and Committee hearings on prequalification and contractor/consultant performance should be replaced with new rules enacted in their place.

MINUTES

Dept. of Public Works - cont'd

Pursuant to the authority granted by the Board, the Committee has promulgated the Rules for Qualification of Contractors, Performance Evaluations of Construction Contractors and Consultants and Procedures and Guidelines for Hearings before the Office of Boards, Commissions Review Committee, which will supersede and replace the existing rules, and guidelines currently set forth in the Qualification Rules.

Comments from representatives from the construction contractor and design consultant community were solicited and considered by the Committee. The methods used to prequalify contractors have been updated to reflect a more thorough examination of potential contractors for the City of Baltimore. The Committee, acting either as a Committee or through a Hearing Officer appointed by the Committee Chair, will be governed by the Rules and Guidelines in all hearings that are requested by consultants/contractors dissatisfied with any recommendations by the Committee and OBC relating to contractor/consultant performance and contractor prequalification. The Rules and Guidelines provide contractors and consultants a full, fair, and evidentiary hearing.

Upon Board approval, a copy of the Rules and Guidelines will be sent to each design consultant and contractor prequalified with the City of Baltimore and will be referred to and incorporated within all future design and construction contract specifications.

MINUTES

CITY OF BALTIMORE

**RULES FOR QUALIFICATION OF CONTRACTORS, PERFORMANCE
EVALUATIONS OF CONSTRUCTION CONTRACTORS AND CONSULTANTS AND
PROCEDURES AND GUIDELINES FOR HEARINGS BEFORE THE OFFICE OF
BOARDS AND COMMISSIONS REVIEW COMMITTEE**

MINUTES**PREAMBLE**

The Guidelines and Procedural Rules for the Performance Evaluation of Design Consultants and Construction Contractors ("Guidelines") were approved by the Board of Estimates (the "Board") on April 28, 2004 and the Office of Boards and Commissions ("OBC") was charged with responsibility for implementation of the Guidelines and Procedural Rules for the Performance Evaluation of Design Consultants and Construction Contractors. OBC, which was also responsible for enforcing the Board's rules, regulations and standards for the prequalification, requalification and disqualification of contractors, was under the oversight of the Contractors Qualification Committee (approved by the Board on October 30, 1991). The Contractors Qualification Committee was abolished by Board action on December 17, 2014, and reconstituted as the Office of Boards and Commissions Review Committee ("Committee"). The Committee was charged with full authority to oversee the operations of OBC in regard to the performance evaluation of consultants and contractors and all matters relating to prequalification, requalification and disqualification of contractors and consultants. The Committee was expressly empowered to amend such existing rules as were appropriate to the operation and duties of OBC and the Committee, subject to Board approval. Pursuant to that authority, the Committee has promulgated the following revised Rules for Qualification of Contractors, the Guidelines and Procedural Rules for the Performance Evaluation of Consultants and Construction Contractors and the Procedures and Guidelines for Hearings before the Office of Boards and Commissions Review Committee, all of which are hereby adopted by the Board. These amended rules and guidelines replace and supersede in their entirety all prior rules and guidelines approved by the Board on October 4, 1991 and April 28, 2004 and are applicable to all contracts entered into after the date of their approval by the Board.

I. RULES FOR QUALIFICATIONS OF CONTRACTORS**1.1 Office of Boards and Commissions**

- 1.2 The Committee shall have oversight of OBC and shall be the administrative arm of the Board in all matters relating to the prequalification, requalification, suspension, disqualification and increase in or reduction of ratings of contractors and the maintenance of eligibility lists thereof, provided that no action taken shall be effective until ratified and confirmed by the Board.
- 1.3 OBC shall review the applications for prequalification or requalification filed by persons, partnerships, or corporations, whether prime contractors or subcontractors ("contractors"), desiring to bid on or perform contracts in amounts in excess of Fifty Thousand Dollars (\$50,000.00) for construction, maintenance, repair, or demolition of physical facilities to be awarded by the City for any department, bureau, or agency thereof, or for any agency all or part of whose funds are supplied by said City ("City work").

MINUTES

1.4 Prequalification or requalification of consultants shall be in accordance with the City of Baltimore Resolution Relating to Architectural & Engineering Services approved by the Board of Estimates on June 29, 1994

1.5 Legal counsel to the Committee and OBC shall be provided by the City Law Department.

2.0. **Bid Compliance Reports**

2.1 Each City agency receiving bids for publically procured projects shall be required to submit written reports to OBC, on forms to be furnished by OBC, regarding any non-compliance by bidders with the bidding rules and procedures mandated by the laws and regulations of the City of Baltimore ("Bid Compliance Reports") which results in a bid being rejected. The Bid Compliance Reports shall contain the following:

2.1.1. the name of the rejected bidder.

2.1.2. the project/contract number and brief description.

2.1.3. the date of the bid rejection.

2.1.4. the detailed reason for the rejection.

2.1.5. if the bid rejected was the low bid, a statement whether the bid was awarded to the second or any subsequent bidder or the project re-bid. If awarded to another bidder the price differential between the rejected bid and the bid awarded shall be listed.

2.1.6. a statement whether the bidder had previously submitted a bid for the same project and what action was taken on the bid.

2.1.7. a statement of how many times in the one (1) year period preceding the rejected bid a bid from the same bidder had been rejected.

2.2 A separate Bid Compliance Report for each Bidder shall be submitted to OBC within thirty (30) days of the date of bid rejection.

2.3 OBC shall maintain the Bid Compliance Reports for three (3) years and shall make them freely available to authorized agency representatives upon request. Other than requests by authorized agency representatives, the Bid Compliance reports shall be maintained in confidence by OBC.

3.0. **Requirements for Qualification**

3.1. All prime contractors intending to bid on any City work in excess of Fifty Thousand Dollars (\$50,000.00) shall annually establish proof of their qualification for the work they propose to perform before being permitted to submit a bid. Prime contractors also must

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be prequalified at the time of bid opening, bid award, and when work commences and remain prequalified for the duration of the project. Possession of a valid Certificate of Prequalification is deemed proof of qualification.

- 3.2. Subcontractors intending to perform City work in excess of Fifty Thousand Dollars (\$50,000.00) shall qualify in the same manner as prime contractors and such qualification must be established before they are permitted to commence work. Prime contractors shall be qualified in all classifications of work not performed or intended to be performed by subcontractors on a particular contract.
- 3.3. Generally, a contractor requesting prequalification to perform City work must:
 - 3.3.1. Possess net working capital sufficient to undertake and conduct the dollar capacity of work; and
 - 3.3.2. Possess and/or have available sufficient equipment appropriate to perform the classifications of work proposed, or possess net current assets adequate to purchase or lease the necessary equipment; and
 - 3.3.3. Have previous satisfactory work performance with the City and/or satisfactory experience elsewhere which can be verified so as to be acceptable to OBC, and if the contractor is a newly formed corporation or firm, the previous work performance and/or experience of its owners, officers and/or principal employees shall be considered; and
 - 3.3.4. Comply with all laws and regulations governing business relations with the City, including, but not limited to, requirements covering Minority and Women-Owned Business Enterprise participation goals (Baltimore City Code, Article 5, Subtitle 28), Equal Employment Opportunity (Mayor's Executive Order, Jan.1, 1977), Employment Practices and Minimum Wage (Baltimore City Code, (1976 Edition, as amended), Article 4, Section 10 and Article 19, Section 61 *et. seq*); and
 - 3.3.5. Not have had two or more bids in the course of one (1) year rejected for failure to comply with the bidding requirements of the City of Baltimore, the Mayor's Office of Minority and Women's Business Opportunity Office or any state, federal or City of Baltimore requirement applicable to City procurements.
- 3.4. A contractor with no previous work performance and/or experience may be prequalified for limited amounts and classifications of work, based on the previous performance and experience of its officers and/or principal employees. Subsequent work performance

MINUTES

shall serve as a basis for further qualification, if other prequalification requirements are met.

- 3.5. Only contractors prequalified by these Rules shall be entitled to purchase documents for bidding purposes. Any other individual may purchase documents stamped **"SAMPLE – NOT FOR BIDDING PURPOSES."**
- 3.6. Unless prequalification is suspended or revoked by OBC for cause, in accordance with Rule 12.2. of these Rules, prequalification is valid for two (2) years after Board approval. No later than the one year anniversary date of Board approval of prequalification, the contractor must submit a new financial statement that complies with Rule 5.0 *et seq.* of these Rules. Failure to file the financial statement may be used by OBC to disqualify the contractor in accordance with Rule 12.0 *et seq.* of these Rules.
- 3.7. Joint ventures will be considered for prequalification as a single entity by evaluating the qualifications of the individual co-venturers, each of which must be prequalified by OBC. Documents establishing the joint venture as an entity must be provided with the application. In the event that the joint venture is formed as a corporation, limited liability corporation, limited liability partnership or limited partnership, the joint venture shall be registered and qualified to conduct business in Maryland and shall be in good standing with the state Department of Assessments and Taxation. If any co-venturer is not or cannot be prequalified, the joint venture will not be prequalified and may not purchase documents for bidding until such time as all co-venturers are prequalified.

4.0. Procedure for Prequalification of Prime Contractors/Subcontractors

- 4.1. Each contractor desiring to bid for or perform City work shall file with OBC a written application for prequalification on a form prescribed and furnished by OBC. Such application shall be submitted under Oath, signed and, if submitted by a corporation, sealed. Information shall be furnished relating to:
 - 4.1.1. Specific classifications of work proposed.
 - 4.1.2. Financial responsibility, including an audited, compiled or reviewed financial statement dated within the last 12 months and as more specifically described in Paragraph 5, below.
 - 4.1.3. Adequacy of facilities and equipment.
 - 4.1.4. Prior work performed for the City and others. Details shall be complete, including type of work, for whom work was performed (naming City Department or Agency), contract amounts and dates of completion. Contractors may be required to furnish the educational and experience backgrounds of the owners, officers and/or principal employees of the company.

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4.1.5. Equal Employment Opportunity and Affirmative Action Requirements as adopted by the City of Baltimore.

4.1.6. Such other pertinent information, guarantees and affidavits as OBC may prescribe.

4.1.7. All applicable licenses and/or certifications related to the category of work to be performed.

4.1.8. All Bids submitted by the Bidder to the City, or to other jurisdictions, which were rejected for any violation of the City's or other jurisdictions' procurement rules or procedures within the one year period prior to the date of the application for prequalification or requalification. Contractor shall submit a written statement, under oath and the penalties of perjury, identifying the jurisdiction to which the bid was submitted and providing detailed reasons for the rejection. For purposes of this section, if the City or another jurisdiction rejected all bids, including the Bidder's, for budgetary reasons or because rejection of all bids was deemed to be in the best interests of the City or the other jurisdiction, such action need not be disclosed by the Bidder.

4.2. A statement shall be furnished as to the type, model, year of manufacture, current book value and condition of each piece of owned or permanently leased equipment and all facilities related to the proposed classifications of work.

4.3. All contractors are required to maintain a level of satisfactory performance on each contract for any construction, maintenance, repair or demolition of physical facilities for the City of Baltimore or for any agency thereof. Prime contractors will be responsible for the performance of their subcontractors.

4.4. Any application not completed within 60 days of the submission of the application to OBC shall be deemed invalid and require a new application to be submitted. Any fees submitted with the application shall be forfeited.

4.5. If an individual is doing business under a name other than his or her own, he or she must report same as part of the application.

4.6. Any required fees must be submitted with the written application in order for the application to be processed. Application fees are based upon the type of financial statement submitted and are as follows: \$100 for Compiled, \$500 for Reviewed, and \$1000 for Audited.

5.0. Financial Statement

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5.1. The application shall contain statements showing the financial ability of contractors. Such statements shall be prepared as of the end of the contractor's most recent fiscal year, as reported for the federal income tax purposes, unless otherwise requested or authorized by OBC upon the direction of the Committee. If the most recent fiscal year's financial information is unavailable, OBC may accept the previous year's financial information at its discretion.

5.2. The financial statement must be audited and accompanied by an independent accountant's report executed by a licensed Certified Public Accountant ("CPA") of any State, except that a reviewed financial statement accompanied by an independent accountant's report executed by a licensed CPA will permit consideration of a capacity rating not to exceed eight million dollars (\$8,000,000.00) and a compiled financial statement will permit consideration of a capacity rating not to exceed one and a half million dollars (\$1,500,000.00).

5.3. An accountant's report will not be accepted if prepared by a CPA who is an employee of, or who has a substantial financial interest in, the firm submitting the statement or any parent or subsidiary company.

5.4. The contents of a contractor's financial statement are confidential and shall not be available for inspection, unless otherwise provided by law, in accordance with the Maryland Public Information Act (Md. Ann. Code, Article 76A, Section 3(c)).

5.5. All documents submitted by a contractor, including financial statements and all calculations performed by OBC shall be available to the City Auditor for review.

5.6. An audited financial statement shall include a balance sheet, an income statement, a statement of changes in financial position, the report of independent accountants and all notes to financial statements.

5.7. A financial statement having an audited balance sheet, report of independent accountants and having unaudited income statement or other statements, shall not yield a work capacity rating of more than \$1.5 million.

5.8. The following financial statements will not be accepted by OBC:

5.8.1. A statement that does not include an income statement.

5.8.2. An audited or reviewed statement without the independent accountant's report or accompanying notes.

5.8.3. A statement, any portion of which appears in any way to be altered, removed, or the comments or work of someone other than the independent account who is reporting on the statement.

5.8.4. A draft or incomplete statement or a statement that covers less than a one (1) year period.

MINUTES**6.0. Capacity Rating.**

6.1. A combined or consolidated financial statement must be accompanied by a written statement by the independent accountant or other person who prepared or audited the financial statement that all inter-company transactions have been eliminated. Such financial statement must also separately show the financial information for the contractor making application or must be accompanied by an additional document prepared by the independent accountant or by an officer of the parent corporation showing the portion of current assets and current liabilities applicable to the applying contractor. An assigned work capacity rating will be based on:

6.1.1. The net working capital assignable to the applicant contractor based on their financial presentation; and/or:

6.1.2. The appropriate portion of the net working capital assignable to the parent company when accompanied by an approved guarantee executed by the parent on behalf of the applicant.

6.2. If a capacity rating is determined by combining financial statements from more than one entity (such as company plus the personal statement of the guarantor stockholder), each statement must first be considered separately and a rating determined for each statement based on the net working capital, the ten times multiple and the type of statement (compilation, review, audit). The contractor's capacity is the total of the ratings for each separate statement.

6.3. A joint venture or partnership will be considered for a capacity rating not to exceed the combined capacity rating of its participants.

6.4. A contractor whose financial statement has a positive net working capital yielding a capacity rating of less than the value established necessary for prequalification (\$50,000.00) will not be approved for prequalification.

6.5. The financial statement shall be used by OBC to determine the Contractor's net working capital in accordance with generally accepted accounting principles and shall further set forth other financial data as requested by the OBC or the Committee.

6.6. The net working capital, determined under Rule 6.1 may be modified by the Committee on the basis of all available financial data. OBC shall then establish an assigned net working capital value for each contractor which shall be ten (10) times the assigned net working capital value based upon established criteria and policies. Contractors must be able to achieve a capacity rating that is greater than or equal to the minimum value for which prequalification is required.

6.7. A capacity rating higher than that established by Rule 6.1 may be assigned a contractor based on a blanket guarantee by a Guarantor which covers the period of the contractor's certification.

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6.8 A prime contractor may purchase documents for bidding purposes and may be permitted to bid for any single contract having a total value not exceeding the contractor's assigned capacity rating. A prime contractor shall not be permitted to bid for a contract having a value in excess of said capacity rating, except as provided by Rule 7.0. The contracting Agency may elect to distribute bidding documents at no charge, in which case the bidder is required to be prequalified at the time of bid opening. In unique situations, the contracting agency may choose to waive the capacity rating as a requirement on a particular project provided the firm is able to obtain the appropriate performance bond. A justification for the waiver of the capacity rating requirement must be submitted to OBC prior to the bid date and after being reviewed and approved by OBC and Law.

6.9 A prime contractor shall not be awarded a contract if the total contract value (including all work classifications), when added to the contractor's uncompleted backlog of work (both work-in progress and work yet to begin) at the time of award, including amounts sublet or to be sublet and considering that which is contracted or subcontracted for with the City and elsewhere, including the full amount of any joint venture, exceeds the contractor's assigned capacity rating, except as provided by Rule 7.0. A subcontractor shall not be permitted to commence work if the subcontract value (including all work classifications), when added to the subcontractor's uncompleted backlog at time of commencement, including amounts sublet or to be sublet and considering that which is contracted or subcontracted for with the City and elsewhere, including the full amount of any joint venture, exceeds the subcontractor's assigned capacity rating, except as provided by Rule 7.0. If the prime contractor or subcontractor has engagements in joint ventures, the uncompleted backlog of work for the entire project must be factored in to its capacity statement.

7.0. Financial Performance Guarantee

7.1. In cases where the assigned capacity rating is insufficient under Rules 6.1 and 6.2, a prime contractor may be permitted to bid or may be awarded a contract and a subcontractor may be permitted to commence work if a specific guarantee of the contractor's obligations in connection with the particular contract is furnished by the contractor's guarantor. The maximum amount of a guarantee furnished on behalf of a contractor or subcontractor pursuant to this Rule shall not exceed five (5) times the contractor's or subcontractor's current work capacity rating; unless OBC, for good cause and in its sole discretion, approves a guarantee which exceeds five (5) times the contractor's or subcontractor's current work capacity. The financial responsibility of a guarantor shall be evaluated by OBC in the same manner as a financial statement under these Rules. Each guarantee shall be approved by OBC and the Law Department of Baltimore City for the particular contract and furnished to the contracting agency upon request. The guarantor shall submit such additional information documentation as may be necessary for the analysis of the specific guarantee.

MINUTES

7.2. A blanket guarantee is used primarily by parent companies or by the owners and officers of companies to give a contractor rather broad financial guarantee support for a given time period. The specific guarantee is primarily used by prime contractors and others to give financial guarantee support for a smaller contractor on a particular contract.

7.3. A guarantee may only be submitted by a person or entity having sufficient resources and proper authority to guarantee. Letters of reference and other supporting data submitted by bonding companies, banks and various agencies or organizations are not acceptable as a form of guarantee.

7.4. A guarantor must submit financial data to support any guarantee in the same manner as if applying for qualification unless sufficient current financial data is already on file with the Committee. The financial responsibility of a guarantor shall be evaluated by the Committee in the same manner as a financial statement under the Rules for Qualification of Contractors.

7.5. A contractor must be otherwise currently qualified or eligible for qualification in all respects, including having a satisfactory performance rating, in order to receive an increased work capacity rating through a guarantee. Any request for guarantee approval for a contractor who is not qualified or eligible to be qualified must be rejected and referred back to the requesting guarantor through the appropriate City agency.

7.6. A blanket guarantee only increases a contractor's work capacity rating and does not permit the contractor to perform any work classifications not previously assigned.

7.7. A specific guarantee only permits a contractor to work in excess of the assigned work capacity rating and does not permit the contractor to perform any work classifications not previously assigned.

7.8. Each guarantee shall be submitted in such form and with such accompanying acknowledgements, endorsements, approvals, and signatures as may be required by the Board of Estimates. The guarantee shall also include any terms and provisions concerning technical, managerial, financial or other assistance to be provided to the contractor by the guarantor,

7.9. A contractor whose work capacity rating is increased by a blanket guarantee will be submitted to the Board for prequalification in the increased rating amount. A contractor proposed to work under a specific guarantee will be submitted to the Board for its information.

7.10. The work capacity rating of a qualified contractor who also acts as a blanket guarantor for one or more other contractors will be reduced by the amount of all outstanding blanket guarantees made by the qualified contractor.

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7.11. The work capacity rating of a qualified contractor who acts as a specific guarantor for one or more subcontractors working for and under that contractor will be reduced by the amount(s) of the specific guarantee(s).

7.12. Guarantees are only valid for the duration of the contractor's initial period of prequalification and must be renewed upon prequalification renewal.

7.13. The assigned capacity rating shall be reduced in the event of a reduction in the Contractor's net working capital, failure to pay bills in due course, unjustified demand for extra payment, or whenever any factor upon which the rating was based shall have materially changed for the worse.

8.0. Processing Applications & Review by the Board of Estimates

8.1. A prime contractor must file its application for prequalification not less than thirty (30) days prior to the bid opening date specified in the contract proposal. A subcontractor shall file not less than 30 days prior to commencing work. OBC may waive the 30 day period at its discretion. However, submitting applications within the established timeline does not guarantee prequalification certification prior to bid opening or work commencing.

8.2. All prequalified contractors may continue prequalification by submitting a renewal application not less than 30 days prior to the date of certificate expiration. OBC may waive the 30 day period at its discretion.

9.0 Period of Consideration.

9.1. During the period of consideration of the application (i.e., from time of application to the Committee's recommendation to the Board), an applicant may be required to appear personally before OBC to furnish additional information and/or to open its facilities, equipment or books for OBC inspection. OBC shall then recommend to the Board that an established capacity rating determined in accordance with Rule 6.1 and certain work classifications be approved.

9.2. OBC shall review any Bid Compliance Reports submitted to it pursuant to section 2.0 of these Rules pertaining to the applicant and shall review all reports received from the applicant pursuant to 4.1 of the Rules in determining whether an applicant should be recommended for prequalification or renewal of an existing certificate of prequalification. Should OBC find that two (2) or more Bid Compliance Reports were issued in a one (1) year period or less for the applicant, OBC may use that information as a basis for refusal to recommend prequalification, renew qualification, recommend suspension of qualification, or impose a monetary fine against the bidder in an amount not to exceed One Thousand Dollars (\$1,000.00). OBC may make such recommendations, subject to review by the Committee, even in the event that the contractor satisfies the other requirements for prequalification.

MINUTES**10.0 Notification of Proposed OBC Action.**

- 10.1. Written notification of any action proposed to be taken by OBC shall be provided to the applicant in accordance with the Procedures and Guidelines for Hearings before the Office of Boards and Commissions Review Committee, Section III herein. As further provided in Section III herein, upon written request, a hearing, before the Committee or a hearing officer appointed by the Committee, shall be afforded any contractor who is aggrieved by any proposed or recommended action by OBC.

11.0. Miscellaneous Provisions

- 11.1. Upon final action by the Board in prequalifying a contractor, OBC shall issue to the contractor a Certificate of Prequalification. The assigned capacity rating, the approved work classification(s) and the certificate expiration date shall be stated on said Certificate.
- 11.2. Any contractor who has been refused requalification may file a new application six (6) months following final action of OBC on the previous application.
- 11.3. Any contractor who has been prequalified for a lower rating or classifications other than requested or who has been disqualified may submit additional information to the Committee at the Committee's discretion. After appropriate review the Committee may direct OBC to recommend to the Board that the contractor be issued a new or amended Certificate.
- 11.4. A current list of prequalified contractors, with their capacity rating, work classifications and Certificate expiration date is available for inspection through the Minutes of the Board of Estimates, Room 204 City Hall, online, or through the OBC. The disclosure of any other information is subject to provisions of the Maryland Public Information Act (Md. Ann. Code, Article 76A, Section 1-5).

12.0. Disqualification of Contractors

- 12.1. A Certificate once issued shall be valid until its expiration date unless it is suspended or revoked by OBC for cause, in accordance with the Rule 12.2. In such cases, the contractor shall be notified in writing of the proposed action to be taken and given an opportunity for a hearing on such action by the Committee.
- 12.2. The following acts, in combination or standing alone, shall be considered grounds for revocation of a Certificate or suspension thereof for a period of time at OBC's discretion, not to exceed two (2) years, or to impose a monetary fine against the bidder in an amount not to exceed One Thousand Dollars (\$1,000.00), subject to review by the Committee and approval by the Board:

MINUTES

- 12.2.1. Submission of falsified or inaccurate financial or experience statements or other data upon which qualification is based.
 - 12.2.2. Failure to submit a new financial statement or other pertinent data affecting a Contractor's continued qualification or eligibility.
 - 12.2.3. Undertaking additional work in excess of the capacity rating after a contractor has been awarded a City contract.
 - 12.2.4. Failure to maintain satisfactory performance.
 - 12.2.5. Conviction of bribery, extortion, fraud or similar malfeasance.
 - 12.2.6. Failure to secure bonding.
 - 12.2.7. Failure to comply with applicable federal, state, and local laws, executive orders and rules.
 - 12.2.8. Failure to pay subcontractors and/or suppliers.
 - 12.2.9. Failure to remedy any City fines or fees accrued.
 - 12.2.10. Falsifying information in the prequalification application.
 - 12.2.11. Any behavior or conduct that OBC, in its sole discretion, concludes reflects negatively on the contractor's integrity or which is determined by OBC to be so serious as to affect the integrity of the procurement process.
 - 12.2.12. Debarment or other sanctions levied against the contractor by any federal, state, or local government.
 - 12.2.13. Having two (2) or more bids in the course of one (1) year rejected by the Board of Estimates for failure to comply with the bidding requirements of the Green Book, the Mayor's Office of Minority and Women's Business Opportunity Office or any state, federal or City of Baltimore requirement applicable to City procurements.
- 12.3. Grounds for revocation or suspension shall be also grounds for refusal of an original or renewal application.
- 12.4. Written notification of any action proposed to be taken by OBC shall be provided to the contractor in accordance with the Procedures and Guidelines for Hearings before the Office of Boards and Commissions Review Committee, Section III herein. As provided in Section III herein, upon written requests, a hearing before the Committee or a hearing officer appointed by

MINUTES

the Committee shall be afforded any contractor who is aggrieved by any proposed or recommended action by OBC.

12.5. Any contractor not holding a valid Certificate shall be prohibited from bidding on or performing any City of Baltimore construction contracts of any size or dollar value during the period of disqualification.

**II. GUIDELINES AND PROCEDURAL RULES FOR THE PERFORMANCE
EVALUATION OF CONSULTANTS AND CONSTRUCTION CONTRACTORS**

1.0. Office of Boards and Commissions

1.1. The Office of Boards and Commissions Review ("Committee"), acting by and through personnel from the Office of Boards and Commissions ("OBC"), shall be the administrative arm of the Board of Estimates ("Board") in all matters relating to the performance evaluation of design consultants and construction contractors. Any recommendation by OBC, made in compliance with these rules regarding performance evaluations, shall be subject to final review by the Committee as provided herein.

2.0. Procedure for Consultant Performance Evaluation

2.1. Written Evaluations

2.2. Each consultant doing business with the City of Baltimore, whether as the prime consultant or a sub-consultant will be evaluated by the City Department or Agency that contracted with the consultant. Evaluations will be prepared for each phase of a project on which the consultant performs any work. The personnel performing the evaluation shall be selected by the Department or Agency Head and may include one or more individuals with a limit of three (3), each of whom must have familiarity with the project for which a rating is being issued and have knowledge of the work being performed by the consultant being rated.

2.3. In the event that a joint venture is selected as either a prime or sub-consultant, the joint venture will be evaluated as a single entity. In the event that the evaluation process results in action being taken to disqualify or otherwise sanction a joint venture in accordance with these performance evaluation rules, the disqualification or other sanction shall apply to the joint venture and to each of the co-venturers comprising the joint venture.

3.0. Procedure for Construction Contractor Evaluation

3.1. Written Evaluations

3.2. Each construction contractor doing business with the City of Baltimore, whether as a prime contractor or a subcontractor, will be evaluated by the City Department or Agency that contracted with the contractor. Evaluations will be prepared for each project on which the

MINUTES

contractor performs any work. The personnel performing the evaluation shall be selected by the Department or Agency Head and may include one or more individuals with a limit of three (3) each of whom must have familiarity with the project for which a rating is being issued and have knowledge of the work being performed by the contractor being rated.

3.3. In the event that a joint venture is selected as either a prime or sub-contractor, the joint venture will be evaluated as a single entity. In the event that the evaluation process results in action being taken to disqualify or otherwise sanction a joint venture in accordance with these performance evaluation rules, the disqualification or other sanction shall apply to the joint venture and to each of the co-venturers comprising the joint venture.

4.0. Ratings Criteria

4.1. The personnel who perform the evaluations for consultants and contractors (collectively, the "Evaluators") shall provide an accurate evaluation of consultant and/or contractor performance for each project.

4.2. The Evaluators shall rate the consultant or contractor on criteria relevant to the area of their responsibility on the contract. Other criteria boxes shall be left blank.

4.3. Firms shall be rated only on criteria relevant to service areas that are required by contract to be performed. Scores will be calculated only upon those criteria rated by the panel. Criteria that are not rated will not lower an overall score.

4.4. Ratings range from "0" to the maximum assignable value.

5.0. Ratings Forms

5.1. The project rating system requires the utilization of one of two forms:

5.1.1. The "Consultant Ratings Form" (Appendix 1) is to be utilized to evaluate design and post award services;

5.1.2. The "Contractor Ratings Form" (Appendix 2) is to be utilized to evaluate construction services.

5.2. When executed, the Consultant Rating Form and the Contractor Rating Form shall be treated as confidential documents except as may otherwise be required by applicable law. Executed forms shall only be available upon request to the subject of the evaluation, the City Department or Agency issuing the evaluation, another agency head/director, OBC, the Committee and the Board of Estimates.

6.0. Scoring/Grading

MINUTES

6.1. The following scoring and grading system will be utilized to evaluate the performance of design consultants and construction contractors:

Percentage Points¹

90 - 100 - Excellent

77 -- 89 - Good

70 -76 - Marginal

69 or less -- Unsatisfactory

7.0. EVALUATION PERIOD FOR CONSULTANTS

7.1. Except as set forth in section 7.2 or 7.3, each Consultant will be rated quarterly, *i.e.*, every three months, including at project completion, via interim evaluations (the "Interim Evaluation"). At project completion, an overall Final Project Rating will be calculated by averaging all numeric ratings previously issued for that project. Final Project Ratings will be completed within sixty (60) days of project completion.

7.2. For projects involving preparation of plans, drawings and specifications that are followed by construction of the project and intended to be completed in less than one (1) year, the Consultant will be rated within 30 days of submission of completed plans and again within thirty days of the acceptance by the City of the completed project.

7.3. Projects involving plans or studies only or inspection services only will be rated one time as deemed appropriate by the Department or Agency utilizing the consultants' services.

8.0. EVALUATION PERIOD FOR CONTRACTORS

8.1. Except as set forth in section 8.2 or 8.3, each Contractor will be rated quarterly, *i.e.*, every three months, including at project completion, via interim evaluations (the "Interim Evaluation"). At project completion, an overall Final Project Rating will be calculated by averaging all numeric ratings previously issued for that contract. Final Project Ratings will be completed within sixty (60) days of project completion.

8.2. For projects intended to be complete within six (6) months to one (1) year, the Contractor will be rated at the project's mid-completion point via Interim Evaluation and upon project completion. The mid completion point shall be determined by the project manager based on the

¹ Ranking is based on scale of 100 percentage points, which is determined by dividing number of points awarded by number of possible points in categories in which a score was provided.

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work performed and the projected schedule of remaining work. At project completion, a Final Project Rating will be calculated by averaging all numeric ratings previously issued for that contract. Final Project Ratings will be completed within sixty (60) days of project completion.

8.3. Projects requiring less than six (6) months to complete will be rated only at project completion, which rating shall constitute the Final Project Rating.

9.0. APPEAL PROCESS—CONSULTANTS AND CONTRACTORS

9.1. Each Interim and Final Project Rating will be made available to the subject consultant/contractor.

9.2. Consultants and/or contractors who object to any Interim or Final Project Rating may appeal to the Bureau Head/Division Chief/Office Chief, or such person's designee ("Appeal Evaluator") in writing within ten (10) days of receipt of the rating whether an Interim or Final Project rating. If no written appeal is received within the time required by these rules, the contractor/consultant will be deemed to have waived its right to review of the rating. The Appeal Evaluator shall consider the written submission of the contractor/consultant and the information contained in the ratings being appealed. No hearing shall be held. The Appeal Evaluator may request additional information from the contractor/consultant and such information shall be provided within five (5) days of the request.

9.3. The Appeal Evaluator shall render a written decision within thirty (30) days from the receipt of an appeal. The decision regarding an appeal of a rating is final.

9.4. The Appeal Evaluator's decision will be entered into a database maintained by OBC.

9.5. City agency personnel will have access to the rating database.

10.0 APPLICATION OF PERFORMANCE RATINGS FOR CONSULTANTS

10.1. All ratings for projects on which a Consultant has performed work shall be made available to City agency personnel serving on shortlisting and interview panels for their consideration in reviewing project specific proposals.

10.2. Consultant ratings shall be reviewed by OBC upon receipt of re-qualification application and submittals.

10.3. Consideration of a consultant's overall rating shall be made prior to any action being recommended by OBC to the Committee.

11.0. APPLICATION OF PERFORMANCE RATINGS FOR CONTRACTORS

11.1. All ratings of contractors shall be available to City agency personnel.

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11.2. Contractor ratings shall be reviewed by OBC upon receipt of requalification applications.

11.3. Consideration of a contractor's overall rating shall be made prior to any action being recommended by OBC to the Committee.

12.0. RATINGS**12.1 EXCELLENT RATINGS**

12.1.1. If, a Contractor achieves two consecutive "Excellent" Interim evaluations on a single project, the Contractor may request the City Department or Agency that the contractor is under contract with to reduce the retainage for the contract from 5% to 1.5% at the 50% completion milestone (as expressed in terms of monies earned excluding stored material.) This request must be accompanied by a document that indicates the approval of the project's Surety for the reduction in retainage. The Department or Agency shall determine whether to grant the requested reduction. Any Contractor aggrieved by the decision regarding reduction of retainage may request a hearing pursuant to Article VIII of these Rules.

12.1.2. The Contractor will remain eligible for this consideration by maintaining an "Excellent" rating.

12.2. GOOD RATINGS

12.2.1. If, a Contractor achieves two consecutive "Good" interim evaluations on a single project, the contractor may request the City Department or Agency that the contractor is under contract with to reduce the retainage for the contract from 5% to 3% at the 50% completion milestone as expressed in terms of monies earned excluding stored material. This request must be accompanied by a document that indicates the approval of the project's Surety for the reduction in retainage. The Department or Agency shall determine whether to grant the requested reduction. Any Contractor aggrieved by the decision regarding reduction of retainage may request a hearing pursuant to Article VIII of these Rules.

12.2.2. The Contractor will remain eligible for this consideration by maintaining a "Good" rating.

12.3 MARGINAL RATINGS

12.3.1. Contractors and/or consultants receiving a "Marginal" Interim rating will be notified in writing by the Appeal Evaluator that improvement in the firm's performance is required. After receipt of a Marginal Interim rating, should the contractor/consultant fail to improve its performance and receive a subsequent Marginal rating of any kind, the

MINUTES

contractor/consultant will be sent written notification by OBC that the firm's continued prequalification status is being evaluated. If upon review, OBC determines that further action is appropriate regarding the contractor/consultant's prequalification status, it shall notify the contractor/consultant in writing and advise the contractor/consultant of its right to a hearing in accordance with Section III, herein. If a hearing is requested by the contractor/consultant, the hearing shall be conducted in strict accordance with Section III. At the hearing, the contractor/consultant must demonstrate to the satisfaction of the Committee or Hearing Officer that its prequalification status should not be revoked, its work capacity rating not be reduced or it should not be subject to any other action taken by the Committee.

12.4. UNSATISFACTORY PERFORMANCE

12.4.1. Contractors and/or consultants receiving an "Unsatisfactory" Interim rating will be notified in writing by the Appeal Evaluator that improvement in the firm's performance is required. Should the contractor/consultant fail to improve its performance and receive a subsequent Interim or Final Project Rating of Unsatisfactory or Marginal, the contractor/consultant will be sent written notification from OBC that the firm's prequalification status will be reviewed. If upon review, OBC determines that further action is appropriate regarding the contractor/consultant's prequalification status, it shall notify the contractor/consultant in writing and advise the contractor/consultant of its right to a hearing in accordance with Section III, herein. If a hearing is requested by the contractor/consultant, the hearing shall be conducted in strict accordance with Section III. At the hearing, the contractor/consultant must demonstrate to the satisfaction of the Committee or Hearing Officer that its prequalification status should not be revoked, its work capacity rating not be reduced or it should not be subject to any other action taken by the Committee.

III. PROCEDURES AND GUIDELINES FOR HEARINGS BEFORE THE OFFICE OF BOARDS AND COMMISSIONS REVIEW COMMITTEE

1.0. Hearings Generally

1.1. Where the Rules for Qualification of Contractors or the Guidelines for the Performance Evaluation of Design Consultants and Construction Contractors (collectively the "Rules") provide that a hearing may be conducted, these Procedures and Guidelines shall govern.

1.2. A hearing may be conducted by the full Committee or, at the Chair's discretion, by any individual member of the Committee designated to serve as the Hearing Officer by the Chair.

1.3. The objectives of a hearing are:

MINUTES

- To provide all interested parties an opportunity to be heard by the Committee or Hearing Officer
- To afford a contractor/consultant an opportunity for an impartial, objective review of proposed decisions and/or actions of the Committee
- To contribute to uniformity and consistency in the application and enforcement of the Rules
- To establish and consider facts and data related to:
 - a. a contractor/consultant's performance, nonperformance or other acts which are grounds for qualification, suspension or revocation of the contractor's Certificate of Prequalification; or
 - b. a contractor's financial and work capabilities.

2.0. Notice of Hearing

2.1. Where the Rules provide that a hearing may be held, the contractor/consultant shall be notified, in writing by OBC, of the action proposed to be taken by the Committee. Notice shall be sent to the contractor/consultant via first class mail, certified mail return receipt requested and by email, with a read receipt requested, to the email address of record for the contractor/consultant. Within five (5) days of the date of the notification, or the date of receipt by the contractor/consultant, whichever occurs first, the contractor/consultant may submit a written request for a hearing. E-mailed notification is effective as of the date of its transmission by OBC. Failure of the contractor/consultant to open an emailed notification will not extend the time allowed for filing a request for hearing. The contractor/consultant's request for a hearing shall be mailed via first class mail, and sent via electronic mail, to the Office of Boards and Commissions, 4 South Frederick Street, 4th Floor, Baltimore, MD 21202 (410) 396-6883, email address, obc_contractors@baltimorecity.gov. If no written request for a hearing is filed within the time required by these rules, the contractor/consultant will be deemed to have waived its right to a hearing and the Committee may proceed to evaluate the contractor/consultant's performance, nonperformance or other acts as the Committee deems appropriate. The Committee may also initiate a hearing.

2.2. The hearing shall be scheduled within a reasonable time after a request for a hearing is received. When a hearing is scheduled, OBC shall send a Hearing Notice to the contractor/consultant by first class mail and electronic mail requesting receipt confirmation. The Hearing Notice shall set the date, time and location of the hearing, and describe the purpose and nature of the hearing. OBC shall also send the Hearing Notice to the agency involved by email and inter-City mail to the agency Director. The Hearing Notice shall include a copy of these Procedures and Guidelines as well as any pertinent documents in the Committee's or OBC's possession, including any performance evaluations that have been filed by any agency. The Hearing Notice shall designate either a Hearing Officer to preside or advise that the hearing will be held before the Committee. The Hearing Notice will set firm times for:

MINUTES

- a. how long the contractor/consultant has to present its case;
- b. how much time for the agency to reply;
- c. how much time for cross examination and setting any limits on what will be allowed on cross examination;
- d. how much time for closing argument.

The Committee or Hearing Officer may shorten or extend any times set forth herein for good cause shown or as the Committee or Hearing Officer may direct in the exercise of their discretion. Any additional rules or procedures that may be required by the Committee or Hearing Officer shall be set forth in the Hearing Notice and are subject to amendment by the Committee or Hearing Officer.

2.3. Not later than five (5) days after the date of the Hearing Notice, the contractor/consultant shall advise OBC in writing, sent via first class mail and electronic mail, requesting receipt confirmation, whether it will or will not be represented by counsel at the hearing and, if it will be represented, identify its counsel. If the contractor/consultant will not be represented by counsel, the contractor/consultant will designate one representative to present its position, introduce documentary materials, call witnesses to support its position and cross-examine. Unless directed otherwise by the Committee, an attorney from the City Law Department shall be present at all hearings and may participate in the hearing, regardless whether the contractor/consultant elects counsel or not. Failure of the contractor/consultant to file a timely election of counsel shall be a waiver of the right to counsel at the hearing.

3.0. Rules of Evidence

- 3.1 Formal rules of evidence and formal trial procedures shall not apply.
- 3.2. The Committee or Hearing Officer may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may also exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.
- 3.3. The Committee or Hearing Officer may take judicial notice of facts and in addition may take notice of general, technical, or scientific facts.
- 3.4. All evidence including records and documents in the possession of OBC, the Committee, the involved City agency or the City of Baltimore which the Committee or Hearing Officer desires to utilize may be made a part of the record in the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.

4.0. Hearing Proceedings

- 4.1. The proceedings shall follow this order:

MINUTES

- a. The Committee or Hearing Officer shall begin the hearing with a statement concerning the purpose of the hearing and the procedures that will be followed.
- b. Each party may present its case by narrative or by witnesses.
- c. Cross-examination of any witness shall be permitted; however, the parties will not be permitted to argue or engage in debate. The Committee or Hearing Officer may limit or terminate cross examination at any time.
- d. The Committee or Hearing Officer may question any witness or party at any time.
- e. Each party may present its final arguments and summarize its position.
- f. Each party shall have the right to make any additional statements before the hearing is terminated.
- g. At the discretion of the Committee or Hearing Officer, the hearing may be adjourned to another date, continued or postponed.

4.2. Notwithstanding the procedures set forth above, the Committee or Hearing Officer may, in their discretion, decide the order and manner in which testimony and evidence is to be presented and have discretion to direct changes to the hearing procedure.

5.0. Decisions and Orders

5.1. Every attempt shall be made to render a final decision within thirty (30) days from the conclusion of the hearing. The decision shall be made based upon the facts and evidence introduced into the record. The final decision of the Committee need not be in writing. However, OBC shall prepare a memorandum of each hearing which contains the following information:

- a. date of hearing;
- b. type of hearing (Committee or Hearing Officer);
- c. name of person presiding;
- d. the contractor or consultant's name;
- e. the names, titles and affiliations of persons in attendance;
- f. the purpose and nature of the hearing;
- g. a brief description of documents, testimony and data presented;
- h. the final findings of the Committee or Hearing Officer; and
- i. proposed action by the Committee.

5.2. When hearings are conducted by a Hearing Officer, the Hearing Officer shall submit his/her decision in writing to the Committee for review and to the contractor/consultant. The Hearing Officer's decision must be approved by the Committee before the proposed action becomes final. The Committee may approve, reject or modify the decision of the Hearing Officer in its sole discretion. The Committee's decision is subject to review on the record by the Board of Estimates.

MINUTES

5.3. When hearings are conducted by the Committee, the Committee's decision is subject to review on the record by the Board of Estimates.

5.4. A copy of the memorandum of the hearing referred to in this Section shall be sent to the contractor/consultant or to his attorney of record simultaneously with notice of the Committee's determination.

6.0. Record of Proceeding

6.1. In the Committee or Hearing Officer's discretion a record of the proceedings may be made; a tape recording of the proceeding is adequate.

6.2. The contractor/consultant may have access to the tape recording during City business hours and may have a transcript made at its expense. The cost of the preparation of the transcript shall be paid before the transcript is prepared.

MINUTES

Department of Public Works - cont'd

UPON MOTION duly made and seconded, the Board approved the Rules for Qualification of Contractors, Performance Evaluations of Construction Contractors and Consultants and Procedures and Guidelines for Hearings before the Office of Boards and Commissions Review Committee regarding prequalification and contractor/consultant performance reviews.

MINUTES

RECOMMENDATIONS FOR AWARDS/REJECTION

* * * * *

On the recommendations of the City agency

hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

5136 - 5141

to the low bidders meeting the specifications,

and rejected the bid as indicated

for the reasons stated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

The Board also Noted the Administrative

Confirmation of the rejection of recommended

awards and the awards made after protest

on November 9, 2016.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSADMINISTRATIVE CONFIRMATION

On November 09, 2016, the Board upon hearing the protests of Manuel Luis Construction Co., Inc. for TR 17011, TR 17012, and TR 17013 approved the award of these contracts to Manuel Luis Construction Co., Inc., and not the recommended company P. Flanigan & Sons, Inc. This administrative confirmation is to confirm MBE/WBE compliance and contract amount for each of the below awards.

Department of Transportation

1. TR 17011, Resurfacing Highways at Various Locations Northeast Sector I	Manuel Luis Construction Co., Inc.	\$1,993,522.41
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MBE: Manuel Luis Construction Co., Inc.*	\$400,000.00	20.06%
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WBE: S&L Trucking, LLC	\$ 75,000.00	3.76%
Rowen Concrete, Inc.	75,000.00	3.76%
	<u>\$150,000.00</u>	<u>7.52%</u>

* Indicates Self-Performance

MWBOO FOUND VENDOR IN COMPLIANCE.

2. TR 17012, Resurfacing Highways at Various Locations Northwest Sector II	Manuel Luis Construction Co., Inc.	\$1,829,535.71
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MBE: Manuel Luis Construction Co., Inc.*	\$400,000.00	21.86%
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WBE: S&L Trucking, LLC	\$100,000.00	5.46%
Rowen Concrete, Inc.	35,000.00	1.91%
	<u>\$135,000.00</u>	<u>7.37%</u>

* Indicates Self-Performance

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation

3. TR 17013, Resurfacing Highways at Various Locations Southwest Sector III	Manuel Luis Construction Co., Inc.	\$1,668,371.31
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MBE: Manuel Luis Construction Co., Inc.*	\$350,000.00	20.97%
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WBE: S&L Trucking, LLC	\$ 85,000.00	5.09%
Rowen Concrete, Inc.	55,000.00	3.29%
	\$140,000.00	8.39%

*Indicates Self-Performance

MWBOO FOUND VENDOR IN COMPLIANCE4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$2,015,494.80	9950-909215-9515	
State Constr.	Constr. Reserve	
Rev.	Resurfacing	
	Southwest	
 \$1,679,579.00	-----	9950-907723-9514-6
		Structural &
		Improvements
 251,936.85	-----	9950-907723-9514-5
		Inspection
 <u>83,978.95</u>	-----	9950-907726-9514-2
		Contingencies
		Resurfacing
		Highways SW Sector II
 \$2,015,494.80		

This transfer will fund the costs associated with project TR 17013 Resurfacing Highways SW Sector III with P. Flanigan & Sons, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDept. of Public Works, Office of Engineering & Construction

5. ER 4019RR, East Monumental Paving \$1,059,836.35
 Stony Run Stream & Excavating, Inc.
 Restoration

MBE: T.E. Jeff, Inc.	\$ 68,600.00	6.47%
Justdrafting & Construction	15,600.00	1.47%
Support Service, Inc.		
P&J Contracting Co., Inc.	21,850.00	2.06%
	\$106,050.00	10.00%

WBE: S&L Trucking, LLC \$106,050.00 10.00%

MWBOO FOUND VENDOR IN COMPLIANCE.**6. TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 248,166.00	9958-904351-9526	
MVR	Construction Reserve	
	East Story Run	
635,000.00	" "	
515,817.00	9958-904707-9526	
SW Utility	Construction Reserve	
	Urgent Needs Engineering	
\$ 1,398,983.00		
105,983.00	-----	9958-903351-9525-2
		Extra Work
105,983.00	-----	9958-903351-9525-3
		Engineering

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Dept. of Public Works, Office of - cont'd
Engineering & Construction

63,590.65	-----	9958-903351-9525-5
		Inspection
1,059,836.35	-----	9958-903351-9525-6
		Construction
<u>63,590.00</u>	-----	9958-903351-9525-9
		Administration
\$ 1,398,983.00		

This transfer will cover the cost of ER 4019RR, East Stony Run Stream Restoration.

7. ER 4097, Watershed Allied Contactors, \$ 406,477.00
 263-Phase 3 & 4 Slope Inc.
 Repair at Biddison
 Run Western Run

MBE: J.M. Murphy Enterprises, \$ 57,000.00 14%
 Inc.

WBE: S&L Trucking, LLC \$ 12,222.00 3%

MWBOO FOUND VENDOR IN COMPLIANCE.

8. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 200,000.00	9958-906405-9526	
Stormwater	Construction Reserve	
Utility	Citywide Stream	
	Restoration	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Dept. of Public Works, Office of - cont'd
Engineering & Construction

40,648.00	-----	9958-903993-9525-2
		Extra Work
40,648.00	-----	9958-903993-9525-3
		Engineering
29,352.00	-----	9958-903993-9525-5
		Inspection
60,000.00	-----	9958-903993-9525-6
		Construction
<u>29,352.00</u>	-----	9958-903993-9525-9
		Administration
\$ 200,000.00		

Bureau of Purchases

9. B50004662, EMT Services	Grace Ambulance Services, LLC	\$1,500,000.00
(Health Department - Field Health Services)		

MWBOO GRANTED A WAIVER.

10. B50004665, Gunshot Detection and Location System	Safety Dynamics, Inc.	\$ 369,600.00
(Baltimore Police Department)		

MWBOO GRANTED A WAIVER.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'd

11. B50004718, Citywide	Emergency	\$ 447,500.00
Mass Notification	Communications	
System	Network, LLC	

(Mayor's Office of Emergency Management)

MWBOO GRANTED A WAIVER.

12. B50004607, Manage and Operate Inner Harbor Docking Facilities	REJECTION - The sole proposal was opened on September 28, 2016. The evaluation committee reviewed the sole proposal and determined that the proposal did not meet the minimum technical score. The Board is recommended to reject the sole proposal. The requirements can be re-solicited at a later date.
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(Department of Transportation)

MINUTES

Department of Finance - Revised Administrative Manual Policies -
404-00, 404-01, 404-02, 404-03, 404-04,
404-05, 404-06, 404-07

ACTION REQUESTED OF B/E:

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

- AM 404-00 Grant Management & Administration
- AM 404-01 Grant Identification
- AM 404-02 Grant Screening & Evaluation
- AM 404-03 Grant Preparation & Application
- AM 404-04 Grant Management Review
- AM 404-05 Grant Award
- AM-404-06 Grant Documentation
- AM 404-07 Grant Closeout

The revisions are effective upon Board of Estimates 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 City Administration, the published policies provide uniform and consistent operating rules. 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 the

MINUTES

Department of Finance - cont'd

City's grants management operations. All policies in this set are in the 404 series and the proposed changes in each are listed below.

AM 404-00 (Grant Management & Administration)

This policy establishes a grants management committee within each agency, organization and/or entity that oversees grant activities and ensures compliance with all grant-related City of Baltimore AM Policies and Office of Management and Budget (OMB) circulars. The revisions to this policy are as follows:

- Establishes an internal Grants Management Committee (GMC) and designates a senior staff member with authority to make grant(s)-related decisions, to serve as chairperson.
- Committee monitors and ensures agency/entity compliance with all AM and OMB grant management policies.

AM 404-01 (Grant Identification)

This policy uses early identification and proactive planning to forecast opportunities and capture grants. This preplanning process optimizes the opportunity for success when applying for grants.

- Designates an individual to track all germane grant announcements, via the Internet (e.g., Grants.gov or Grantfinder.com), electronic or standard mail, by telephone, through professional contacts, or other sources.
- Identifies and tracks all grant opportunities that align with the organization's long-range, strategic plans and/or the agency's mission as far in advance as possible.

MINUTES

Department of Finance - cont'd

AM 404-02 (Grants Screening & Evaluation):

This policy promotes a proactive assessment and determination of each grant's requirements to minimize confusion and maximize preparation time prior to submitting an application:

- Requires grant management staff to determine all grant application requirements to include determining whether the grant application requires sustainability or matching funds.

AM 404-03 (Grant Preparation & Application):

The purpose of this policy is to generate a checklist of requirements as detailed in a Scope of Work (SOW), Notice of Funding Availability (NOFA), or Request for Proposal (RFP) and to collaborate with the Bureau of the Budget and Management Research (BBMR) when preparing a grant application's budget proposal, as follows:

- Identifies and designates a grant proposal manager as early as possible,
- Designates a grant writer(s) and/or budget proposal manager and,
- Identifies key hires as soon as possible.

AM 404-04 (Grant Management Review):

This policy provides management with an opportunity to review all grant applications and ensure the quality and completeness of all required supporting documentation, (e.g., technical and cost proposals) prior to submission, as follows:

MINUTES

Department of Finance - cont'd

- Ensures grant submission meets the requirements detailed in the Scope of Work, in collaboration with the agency/entity's BBMR Budget Analyst, prior to senior management review, then
- Returns draft document(s) to budget proposal manager for correction, if necessary.

AM 404-05 (Grant Award):

The purpose of this policy is to expedite the award process, obtaining a project number and establishing a budget account number allows an agency/entity to begin grant operations as soon as possible, as follows:

- Upon receipt of grant award updates award information in CRM software,
- Forwards copies of the award letter and sub-recipient agreement(s) to the Law Department for review, and
- Forwards approved grant award notification and sub-recipient agreement(s) to the Board of Estimates (BOE) for approval.

AM 404-06 (Grant Documentation):

The purpose of this policy is to ensure proper documentation to avoid audit findings, disallowed costs, and/or non-compliance issues, as follows:

- Conducts ongoing monitoring and control of all reimbursement receipts and deposits until grant ends; as well as all program and sub-recipient documentation; and,

MINUTESDepartment of Finance - cont'd

- Establishes and maintains a hard copy desk reference audit file.

AM 404-07 (Grant Closeout):

The purpose of this policy is to ensure a proper and timely closeout of all ending grants and to identify grants that should be renewed, as follows:

- Determines if a grant will be ending or renewed. If the grant is ending, the grant manager pulls together details of the grant's operations; to include, financial transactions, program narrative and/or required grantor closeout information, and
- Completes Internal Closeout Checklist to ensure all activities and transmittals have been completed, documented, and submitted timely.

MBE/WBE PARTICIPATION:

N/A

MINUTES


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AM 404-00

*m****Grants Management & Administration*****PURPOSE**

To establish a *grants management committee* within each agency, organization and/or entity (hereafter referred to as agency/entity) that oversees grant activities and ensures compliance with all grant-related city of Baltimore Administrative Manual (AM) policies and relevant (federal) Office of Management and Budget (OMB) circulars.

SCOPE

This policy is applicable to all city of Baltimore agencies/entities that use grant funding, as well as any organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2016, with the exception of AM 404-04 *Outside Audits* and AM 400-3 *Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

Each agency/entity must maintain a *grants management committee* that meets in the event a grant exceeds its monthly budget by 20%, at least quarterly, or within 60-days of the start/end of a grant – to review potential grant applications and renewals, grant budgets, audit results, extension requests, public relations/lobbying efforts and overall compliance with AM and OMB policies.



At a minimum, committee membership must include at least one senior management staff with authority to make grant-related decisions for the agency/entity and at least one senior fiscal representative; grant manager(s) and/or responsible supervisory staff. Chairpersons from each agency/entity should be fulltime committee members that comprise a steering committee which meets, at least quarterly, with the finance department's grants management office staff to foster a healthy, standardized and centralized grants management culture throughout the city.

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AM 404-00

*m****Grants Management & Administration*****PROCEDURES****NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

Agency/Organization and/or Entity

1. Establishes an internal grants management committee (GMC) and designates a senior staff member with authority to make grant(s)-related decisions, to serve as chairperson.

Grants Management Committee (GMC):

2. Monitors and ensures agency/entity compliance with all AM and OMB grant management policies;
3. Designates a committee member to document and archive the minutes of each GMC meeting (by agency) on the city's grants management SharePoint site, at:
<https://portal.baltimorecity.gov/dof/GM/SitePages/Home.aspx>;



4. Ensures the agency/entity maintains a cadre of trained grant writers and budget proposal managers to prepare and submit grant applications, and retains documented evidence of training(s) on file and in the city's grants management SharePoint site;

5. Maintains an electronic listing of *all* active grants and their corresponding grant managers on the city's grants management Customer Relationship Management (CRM) site, at:
<https://bmore.crm9.dynamics.com/main.aspx>; and
6. Ensures all single audit and grants management office findings are immediately corrected.

MINUTES


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AM 404-00

*m****Grants Management & Administration***

7. Reviews, at a minimum, the following information during each GMC meeting; as prescribed below:

Applications

8. Determines what grant applications are forthcoming, both new and renewals; to include:
- What resources will be needed;
 - Required (key) staff, sub-recipients or consultants; and,
 - To identify the grant application manager and/or budget proposal manager.
9. Requests a copy of reviewer's feedback (debrief) in the event of a non-awarded grant; to learn, in particular, the application's content weaknesses and budget narrative feedback that negatively impacted the submission;
10. Retains all debrief notes on the city's SharePoint site along with original grant applications, so that appropriate adjustments can be made to optimize the agency/entity's chances of future grant awards;
11. Follows the steps detailed in AM policies: **404-01 Grant Identification; 404-02 Grant Screening & Evaluation; 404-03 Grant Application & Preparation; and 404-04 Grant Management Review**, when making a grant application.

Budgets

12. Reviews budget charts/graphs or data to highlight and focus upon areas of concern; e.g., over- or under-spending, in collaboration with fiscal staff and/or the agency/entity's respective Bureau of the Budget and Management Research (BBMR) budget analyst;
13. Ensures *all* grant-related primary accounts and subaccounts are closed within 45-days of the grant's end date and that *all* receipts, invoices or charges received or posted after the grant's closure were incurred within the grant's period of performance.

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AM 404-00

*m****Grants Management & Administration*****Tracking**

14. Maintains a shared calendar to project new and renewal applications, anticipated audits, expiration dates for Grant Services Specialist (GSS) positions (when applicable), grant closeout dates, grant extensions, periodic reports to the grantor, and forecasted GMC meeting dates.

Public Relations

15. Periodically submits success stories generated from their grants management efforts, to the grants management office and Mayor's Director of Communications. Each submission should describe who was involved, what happened, and when and where the activity took place. Submit success stories by clicking the **Send Email Alert** and **Submit Success Story** buttons on the city's grants management SharePoint site;
16. Depending upon the number of grants an agency manages, the committee and/or a designated staff member(s) should submit the following number of public relations articles annually, for:
- 0-10 grants, 1 per year;
 - 11-25 grants, 2 per year;
 - 26-50 grants, 3 per year;
 - 51-75 grants, 4 per year;
 - 76-100 grants, 5 per year; or,
 - 100+ grants, 6 per year.
17. Committees are encouraged to exceed recommended success story submission requirements.

Lobbying

18. Submits a lobbying request to the Deputy Mayor of Government Relations and Labor, in the event the GMC feels that lobbying on the agency/entity's behalf will help ensure a successful application. To submit lobbying requests, click the **Send Email Alert** and **Request Grant Support** buttons in the city's grants management SharePoint site.

MINUTES

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AM 404-00

*m****Grants Management & Administration*****Grants Manager:**

19. Maintains an online archive of all grant applications and all monthly, quarterly, semi-annual and annual (required) operational reports for a minimum of seven years on the grants management's SharePoint website. When necessary, online applications must be printed, scanned, and stored in SharePoint.

20. Stores all documents in SharePoint, using the following folder naming convention:

Budget Series Code - Grant Year - Granting Agency/Grantor - Grant Name

For example:

4001-16-DOJ-Byrne Justice Grant

21. Takes corrective actions based on audit results or feedback from grantor;

22. Follows the steps taken in AM Policies **404-05 Grant Award; 404-06 Grant Documentation; 404-07 Grant Closeout; and 404-08 Grant Financial Management.**

Grants Management Office:

23. Monitors each agency/entity's grants management activities, providing database access, guidance, support, and resources as needed;

24. Performs internal control testing in accordance with applicable OMB circulars and the city's grants management policies and procedures;

25. Monitors all grant accounts to ensure drawdowns and expenditures are timely, occur within the grant's period of performance, are appropriately charged, and minimize unspent funds and/or negative budget variances;

26. Conducts annual compliance reviews of the city's agency/entities with grants, to monitor compliance with all grants management AM policies and OMB circulars;

27. Submits a corresponding compliance report for each GMC to take corrective action.

POLICY OWNER

The city of Baltimore grants management office is responsible for all changes and/or updates to

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AM 404-00

*m****Grants Management & Administration***

this policy.

WORKFLOW PROCESS

A flowchart displays workflow graphically, using some or all of the following process symbols.

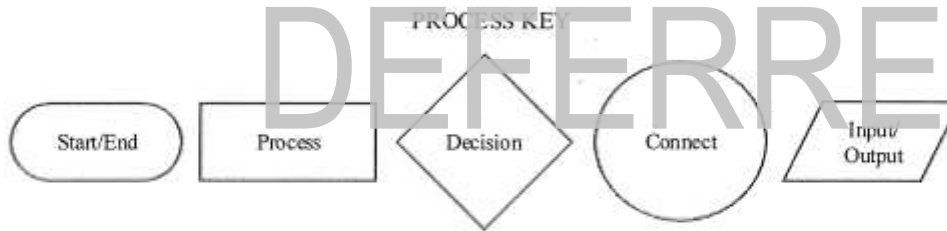


Figure 1, below, graphically displays the primary steps followed in the **Grants Management & Administration** process.

MINUTES

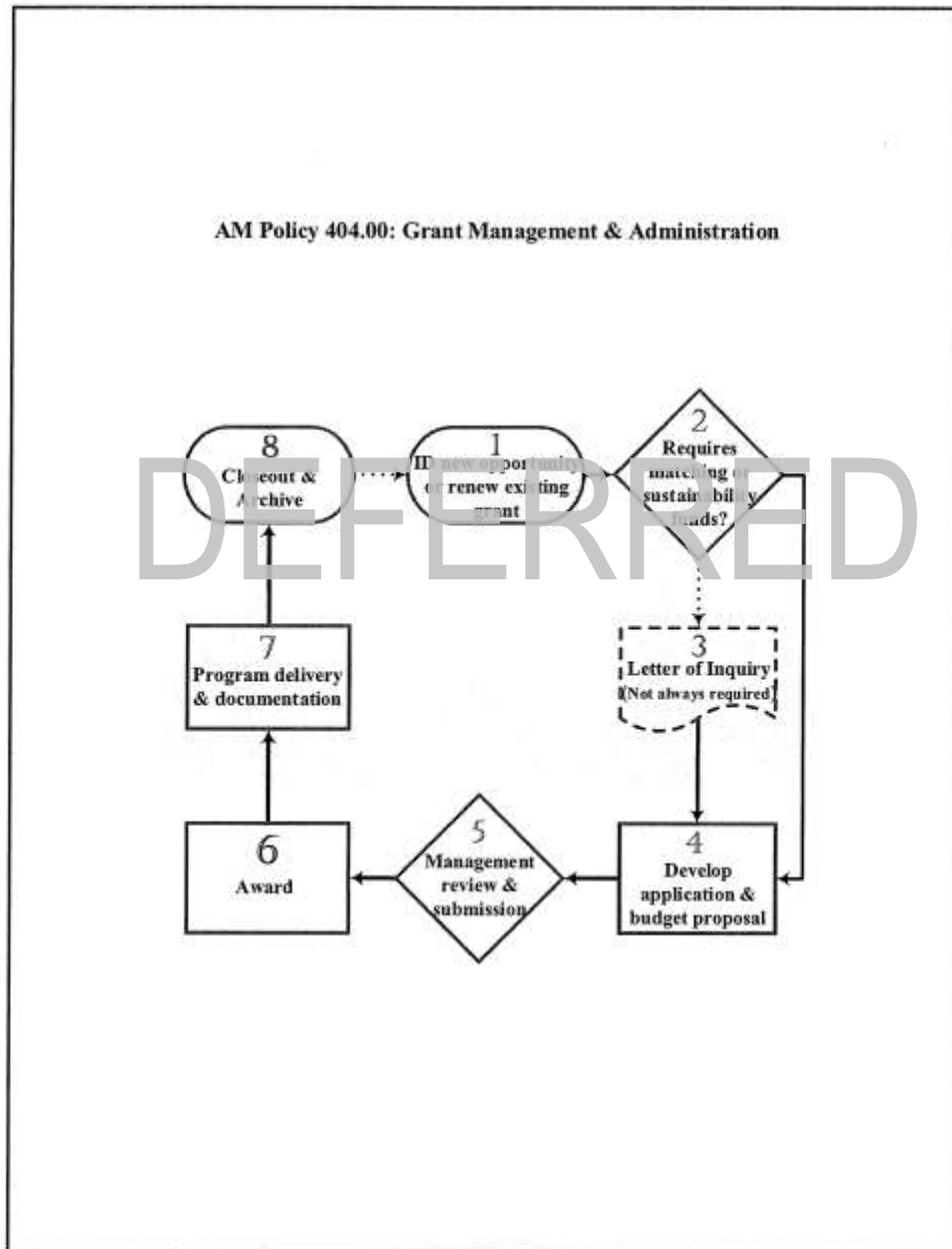


Figure 1: *Grant Management & Administration* reflects the macro-level steps of the grants management process.

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AM 404-01

*m****Grant Identification*****PURPOSE**

Early identification and proactive planning are key to forecasting opportunities and capturing grants. This policy establishes a preplanning process to optimize the opportunity for success when applying for grants.



SCOPE

This policy is applicable to all city of Baltimore agencies/entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-04 Outside Audits* and *AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

Each city of Baltimore agency/organization/entity that receives grant funding/source must form a grants management committee to support the early identification and vetting of all relevant grant opportunities. For an explanation of the grant management committees' roles and responsibilities, see **Administrative Manual (AM) Policy 404-0, Grants Management & Administration**.

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

Grants Management Committee:

1. Must designate at least one individual to track all germane grant announcements, via the Internet (e.g., Grants.gov or Grantfinder.com), electronic or standard mail, by telephone, through professional contacts, or other sources. This designee must:

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AM 404-01

*m****Grant Identification***

- a. Be a member of the agency/organization/entity's grants management committee; and,
- b. Create a CRM grant record immediately after identifying the candidate grant. CRM can be accessed at <https://bmore.crm9.dynamics.com/main.aspx>;



- c. Develop, maintain and periodically update a comprehensive listing of agency specific keywords and/or search terms in SharePoint for use when searching for grants;



- d. Negotiate with other agencies/entities in the event two or more entities wish to apply for the same grant. Synergistic alliances that benefit the city are encouraged;

2. Determines if the grant opportunity is a *new* or *renewal* application. For renewal applications, skip forward to **AM Policy 404-4, Grant Application & Preparation**;
3. Identifies and tracks all grant opportunities that align with the organization's long-range strategic plans and/or the agency's mission as far in advance as possible;
4. Determines if the new grant application aligns with the Mayor's Priority Outcomes and/or the agency's mission. If an agency/entity wishes to apply for a grant that does not align with the Mayors' Priority Outcomes and/or the agency's mission, the grants management committee chairperson must obtain a written exemption to this requirement from the appropriate deputy mayor;
5. Documents all grant targets in the CRM database and advances to **AM Policy 404-3, Grant Screening and Evaluation**;



6. In the event the grants management committee feels additional, external support is warranted to ensure a winning application, refer to **AM Policy 404-0, Grants Management & Administration: Lobbying**.

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AM 404-01

*m****Grant Identification*****POLICY OWNER**

The grants management office is responsible for all changes and/or updates to this policy.

WORKFLOW PROCESS

A flowchart displays workflow graphically, using some or all of the following process symbols.

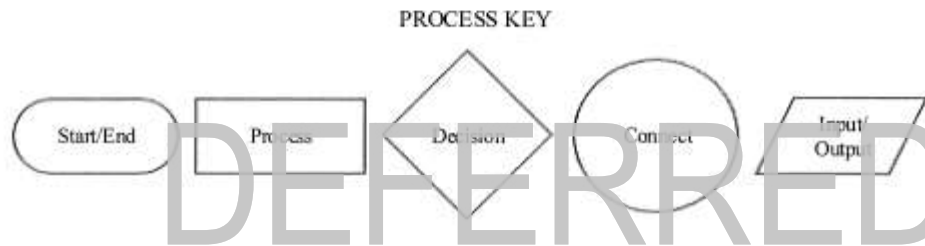


Figure 1, below, graphically displays the primary steps followed in the **Grant Identification** process. As shown, new grant applications follow a dotted line path while renewal applications follow a dashed line path.

AM Policy 404.01: Grant Identification

```
graph TD
    Input[Grant Announcement] --> Agency[Agency identifies grant opportunity & determines if it is a NEW or a RENEWAL application]
    Agency --> RenewalApp[RENEWAL APPLICATION]
    Agency --> NewApp[NEW APPLICATION]
    RenewalApp --> RenewalPrep((For RENEWAL applications, skip to the Application & Preparation phase))
    NewApp --> Decision{Does the grant's scope align with the Mayor's Priority Outcome & the agency's mission?}
    Decision -- No --> EndApp((End Application))
    Decision -- Appeal --> AppealDec((Appeal Decision))
    Decision -- Yes --> CRM[Enter grant opportunity into CRM and move to Screening & Evaluation phase]
```

The flowchart illustrates the Grant Identification process. It begins with an **Input** of a **Grant Announcement**. The **Agency** identifies the grant opportunity and determines if it is a **NEW** or a **RENEWAL** application. For **RENEWAL APPLICATION**s, the process skips to the **Application & Preparation** phase. For **NEW APPLICATION**s, the agency evaluates if the grant's scope aligns with the Mayor's Priority Outcome and the agency's mission. If **No**, the process ends at **End Application**. If **Appeal**, it leads to an **Appeal Decision**. If **Yes**, the grant opportunity is entered into the CRM and moves to the **Screening & Evaluation** phase.

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AM 404-02

*m****Grants Screening & Evaluation*****PURPOSE**

Preplanning and early resource gathering are key to success when screening and evaluating a grant application. This policy promotes a proactive assessment and determination of each grant's requirements to minimize confusion and maximize preparation time prior to submitting an application.



SCOPE

This policy is applicable to all city of Baltimore agencies/entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-01 Outside Audits* and *AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

This policy requires grants management staff to proactively determine all grant application requirements and compile resources when preparing a grant application; to include determining whether the grant application requires *sustainability* or *matching funds*. When questions arise regarding a Notice of Funding Availability (NOFA), Scope of Work (SOW) or a Request for Proposal (RFP) – see **Definitions**, on page 3 – seek clarity from the grantor as early as possible.

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

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AM 404-02

*m****Grants Screening & Evaluation*****Grants Management Committee:**

1. Assigns a grant proposal manager and/or budget proposal manager to review, compile, and submit each grant application. This/these individual(s) must be proactive in identifying any problems or issues that may interfere with a successful grant application;



2. Determines whether a NOFA or RFP has a sustainability or matching funds requirement. **Note:** Both the applying agency/entity and their respective Bureau of the Budget and Management Research (BBMR) Budget Analyst must review and approve the Notice of Funding Availability (NOFA) and corresponding draft budget prior to submitting all grant applications;

3. Determines if agency/entity is eligible to apply and if the funding guidelines meet funding needs, by thoroughly reading the NOFA or RFP. When necessary, identifies a partner to meet the SOW requirements.

Grants Manager/Grant Proposal Manager and/or Budget Proposal Manager:

4. When necessary, seeks clarity on the SOW from the grantor by completing a *Letter of Inquiry* - as early as possible. Draft Letters of Inquiry can be found (or stored) on the SharePoint site; at: <https://portal.baltimorecity.gov/dof/GM/SitePages/Home.aspx>, in the **Documents Library**.

BBMR Budget Analyst:

5. Has two (2) workdays from the receipt of the inquiry to approve or disapprove the submitting agency/entity's draft budget. **Note:** BBMR's draft budget template is on the city's grants management SharePoint site.

Grant Proposal Manager and/or Budget Proposal Manager:

6. Identifies sub-recipient funding amounts prior to an application submission. **Note:** Pre-award identification and preparation sub-recipient agreements expedites post award startup;

7. Gathers all resources as defined by the NOFA or RFP Scope of Work (SOW) as early as possible, to maximize a grant application's success.

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AM 404-02

*m****Grants Screening & Evaluation*****DEFINITIONS**

- **Notice of Funding Availability (NOFA)** - is a publicly available document by which a federal agency makes known its intentions to award discretionary grants or cooperative agreements, usually as a result of competition for funds; also known as a Funding Opportunity Announcement (FOA).
- **Request for Proposal (RFP)** – is a solicitation to submit business proposals, often made through a bidding process to potential suppliers, by an agency or company interested in procurement of a commodity or service.
- **Scope of Work (SOW)** – is a formal agreement that specifies all the criteria of a contract between a service provider (vendor) and the customer. The SOW documents the project requirements, milestones, and deliverables, i.e., end-products, documents and reports expected to be provided by the vendor/contractor/consultant.

POLICY OWNER

The grants management office is responsible for all changes and/or updates to this policy.

WORKFLOW PROCESS

A flowchart displays workflow graphically, using some or all of the following process symbols.

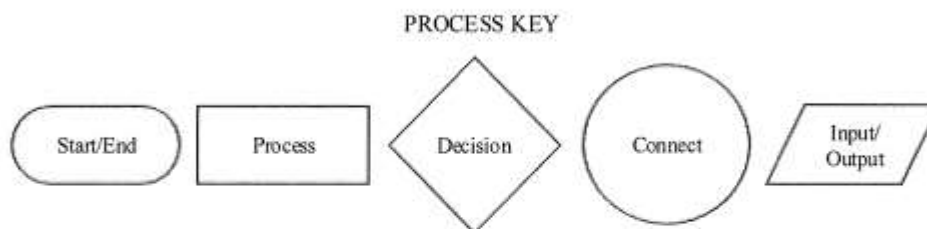


Figure 1, below, graphically displays the primary steps followed in the **Grant Screening & Evaluation** process.

MINUTES

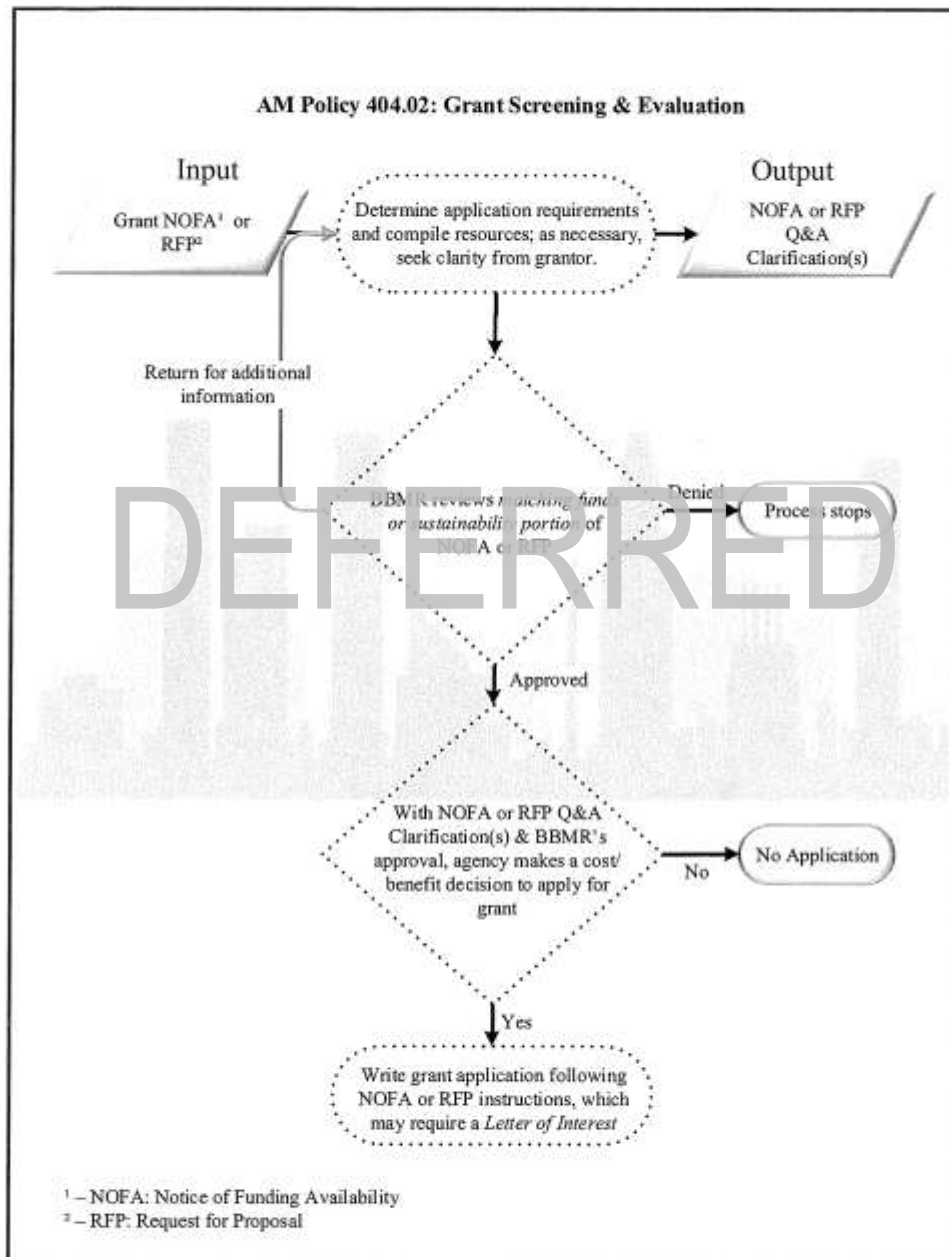


Figure 3: Grant Screening & Evaluation requires BBMR's pre-approval of the grant's budget to include matching and/or sustainability funds, if applicable.

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AM 404-03

*m****Grant Preparation & Application*****PURPOSE**

To generate a checklist of requirements as detailed in a Scope of Work (SOW), Notice of Funding Availability (NOFA), or Request for Proposal (RFP) and to collaborate with the Bureau of the Budget and Management Research (BBMR) when preparing a grant application's budget proposals.



SCOPE

This policy is applicable to all city of Baltimore agencies/entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-04 Outside Audits* and *AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

Each city of Baltimore agency/entity that receives grant funding must form a Grants Committee to support the grant preparation and application process; see **AM Policy 404-0, Grants Management & Administration**, for a more in-depth explanation of the grant committees' role and responsibilities. The committee's leadership ensures that all requirements identified within each NOFA or RFP's Scope of Work are met and BBMR's approval is obtained on the grant application's corresponding budget.

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

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AM 404-03

*m****Grant Preparation & Application*****Grants Management Committee:**

1. Identifies and designates a grant proposal manager as early as possible to:
 - Avoid making false assumptions based on grantor feedback;
 - Overcome delays from grantor communications;
 - Avoid delays or errors in the budget approval process as well as the identification of new cost possibilities (efficiencies);
 - Avoid overextending or underestimating grant preparation capability;
 - Create redundant capabilities to ensure continuity of operations; and,
 - Maintain a timeline/calendar to track all grant preparation activity.

Grant Proposal Manager:

2. Determines application requirements as defined within the NOFA or RFP's SOW or as defined by stakeholders, which at a minimum may include the following requirements:
 - SF 424 (Application for Federal Assistance) or equivalent State of Maryland application form;
 - DUNS/SAM #s;
 - Catalog of Federal Domestic Assistance Number (CFDA #);
 - Project Summary/Abstract;
 - Project Narrative;
 - Budget & Budget Narrative (including match requirements, if applicable);
 - Organization Chart;
 - Organizational Capacity (may require resumes);
 - Key Hires, if applicable;
 - Point of Contact (Project Director/Manager);
 - Signed Certifications, and if applicable; and/or,
 - Sub-recipient MOUs, letters of support, agreements.
3. Designates a grant writer(s) and/or budget proposal manager;
4. Determines grant evaluation method/process;
5. References the **Grant Support & Resources** button on the SharePoint website for additional information on writing and/or budgeting grant applications;
6. Creates checklist of requirements, based on the SOW and/or stakeholder's needs, to generate an application outline and prevent submission omissions;

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AM 404-03

*m****Grant Preparation & Application***

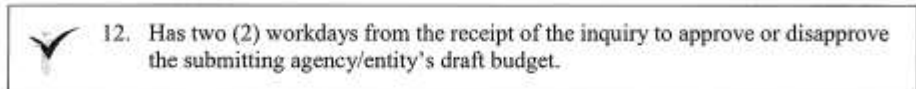
7. Identifies key hires as soon as possible; and,
8. Checks proposal archive on the SharePoint website for previous submissions and/or supporting documentation to expedite the application process.

Grant Writer(s):

9. Drafts technical proposal based on identified requirements.

Grant Proposal Manager:

11. Using BBMR's Budget Template, compiles a draft budget for the grant and forwards it to BBMR for review.

BBMR Budget Analyst:**Grants Proposal Manager:**

13. Works with grant writer(s) and budget proposal manager to compile the technical and budget proposal; i.e. the grant application;
14. Collaborates with BBMR until the grant's budget is approved or it is decided the grant application will not be pursued.

Grants Committee:

15. Supports the grant proposal manager when preparing the grant application for submission;

MINUTES

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AM 404-03

*m****Grant Preparation & Application***

16. The quality goal for this process is to give the grant proposal manager ample time to review and approve the grant application prior to submission to the Grants Committee and/or management for review and/or approval.

Grant Proposal Manager:

17. Submits the approved grant application to management for review; **reference AM Policy 404-5, Management Review.**

POLICY OWNER

The grants management office is responsible for all changes and/or updates to this policy.

WORKFLOW PROCESS

A flowchart displays workflow graphically, using some or all of the following process symbols.

PROCESS KEY**FLOW PROCESS**

Figure 1, below, graphically displays the primary steps followed in the **Grant Preparation & Application** process.

MINUTES

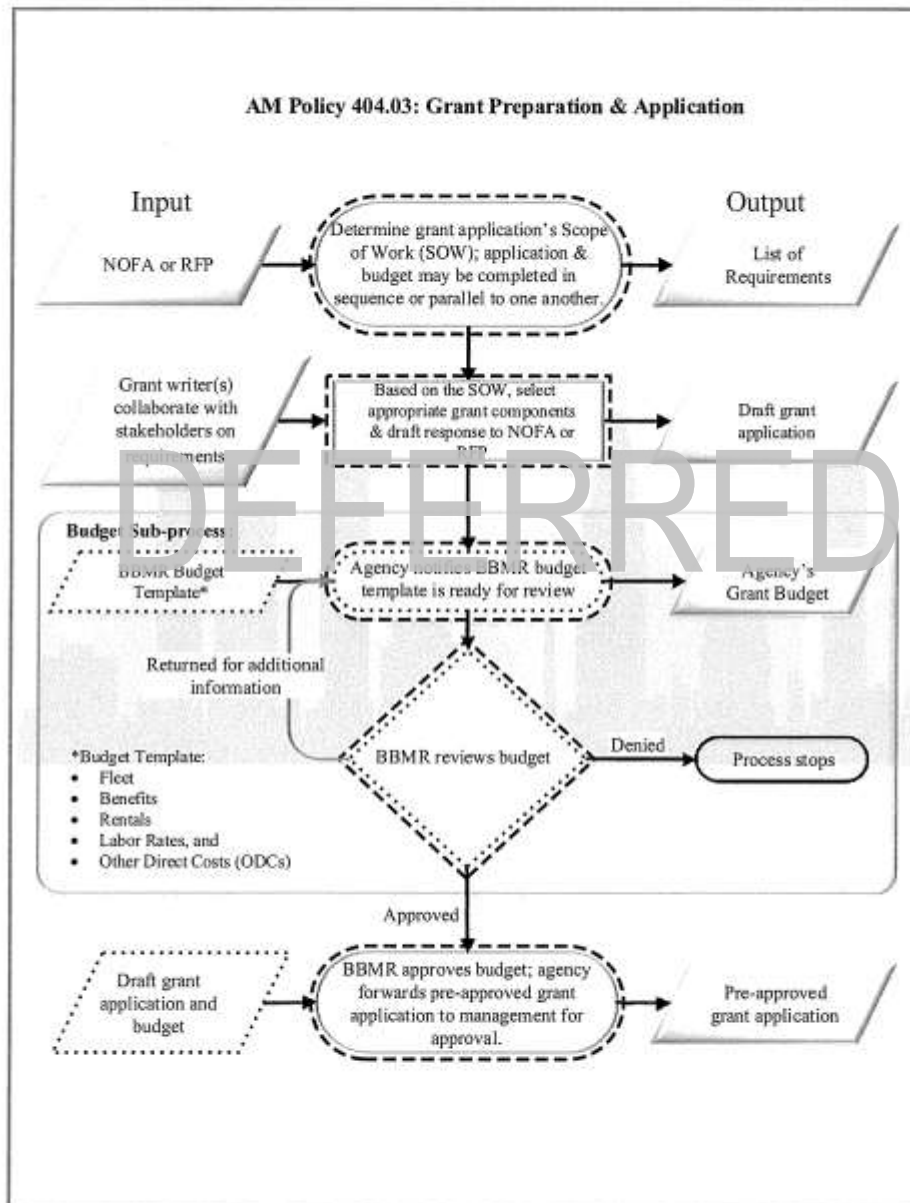


Figure 1: Grant Preparation & Application requires the grant proposal manager to generate and follow a requirements checklist and to collaborate with the BBMR on the grant's budget.

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AM 404-04

*m****Grant Management Review*****PURPOSE**

To give management an opportunity to review *all* grant applications and ensure the quality and completeness of all required supporting documentation, (e.g., technical and cost proposals) prior to submission.



SCOPE

This policy is applicable to all city of Baltimore agencies and/or entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-04 Outside Audits* and *AM 400-03 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

An agency/entity's senior management must review and approve all grant applications to ensure the quality and completeness of each application - at a reasonable or specified price - prior to submission.

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

Grant Proposal Manager:

1. Forwards the draft grant application and budget to agency's internal grants management committee (GMC) for review and approval.

Grants Management Committee (GMC):

2. Ensures the grant application meets the requirements detailed in the NOFA or RFP Scope of

MINUTES


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AM 404-04

*m****Grant Management Review***

Work or as designated by key stakeholders, prior to the agency's fiscal officer review;

3. If changes are required, returns draft document(s), with changes noted, to the grant proposal manager for revision.

Agency/Entity's Fiscal Officer and Budget Proposal Manager:

4. Reviews grant submission to ensure that it meets the requirements detailed in the Scope of Work, in collaboration with the agency/entity's BBMR Budget Analyst, prior to senior management review; then,
5. Returns draft document(s) to budget proposal manager for correction, if necessary.

Chairperson Grants Management Committee or Designee:

6. Reviews grant submission to ensure it meets the requirements detailed in the Scope of Work and approves the grant application for delivery;
7. Returns draft document(s) to the appropriate staff member for correction(s), if the draft grant application needs to be changed; and,
8. Records the name of the GMC approver and the date approved on the grant application and in CRM site, at: <https://bmore.crm9.dynamics.com/main.aspx>.

Grant Proposal Manager:

9. Upon receipt of the approved application, delivers/submits grant as detailed in the Notice of Funding Availability (NOFA) or Request for Proposal (RFP).

POLICY OWNER

The grants management office is responsible for all changes and/or updates to this policy.

FLOW PROCESS

Figure 1, below, displays the primary steps followed in the grant management review process.

MINUTES

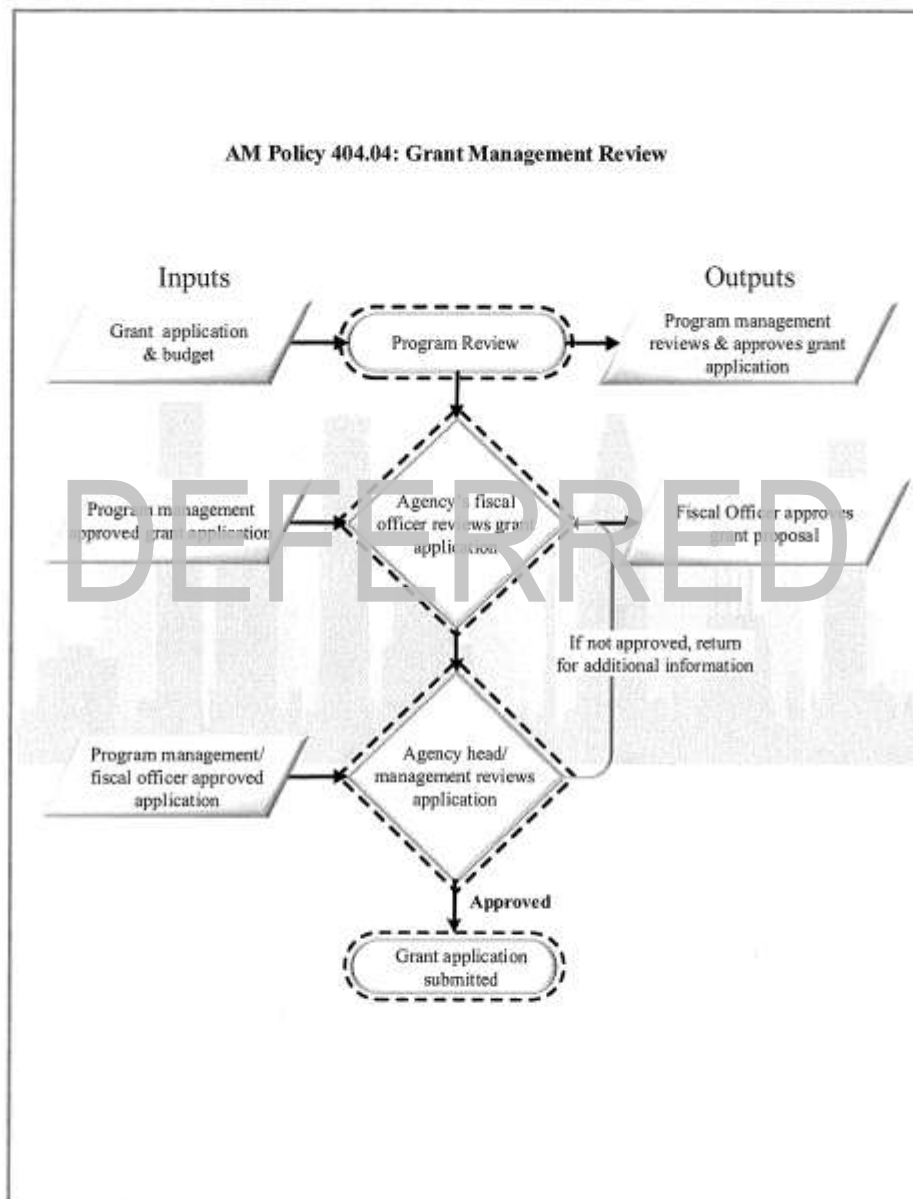


Figure 1: *Grant Management Review* gives management ample opportunity to review all grant submissions to ensure the pre-submission quality of the grant application.

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AM 404-05

m***Grant Award*****PURPOSE**

Expediting the award process, obtaining a project number and establishing a budget account number allows an agency/entity to begin grant operations as soon as possible.



SCOPE

This policy is applicable to all city of Baltimore agencies/entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-04 Outside Audits* and *AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

Per **AM 101-1 Request for Board of Estimates Approval**, all third party contracts and/or legal documents which bind the city must be reviewed by the law department. Therefore, after an award and prior to beginning a new grant the law department must review the award for *legal form and sufficiency*; in addition, the Board of Estimates (BOE) must approve the award and sub-recipient award(s), and courtesy copies of the award must be forwarded to the applicable deputy mayor, the auditing department and the Bureau of the Budget & Management Research (BBMR).

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.



1. After award, an expeditious turnaround of documentation is required so that the grant may begin operating as quickly as possible. The primary risk to this policy is a delay in the post-award approval process.

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AM 404-05

*m**Grant Award*(Agency) Grant Manager:

2. Upon receipt of grant award updates award information in CRM software. CRM can be accessed at <https://bmore.crm9.dynamics.com/main.aspx>;
3. Forwards copies of the award letter and sub-recipient agreement(s) to the law department for review.

Law Department/Agency Legal Representative:

4. Reviews the grant award within three (3) working days of receipt for legal form and sufficiency. If an award is lacking information, contacts grant manager for the additional information; and,
5. Returns approved grant award - and when applicable sub-recipient agreements - to the grant manager.

(Agency) Grant Manager:

6. Forwards approved grant award notification and sub-recipient agreement(s) to the Board of Estimates (BOE) for approval.
7. Typically, a scope of work (SOW), award letter, and BOE approval are required to obtain a budget account number and begin work. However, occasionally – especially for grants extended beyond their original period of performance – the grantor may delay updating the scope of work. In these cases, the grant manager may begin operating, sans scope of work, so as not to interfere with the continuity of services. However, it is recommended that grant manager work closely with the grantor to obtain a copy of the SOW, within 90-days of the award, and/or document their efforts to obtain the SOW from the grantor.

Board of Estimates:

8. Upon approval, returns grant award and sub-recipient agreements to grant manager.

(Agency) Grant Manager:

9. Forwards BOE-approved grant award letter to accounting; and,
10. Attaches copy of BOE-approved grant award letter into CRM database.

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AM 404-05

*m****Grant Award*****Accounting:**

11. Sets up grant account number in CRM and CityDynamics within 24-hours of receipt of award notification.

(Agency) Grant Manager:

12. Begins operations upon receipt of BOE approval and a grant account number.



13. Forwards notification of award to the finance department's grants management office and Chief of Public Affairs – in the mayor's office.

14. Works with the grants management committee in the event of a non-award to seek a debrief with the funding entity so that appropriate in-house adjustments can be made to future grant applications, therefore optimizing the agency/organization/entity's chances for future awards: see Grants Management & Administration, AM Policy 404-05, Applications.

POLICY OWNER

The grants management office is responsible for all changes and/or updates to this policy.

WORKFLOW PROCESS

A flowchart displays workflow graphically, using some or all of the following process symbols.

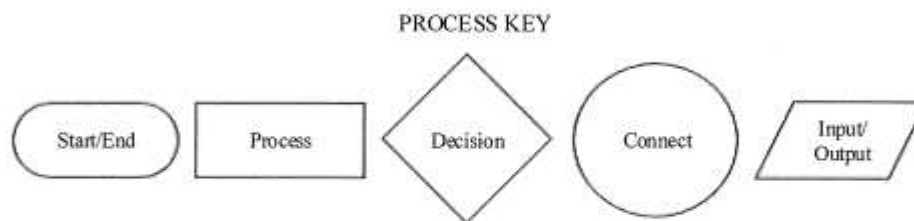


Figure 1, below, graphically displays the primary steps followed in the grant award process.

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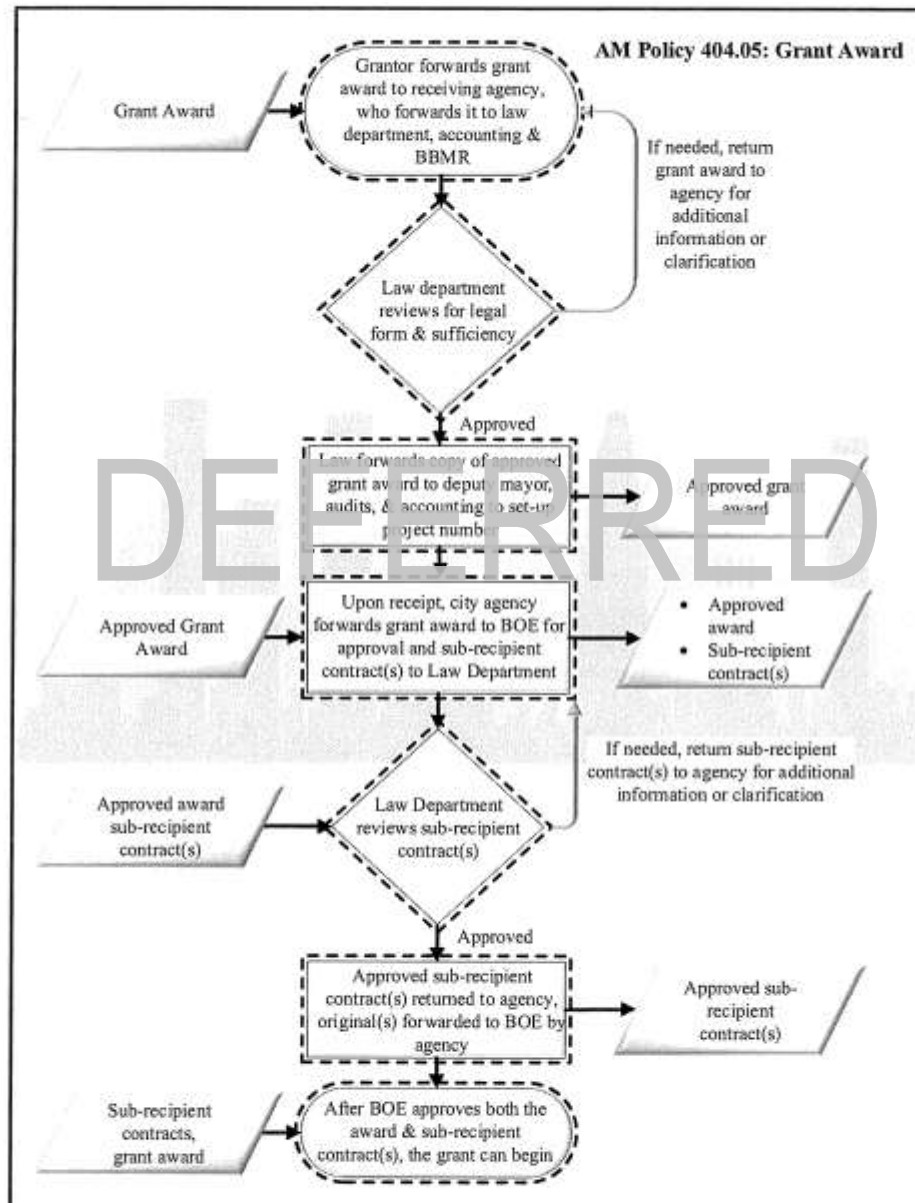


Figure 1: *Grant Award* details the process an award goes through after initial receipt.

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AM 404-06

*m****Grant Documentation*****PURPOSE**

Proper documentation is imperative to avoid audit findings, disallowed costs and/or non-compliance issues.



SCOPE

This policy is applicable to all city of Baltimore agencies and/or entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-04 Outside Audits* and *AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

Conduct ongoing monitoring and control of all grant activities; to include, timely drawdowns, meeting reporting documentation requirements, and the receipt and appropriate deposit of reimbursements until the grant's period of performance ends.

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

Accounting:

1. Upon receipt of an approved grant award from the grant manager sets-up grant account and enters grant account number into CRM.

Grants Manager:

2. After grant account is established, completes staff hiring process;
3. Completes applicable procurement/purchasing needs;


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AM 404-06

*m****Grant Documentation***


4. Notifies stakeholders (sub-recipients) of start date, expectations, and requirements;



5. Conducts ongoing monitoring and control of all reimbursement receipts and deposits until grant ends; as well as all program and sub-recipient (when applicable) documentation, to include:

- a. Program documentation
- b. Timesheets
- c. Deliverables
- d. Activities
- e. Vendor payments
- f. Program data/charts/numbers

6. Establishes and maintains a hardcopy desk reference audit file. This file should include:
- a. Federal System Registrations: SAM; DUNS #s, Grants.gov information;
 - b. Federal Financial Accountability and Transparency (FFATA) information;
 - c. FIR Submissions (SF 425 Federal Financial Report);
 - d. Grant Agreements; and,
 - e. Prior Year Single Audits/Monitoring Reports.



7. Failure to maintain timely documentation or financial submissions can result in audit findings and/or disallowed costs.

8. Moves to **AM Policy 404-7, Grant Closeout**, once a grant's period-of-performance has concluded; or,
9. Returns to **AM Policy 404-1, Grant Identification**, if the grant is going to be renewed.

POLICY OWNER

The grants management office is responsible for all changes and/or updates to this policy.

FLOW PROCESS

Figure 1, below, graphically displays the primary steps followed in the grant documentation process.

MINUTES

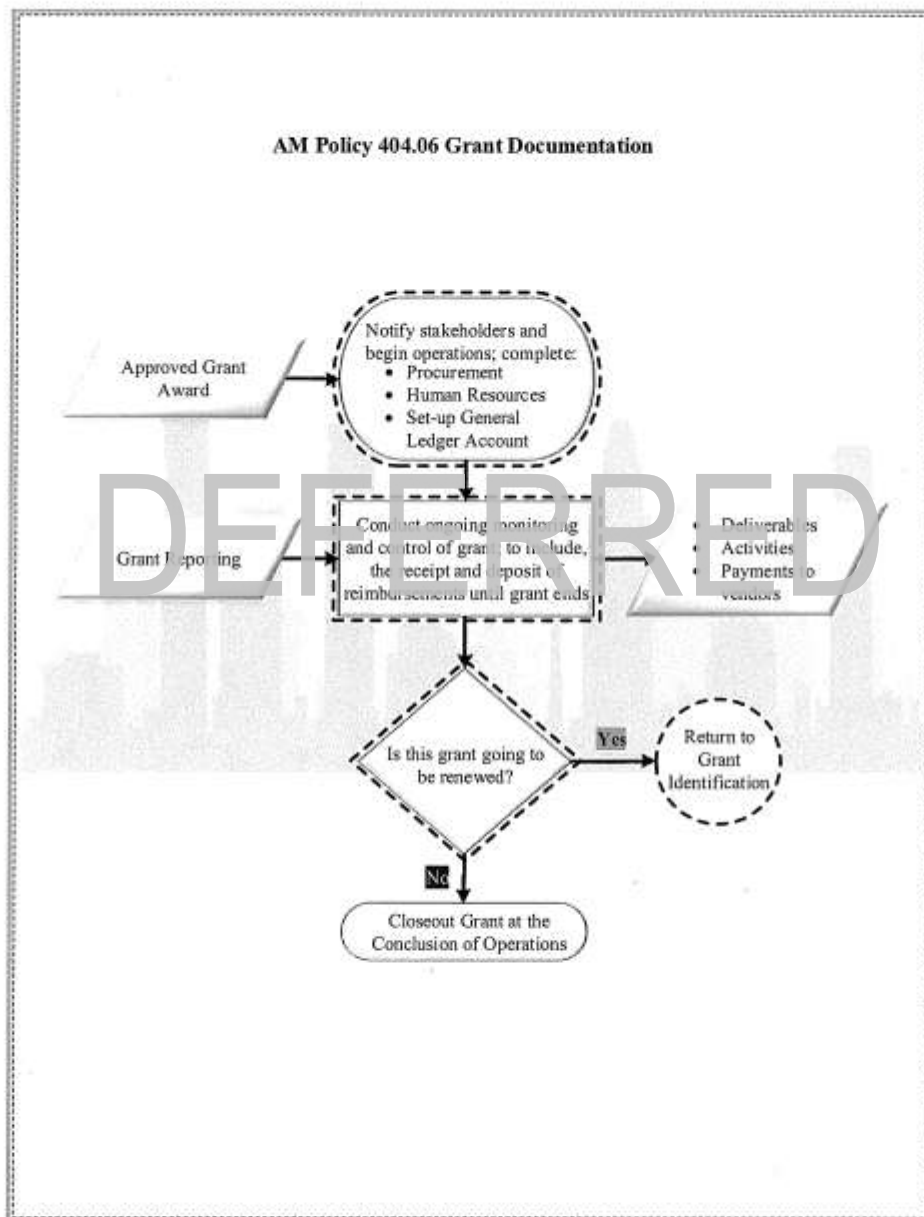


Figure 1 Grant Documentation, proper documentation is imperative to avoid audit findings, disallowed costs, and/or non-compliance issues.

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AM 404-07

*m****Grant Closeout*****PURPOSE**

To ensure a proper and timely closeout of all grants that will be ending and to identify grants that should be renewed.



SCOPE

This policy is applicable to all city of Baltimore agencies/entities that use grant funding, as well as any other organizations for which the city serves as a grantee or contributes resources. Moreover, this policy supersedes all city of Baltimore grant-related policies dated prior to 2015, with the exception of *AM 404-04 Outside Audits* and *AM 400-3 Indirect Cost Reimbursement for Federal Grants and Contracts*.

POLICY STATEMENT

To ensure all primary accounts and subaccounts related to each grant are closed within 45-days following the grant's end-date and that any receipts or invoices received after the grants' ending date occurred within the grant's active period of performance.

PROCEDURE**NOTE**

- Procedural items preceded by this symbol  are designated as quality issues. Failure to adhere to this requirement can impact the overall quality of this policy.
- Procedural items preceded by this symbol  are designated as risk issues. Failure to monitor this requirement can create an unwarranted risk.

Grant Manager:

1. Determines if a grant will be ending or renewed. For renewals, refer to **AM Policy 404-1, Grant Identification**;
2. Pulls together detail of the grant's financial transactions, program narrative and/or required grantor closeout information. This checklist should include, at a minimum:
 - a. Approved grant budget;
 - b. Grant fund budget analytics (including General Ledger records);
 - c. Copies of invoices, receipts, canceled checks, and/or purchase orders;
 - d. Approved budget reallocations;

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AM 404-07

*m**Grant Closeout*

- e. Print-out of grantee's expenditure/receipt reports;
 - f. Grant drawdown records;
 - g. Copies of contracts, invoices, receipts, etc. (sub-recipients/consultants); and,
 - h. Federal financial reports – SF 425s
3. Completes Internal Closeout Checklist to ensure all activities and transmittals have been completed, documented, and submitted timely. The Internal Closeout Checklist should include, at a minimum:
- a. Copy of executed grant agreement (grantor's and sub-recipient's);
 - b. Program performance reports;
 - c. Sub-recipient monitoring reports;
 - d. Financials – SF 425s;
 - e. Environmental Review Records and Clearances; and,
 - f. Davis Bacon documentation and other labor records (if applicable)
4. Prepares final Grant Summary Report based on Internal Closeout Checklist results/findings;
5. Submits Grant Summary Report to grantor.

Grantor:

6. Audits grant (as deemed necessary). At the completion of each grants' period of performance, the city shall submit a Single Audit Report to the appropriate federal agency; i.e.:
- a. SF-SAC – Federal Audit Clearinghouse Report

Grant Manager:

7. May receive notification of grant's ending and/or a final report from the grantor.

Accounting:

8. Makes sure all primary account and subaccounts related to the grant are closed within 45-days following the grant's end-date. Any receipts or invoices received after the grant's end-date must have been incurred within the grant's period of performance;





9. Maintains ongoing communications between accounting, auditing, and the Bureau of the Budget Management Research (BBMR) to further ensure fiscal integrity;

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AM 404-07

*m****Grant Closeout***

- | | |
|---|--|
|  | 10. Deactivates all grant accounts to avoid ongoing charges against a grant that has ended and eliminate the possibility of disallowed costs and/or expenditures; and, |
|  | 11. Archives all grant documentation as well as the grant application in CRM and SharePoint, as appropriate. |

POLICY OWNER

The grants management office is responsible for all changes and/or updates to this policy.

FLOW PROCESS

Figure 1 below, graphically displays the primary steps followed in the grant closeout process.

DEFERRED

MINUTES

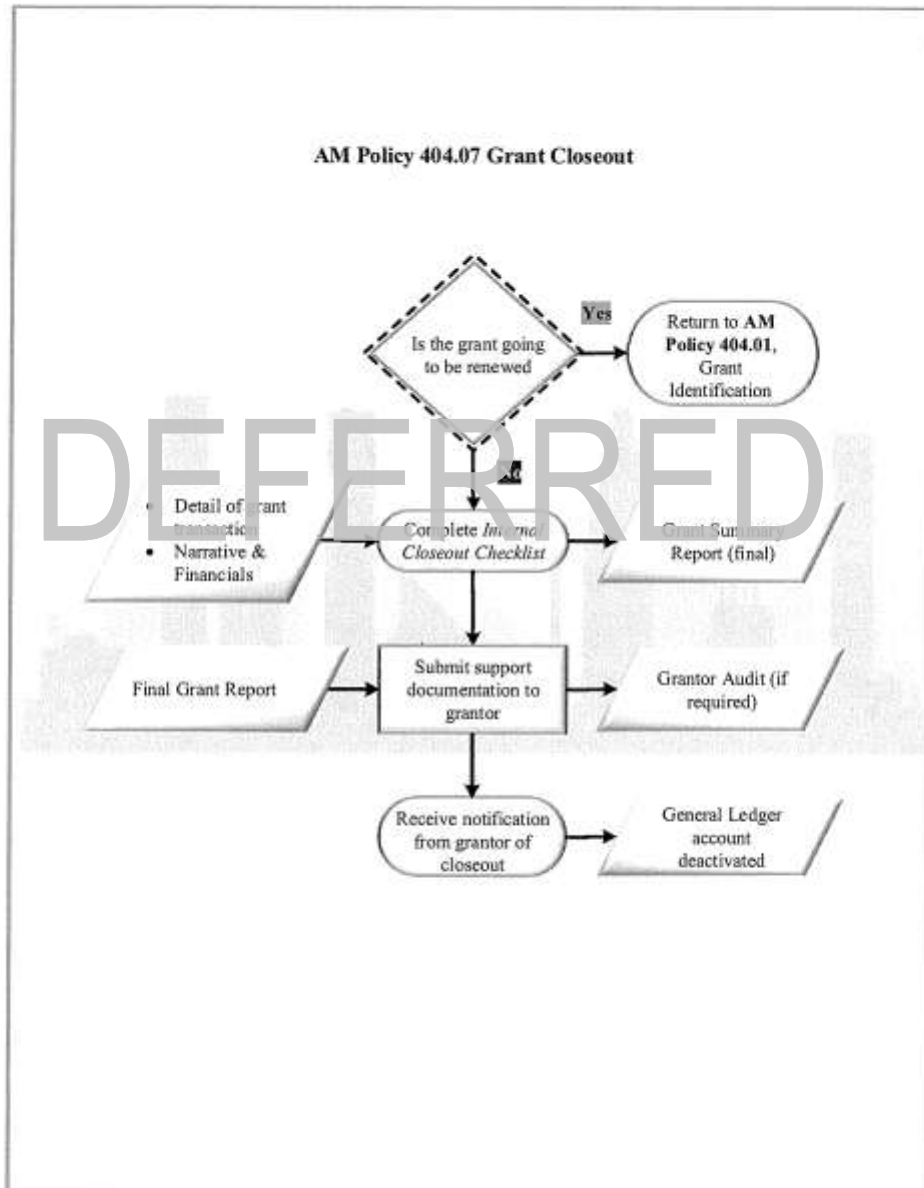


Figure 1: Grant Closeout, a timely and thorough closeout of all grants helps to ensure fewer audit findings and better overall compliance.

MINUTES

Department of Public Works - cont'd

UPON MOTION duly made and seconded, the Board **DEFERRED** the Rules for Qualifications of contractors, Performance Evaluations of Construction Contractors and Consultants and Procedures and Guidelines for Hearings Before the Office of Boards and Commissions Review Committee for 2 weeks.

MINUTES

Department of Finance - Performance Audits of the Mayor's Office
of Information Technology

ACTION REQUESTED OF B/E:

The Board of Estimates is requested to **NOTE** receipt of the Mayor's Office of Information Technology Financial Audit. In accordance with AM Policy 404-5, Quadrennial Audit Policy, the Department of Finance submits to the Board of Estimates the Mayor's Office of Information Technology Quadrennial Performance Audit for Fiscal Years 2010, 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 (enterprise IT Delivery Services and Call Center Services). Recommendations were developed for each area and the performance measurement process. The Department concurs with the findings and recommendations. The Department will take appropriate actions to address the issues raised by the audits.

MBE/WBE PARTICIPATION:

N/A

MINUTES

President: "The second item on the non-routine agenda can be found on page 154 Department of Finance Performance Audits of the Mayor's Office of Information Technology. Will the parties please come forward?"

Mr. Henry Raymond: "Good morning, Mr. President, Madam Mayor, honorable members of the Board. I'm Henry Raymond Director of Finance, I appear before you this morning regarding the Performance Audit for the Mayor's Office of Information and Technology and -- and -- uhh -- subsequently the Police Department. In accordance with AM Policy 404-5, the Department of Finance submits to the Board of Estimates the Mayor's Office of Information and Technology Quad Performance Audit for fiscal years 2010, 2011, 2012, 2013 and 14. The Board is requested to NOTE the Performance Audits. The Performance Audit reviewed several areas including, Enterprise IT Delivery Services and Call Service Centers. Recommendations were developed for each area and the performance measurement process. The Department concurs with the findings and recommendations and has taken the appropriate actions to address the findings raised by the Audits.

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Comptroller: "Okay, could you could you state the findings and the recommendations for the record."

Mr. Raymond: "Yes, ma'am. There were five measures that resulted in the eight findings."

Comptroller: "Okay."

Mr. Raymond: "The first Finding is related to the Average Resolution Time per Ticket. Finding number one, CliftonLarson-Allen was not able to calculate the actual value of the performance measure due to unavailable data. There was no operational data transferred to Footprints from OTRS Business Solutions when the system was changed in 2014, and the OTR Business Solutions data could not be located. Finding number two, the performance measure target reasonably represented past performance for FY 2012 and FY 2014 but not for FY 2013, in which the target was established at half a day when the FY 12 result was 3 days."

Comptroller: "Now are you giving the recommendations because normally when audits are pre -- presented at this Board the findings are -- are stated and the recommendations also."

MINUTES

Mr. Raymond: "Okay, going back to Finding one for recommendation number one, there was no recommendation."

Comptroller: "Okay."

Mr. Raymond: "For Finding two the recommendation is, 'We recommend MOIT to evaluate the process for supporting and reviewing the changes in target values from year to year based on the actual performance results to ensure that the proposed targets reasonably represent a goal for improving performance.' The next metric evaluated was City services and general information calls. There were two measures uhh -- reviewed. So Finding three, which relates to the number of City services in general information calls received. The performance measure target established for 2014 reasonably represents the performance in fiscal 2013. However, the fiscal 2013 target 1.3 million calls is not reasonable since it is three times larger than the fiscal 2012 result of 422 thousand calls. The recommendation for this Finding number three, 'We recommend MOIT to evaluate the process for supporting and reviewing the changes in target values from

MINUTES

year to year based on the actual performance results. The process should also ensure that proposed targets reasonably represent a goal for improving performance.' Finding number four, is related to the measure for percent of City Services and General Information calls answered within 20 seconds. The performance measures actual results were accurate in the two of the three years that CliftonLarsonallen, the external auditor, recalculated the value reported in the budget from One Call Center data and reports. The actual value reported in fiscal 213-- excuse me; the actual value reported in fiscal 2013 was inaccurate. The recommendation, none. Finding number five, although performance data on call volume and percent of calls answered within 20 minutes for Non-Emergency calls is also available in the One Call Center database, the Division does not report that information. Non-Emergency calls typically represent between 35 and 44 percent of the total calls received and not reporting results in this area, depicts an incomplete picture of the Enterprise Unified Call Center operation. The recommendation, include and report for

MINUTES

Non-Emergency calls the same performance measures reported from City Services and General Information calls. Together the two types of calls will illustrate a more complete representation of the success of the operation as a whole. Finding number six is related to the number of 911 calls received. CliftonLarsonAllen was able to reproduce the actual value of the performance measure directly from One Call Center data and performance audits. The per-- the performance measure's actual results were accurately reported in one of the three years where actual results were available. For two years however, a difference of 9% and 10% between the actual value reported and the CLA recalculation for fiscal 2012 and fiscal 2014 respectively. The recommendation, 'Develop a mechanism to accurately report the actual performance measures resulting as extracted from the database. Make sure that the number of calls answered, not the number of calls accepted, is used to document the actual value reported in the budget.' Moving to Finding number seven, which is the percent of 911

MINUTES

calls answered within 10 seconds. All of the differences were not significant, the performance measure's actual results reported in the budget were generally different from the data summarized from the One Call Center reports for the three years where data was available. Recommendation none. Finding number eight, CliftonLarsonAllen's assessment of the reliability, validity, and relevance of selected performance measures for the four fiscal years 2011 through 2014, included an evaluation of the mechanisms in place to track and generate performance data, was limited due to several number of factors and no measures were selected for testing. Limiting factors included: many target and actual data points were not reported from year to year. Through inquiry with members of management, it was noted that supporting documentation for the target performance was generally not available. Consequently, CLA was not able to determine whether the performance measure targets reasonably represented the performance of the prior years, or the performance improvement the group planned to achieve. Also through inquiry,

MINUTES

we determined that the data relating to actual performance measurements during the period evaluated was also generally not available or complete. Absence of internal controls, policies, or procedures for recording, reviewing, maintaining or reporting performance measurement. The recommendation for Finding eight, 'Revise current measures, and consider developing and tracking additional efficiency and effectiveness measures for each of the key function services within the Enterprise Innovation and Application Services Division and its units act and activities. Management should know that the performance measures provide a reliable representation of what these units are producing not only in terms of workload, but also in terms of what is it costing to produce the service.'"

Comptroller: "Okay, Thank you. Is that it?"

Mr. Raymond: "Yes ma'am."

Comptroller: "Okay."

President: "Thank you. The Audit has been **NOTED**."

Comptroller: "Is there another one?"

* * * * *

MINUTES

Department of Finance - Performance Audits of the Baltimore
Police Department

ACTION REQUESTED OF B/E:

The Board of Estimates is requested to **NOTE** receipt of the Baltimore Police Department Quadrennial Performance Audits. In accordance with AM Policy 404-5, Quadrennial Audit Policy, the Department of Finance submits to the Board of Estimates the Baltimore Police Department Quadrennial Performance Audits for Fiscal Years 2010, 2011, 2012, and 2013.

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 (police patrol, homicide clearance rate, target violent crimes, manage police records and evidence control, and crime laboratory). Recommendations were developed for each area and the performance measurement process. The Department concurs with the findings and recommendations and will continue in collaboration with the City of Baltimore's Outcome Stat Process to make efforts to standardize its performance measures recordation methods. The Department will take appropriate actions to address the issues raised by the audits.

MBE/WBE PARTICIPATION:

N/A

MINUTES

President: "The third item on the non-routine agenda can be found on page 155, Department of Finance, Performance Audit of the Baltimore Police Department. Will the parties please come forward?"

Mr. Raymond: "Good morning again. Henry Raymond, Finance Director. I am presenting now for the Performance Audit for the Baltimore Police Department. The Performance Audit reviewed several areas including police patrol, homicide clearance rate, target violent crimes, management of police records and evidence control, and the crime laboratory. Recommendations were developed for each area and the performance measurement process. The Department concurs with the findings and recommendations and has taken the appropriate actions to address the issues raised by the Audit."

Comptroller: "Could you state the findings?"

Mr. Raymond: "Yes ma'am."

Comptroller: "And the recommendation?"

MINUTES

Mr. Raymond: "There were five findings."

Comptroller: "Okay."

Mr. Raymond: "Finding number one, is related to performance metric determination. The budget contains performance metrics and targets organized by service area and aligned with overall City initiatives. However, there is no clear documentation as to how the performance metrics were determined. A lack of process to support the performance metrics could result in inappropriate metrics being tracked and reported on. The recommendation, 'We recommend the Department review the process for information gathering and records used to support performance metrics reported in the budget.' Finding two, target metric validity. There does not appear to be a robust process for reviewing the validity of the target metrics used from year-to-year. Target metrics do not consistently appear to reflect past achievement in alignment with desired future results. For instance, the metric evidence processed per full time employee per year has been the same target from fiscal 2011 through 2014. Having

MINUTES

inaccurate targets decreases the overall impact of outcome budgeting and limits the ability of the Department to improve performance. The recommendation, 'We recommend the Department establish a process for supporting and reviewing the year over year changes and target metrics and demonstrating their alignment with overall department and City vision mission and initiatives.' Finding number three is related to variances between actual and budget documentation and supporting documentation. The finding for the five selected performance metrics we obtained supporting documentation for the actuals presented within the budget documents, for fiscal 2012, and 2013. Fiscal years, 2010 and 2011, were excluded because there were not actuals presented for all of the selected metrics and variances were identified in the most current periods. Out of the ten instances reviewed, there were five instances where the supporting documentation of the actual performance metric did not agree with the actuals presented in the budget. Inaccurate

MINUTES

actual data could lead to misleading information and could result in inaccurate future targets. The recommendation, 'We recommend that the Department review the process for information gathering and record used and, excuse me -- for information gathering and records used to support performance metrics reported in the budget.' Finding number four, breakout of metric type effectiveness sufficiency outcome and output. Of the 51 performance metrics identified during the period, the output metric type is used 49% of the time. An output metric type represents a quantitative measurement of productivity. However, other metric type measures both productivity and quality through quantitative factors. The current breakout of performance metrics emphasizes quantitative measures and not the quality of the performance. A metric type such as this could lead to resources being inappropriately assigned to underperforming areas and areas not accountable for quality standards. The

MINUTES

recommendation, 'We recommended the Department evaluate the current output metrics to determine if there is an efficiency or effectiveness measures that could be used to enhance the qualitative aspects of performance. The final Finding number five, budget performance metrics versus how the service area evaluates performance. We determined through observation and discussion that the metrics were utilized in the development in the budget. However, some metrics used in the budget are disconnected with how the service area actual measures performance. As a result, there are performance metrics being solely developed for purposes of the budget and not being used elsewhere in the Department. For instance, the Police patrol service area. The recommendation, back when the City reviewed current metrics and processes for the establishment monitoring and review of the budget in lieu of the metrics to refine an outcome based budget approach, in which the budget is evaluated against the outcomes developed and achieved. In summary, the

MINUTES

Department concurs with the finding and -- with the findings and is moving forward to address them."

Comptroller: "Thank you."

Director of Finance: "You're welcome."

President: "Thank you. The Audit has been **NOTED.**"

* * * * *

MINUTES

Bureau of the Budget and - Grant Award and Appropriation
Management Research Adjustment Order Transfer

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award from the U.S. Department of Commerce Minority Business Development Agency (MBDA). The period of the grant award is September 1, 2016 through August 31, 2017.

The Board is further requested to approve the Appropriation Adjustment Order within Mayoralty from Service 896 (Permanent Housing for the Homeless) to Service 125 (Executive Direction and Control).

AMOUNT OF MONEY AND SOURCE:

\$250,000.00 - From: 4000-439617-1250-775600-404001
Service 896 (Permanent Housing for the
Homeless)

267,693.00 - From: 1001-000000-1250-775600-601001
In-kind Services Recipient Matching Funds

\$517,693.00

BACKGROUND/EXPLANATION:

Under the terms of the grant award, the MBDA will operate the Mid-Atlantic Region MBDA Advanced Manufacturing Project (AMP) Center in the City of Baltimore.

MINUTES

BBMR - cont'd

The City of Baltimore is the only municipality to receive an MBDA grant to operate an AMP Center. This grant facilitates providing minority businesses directly and tangentially in the manufacturing sector with access to capital, access to contracts, and access to strategic consulting.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the grant award from the U.S. Department of Commerce Minority Business Development Agency.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
1. Gloria Valentine	Zero to Three Annual Conference New Orleans, LA Dec. 6, - 10, 2016 (Reg. Fee \$780.00)	Federal Funds	\$2,286.51

The subsistence rate for this location is \$220.00 per night. The cost of the hotel is \$199.00 per night plus hotel taxes of \$29.35 per night and \$3.00 per day occupancy tax. The Department is requesting additional subsistence \$19.00 per day for food and incidentals.

The registration fee in the amount of \$780.00 was pre-paid by EA000196615. The disbursement to Ms. Valentine is \$1,506.36.

Baltimore Police Department

2. Kerry Snead Brian Allman	Investigative Travel San Diego, CA Dec. 14, - 15, 2016 (Reg. Fee \$0.00)	General Funds	\$2,015.72
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The airfare in the amount of \$484.46 for each attendee was prepaid using Kerry Snead's credit card. The disbursement to Kerry Snead \$1,492.32 and the disbursement to Brian Allman is \$523.40.

3. Melissa Hyatt Pamela Davis Sheri Sturm	Training Assessment to LAPD Los Angeles, CA Dec. 4 - 7, 2016 (Reg. Fee \$0.00)	General Funds	\$3,500.27
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The transportation costs of \$1,155.24 were prepaid using a City-issued credit card assigned to Mr. Tribhuvan Thacker. Therefore, the disbursement to Ms. Hyatt is \$776.76 and the disbursement to Mses. Davis and Strum is \$784.14.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department - cont'd</u>			
4. Ayesha Larkins Francine Ray	American Association for Laboratory Accreditation Internal Auditing Training Course Frederick, MD Dec. 7 - 8, 2016 (Reg. Fee \$795.00 ea.)	Asset Forfeiture Funds	\$2,016.32

The subsistence rate for this location is \$157.00 per night. The cost of the hotel is \$89.00 per night. The hotel taxes in Maryland are non-exempt.

The registration fee for each attendee in the amount of \$795.00 was prepaid on a City-issued credit card assigned to Mr. Tribhuvan Thacker. The Department is requesting additional subsistence in the amount of \$56.16 for mileage for each attendee. Therefore, Mses. Larkins and Ray will be disbursed \$213.16 each.

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENTHealth Department

5. Leana Wen	Maryland Association of Counties (MACo) Summer Conference Ocean City, MD Aug. 17-19, 2016 (Reg. Fee \$0.00)	General Funds	\$1,335.66
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MINUTES

RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENTHealth Dept. - cont'd

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
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Ms. Wen traveled to Ocean City, Maryland on August 17 - 19, 2016 to attend the MACo Summer Conference.

The subsistence rate for this location was \$276.00 per day. The hotel rate was \$369.00 per night for August 17 and 18, 2016, plus a sales tax of \$22.14 per day and an Ocean City tax of \$19.25 per day \$16.61 per day. The hotel rate for August 19, 2016 was \$389.00, plus a sales tax of \$23.34 and an Ocean City tax of \$17.51.

Ms. Wen personally incurred the costs of the hotel, which includes additional subsistence of \$93.00 per day for Aug. 17 - 18, 2016 and \$113.00 for August 19, 2016 for the hotel, and the sales and Ocean City taxes for the hotel. Therefore, the requested reimbursement amount to Ms. Wen is \$1,245.35

REIMBURSEMENT

\$	738.00	- Hotel (Aug. 17 and 18, 2016 @ \$369.00 x 2)
	44.28	- Sales tax (@ \$22.14 x 2)
	33.22	- Ocean City tax (@ \$16.61 x 2)
	389.00	- Hotel (Aug. 19, 2016)
	23.34	- Sales tax (@ \$23.34)
	17.51	- Ocean City tax (@ \$17.51)
	\$1,245.35	- Total

This request is late because of delays at the administrative level.

MINUTES**RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT**Department of Recreation and Parks

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
6. Erik Dihle	Society of Municipal Arborist Conference* and Partners in Community Forestry Conference** Denver, CO Nov. 16 - 17, 2015* Nov. 18 - 19, 2015** (Reg. Fee \$199.00*) (Reg. Fee \$389.00**)	General Funds	\$1,335.66

Mr. Dihle traveled to Denver, Colorado on November 16-17, 2015 to attend the Society of Municipal Arborist (SMA) Conference and the Partners in Community Forestry (PCF) Conference November 18-19, 2015.

The subsistence rate for this location was \$241.00 per day. The hotel rate was \$179.10 per night, plus a State occupancy tax of \$7.16 per day and a City tax of \$19.25 per day.

Mr. Dihle personally incurred the costs of the airfare, the hotel, State occupancy and City taxes for the hotel, and the two conference registration fees. Therefore, the requested reimbursement amount to Mr. Dihle is \$1,335.66.

REIMBURSEMENT

\$ 143.10	- Airfare (United Airlines - Nov. 16, 2015)
199.00	- SMA Conference (Nov. 16 - 17, 2015)
358.20	- Hotel (Nov. 17 - 18, 2015 @ \$179.10 x 2)
14.32	- State occupancy tax (@ \$7.16 x 2)
38.50	- City tax (@ \$19.25 x 2)
389.00	- PCF Conference (Nov. 18 - 19, 2015)
193.54	- Airfare (Jet Blue Airlines - Nov. 19, 2015)
<u>\$1,335.66</u>	

MINUTES**RETROACTIVE TRAVEL APPROVAL/REIMBURSEMENT**

Department of Recreation and Parks - cont'd

This request is late because of delays in the receipt of supporting documentation and additional administrative reviews.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the travel requests and retroactive travel approvals/reimbursements.

MINUTES

Department of Finance - First Amendment to Building
Disposition and Land Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to the Building Disposition and Land Lease Agreement (BDA) by and between the Mayor and City Council of Baltimore (City), acting by and through the Department of Finance, the Department of General Services (DGS), the Department of Housing and Community Development (DHCD), and Bromo Seltzer Arts Tower, LLC (Developer). The First Amendment to the BDA will fund a portion of the Façade Project.

AMOUNT OF MONEY AND SOURCE:

\$500,000.00 - City grant

BACKGROUND/EXPLANATION:

The City, the Department of Finance, the DGS, the DHCD, and Bromo Seltzer Arts Tower, LLC wish to amend the agreement to provide for a City grant in the amount of \$500,000.00 to fund a portion of the Façade Project, with all restoration work to be conducted in accordance with the agreement.

To finance these exterior restorations, the Developer applied for City funds. On June 18, 2014, the Mayor signed City Ordinance 14-255 entitled "Bond Issue-Community and Economic Development Loan \$47,000,000.00" that appropriated \$500,000.00 of general obligation bond proceeds to the "Bromo Arts Tower Façade Restoration Project" (Façade Project), and later the City adopted the Ordinance of Estimates for the fiscal year ended June 30, 2016 (CB15-0532) that authorized the appropriation of the grant amount to finance a portion of the Façade Project.

The total cost of the Façade Project is expected to exceed \$900,000.00, only a portion of which will be funded by the City with the grant amount and the balance of the Project Cost will be paid by grants from state funds and charitable contributions.

MINUTESDepartment of Finance - cont'd

On August 16, 2006, the City sold the Bromo-Seltzer Tower (the Structure) and leased the associated land to the Developer, pursuant to the Building Disposition and Land Lease Agreement to allow the Developer to rehabilitate, maintain, and operate the Structure and to further the City's urban Renewal Plan in the manner set forth in the agreement. The City retains an interest in the Structure and ownership will revert to the City at the end of the Lease term.

In accordance with the agreement, the Developer completed interior renovations and has begun renovations to the Structure's roof, façade, and historic clock, all in a manner that preserves the historic Structure that is registered by the National Park Service on the National Register of Historic Places.

MBE/WBE PARTICIPATION:

The Developer agrees that it will make good faith efforts to achieve a goal of at least 27% for MBE participation and a goal of 10% for WBE participation of the total dollar value of all contracts provided directly or indirectly with Baltimore City-certified Minority and Women's Business Enterprises.

In addition, the Developer agrees to execute and deliver the Commitment to Comply affidavit included as Attachment 3 to this Agreement, referencing the Developer's agreement under Section 6. The Attachment 3 will apply to the Façade Project and the Schedule D-2 (City Anti-Discrimination & Equal Employment Opportunity Provisions) to the BDA will not apply to this phase of the renovation work.

MINUTES

Department of Finance - cont'd

President: "The fourth item on the non-routine agenda can be found on 162 and 163, Department of Finance, First Amendment to Building Disposition and Land Lease Agreement. Will the parties please come forward?"

Mr. Henry Raymond: "Good morning again, Henry Raymond, Department of Finance. As it relates to the Building Disposition and Land Lease Agreement, ah -- general obligation bond funding was made available in 2014, as a result of City Ordinance 14-0255. In that issuance, \$500,000.00 was earmarked for the Bromo Seltzer Arts Tower. Subsequently, in the fiscal year 2016 capital budget the \$500,000.00 was appropriated. The purpose of this appropriation was to provide funds for this structure to repair the roof, the façade and ah --the historical clock. This structure is on the National Register of Historic Properties and this imitative is consistent with the City's urban renewal plan.

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The amount is for \$500,000.00, so the purpose of this amendment is to provide this \$500,000.00 so that the developer can ah -- make the necessary improvements that I just described."

President: "I will entertain a Motion."

Interim City Solicitor: "I move that we approve the First Amendment to the LDA as submitted by the Department of Finance on Pages 162 - 163 of the Agenda."

Comptroller: "Second."

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

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MINUTES

Department of Finance - Amendment to the Title Sponsorship Agreement and the Second Amendment to the Revenue Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of 1) the Amendment to the Title Sponsorship Agreement with Two Farms, Inc., t/a Royal Farms and 2) the Second Amendment to the Revenue Agreement for Baltimore Arena Title Sponsorship, Advertising, Manage, and Operate (B500002463) with the SMG. These Amendments will extend the period of the Title Sponsorship Agreement and the Revenue Agreement through December 31, 2022, and increase the total fee paid by Royal Farms to the City under the Title Sponsorship Agreement by \$629,583.00.

AMOUNT OF MONEY AND SOURCE:

\$629,583.00 - Additional Revenue

Account Nos.: Various

(The City will pay \$15,833.33 of the additional revenue to the SMG as a negotiation fee as described in the Second Amendment to the Revenue Agreement.)

BACKGROUND/EXPLANATION:

The City solicited a Request for Proposals (RFP) for Baltimore Arena Title Sponsorship, Advertising, Manage and Operate (B50002463), by which the City awarded a Revenue Agreement to the SMG on December 19, 2012 and approved the First Amendment to the Revenue Agreement on September 17, 2014. The period of the Revenue Agreement is January 1, 2013 through December 31, 2017, with five 1-year renewals options. Through this Second Amendment, the City desires to approve all renewals so the term of the Revenue Agreement will end on December 31, 2022.

MINUTESDepartment of Finance - cont'd

Pursuant to the RFP, Royal Farms was identified as the Title Sponsor and the City approved a Title Sponsorship Agreement with Royal Farms on September 17, 2014 by which the City would receive \$1,250,000.00. Through this Amendment to the Title Sponsorship Agreement, the City is extending the term to December 31, 2022 and the City will receive larger installment payments from Royal Farms commencing on February 1, 2020 so the total fee under the Title Sponsorship Agreement will increase to \$1,879,583.00.

MBE/WBE PARTICIPATION:

The SMG will follow the goals set by the Minority and Women's Business Enterprise Program of Baltimore City under the Revenue Agreement of 8% MBE and 3% WBE.

Deputy Comptroller: "There are two items added to the Board agenda by addendum and those are the First Amendment to Building Disposition and Land Lease Agreement Bromo Seltzer Arts Tower Façade Restoration, and the Amendment to Title Sponsorship Agreement and the Second Amendment to Revenue Agreement, Royal Farms Baltimore Arena. Those two items are placed on the non-routine agenda. The protests deadline was extended to 9:00 a.m. for those items today because of their late addition to the Agenda.

MINUTES

President: "The fifth item on the non-routine Agenda can be found on page 164 and 165, Amendment to the Title Sponsorship Agreement and the Second Agreement to the Revenue Agreement. Is there anyone here to protest that? I entertain a Motion."

Interim City Solicitor: "Move that we approve the item that's submitted by the Department of Finance on Pages 164 and 165 of the Agenda."

Comptroller: "Second."

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

Director of Finance: "Thank you very much."

President: "Thank you."

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MINUTES

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ALL PAGES 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 28, 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 - 162, City Council President and members of the Board of Estimates, BOE Agenda dated November 30, 2016, if acted upon:

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

Email: kimtrueheart@gmail.com

5519 Belleville Ave
Baltimore, MD 21207

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

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

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

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on November 30, 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

ACKNOWLEDGEMENT OF MAYOR'S SERVICE

President: "I would like to take a moment to recognize and honor our Mayor Stephanie Rawlings-Blake, who today is ending her official service to the citizens of Baltimore as a member of the Board of Estimates. Days after being sworn in as the City's 49th Mayor, Mother Nature discovered what many of us have come to learn, don't mess with Madam Mayor. Facing dangerous and historic two snowstorms, with hurricane force winds, the Mayor's coolness under pressure served the City well. From the early days of her administration through today, Madam Mayor, I've been proud to serve with you in government. It's probably an understatement to say that we sometimes disagree. But, I never for a second doubted that you've always had the best interests of the City of Baltimore at heart. After more than 20 years in public servant, your legacy is cemented as a public servant whose efforts helped improve this great City that we all love and cherish. I am proud to have served beside you and I wish you

MINUTES

well as you transition from public service to the private citizen, and I have umm -- your favorite um -- Starbucks, Starbucks coffee."

Mayor: "God Bless you, thank you."

President: "With a mug and you have coffee in here."

Mayor: "Thank you."

President: "And I also have um -- a Resolution that I'd like to read, and it says, 'Resolution being hereby known to all that the City Council of Baltimore offers its sincerest congratulations to Mayor Stephanie Rawlings-Blake, in recognition of your years of dedication to the citizens of Baltimore through service through the Board of Estimates. The entire membership extends best wishes on this memorable occasion and directs that this Resolution be presented on this 30th day of November. Resolution 6985. Bernard C. "Jack" Young and all members."

Mayor: "Thank you Jack, Council President, sorry."

(Applause)

MINUTES

Comptroller: "I would also like to present a Citation to the Mayor and it reads. 'Be it known, that this Citation is awarded to Stephanie Rawlings-Blake, Mayor, Baltimore City in recognition of your service, dedication and commitment to the City of Baltimore. On behalf of the citizens of Baltimore and myself, it gives me great please to recognize your service, your dedication, and your commitment as Mayor. You have helped our City to envision a future and identify paths to achieving greater success. As you enter this next phase of your journey and reflect on years of accomplishment, look forward to a future full of rewards and happiness. My wish is that you are continually blessed with unending peace, good health, and prosperity. Again, I extend best wishes to you and offer my heartfelt gratitude for your faithful service to Baltimore City.' Thank you."

Mayor: "Thank you, very much. I can say I have never looked forward to a Board of Estimates more than this last one. So thank you very much for all of um -- for the coffee and for the

MINUTES

Resolutions and for um -- sharing in this opportunity to serve the City that we all love so dearly. It has been my pleasure and I would if I were to say that I am going to miss getting up early today with the Board of Estimates I'd be lying. So I will not. Um -- but I will miss working with all of you. So thank you very much."

President: "Thank you. There being no more business before the Board. The Board will recess until bid opening at 12:00 noon. Thank you."

* * * * *

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 **NO ADDENDA WERE RECEIVED** extending the dates for receipt and opening of bids. There were no objections.

MINUTES

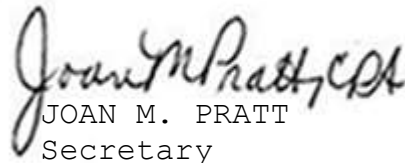
Thereafter, UPON MOTION duly made and seconded, the Board received, opened, and referred the following bids to the respective departments for tabulation and report:

Department of Transportation - TR 13015, Fells Point Broadway
Square Renovations

Allied Contractors, Inc.
M. Luis Construction Co., Inc.
Civil Construction, LLC
Bensky Construction Co., LLC

* * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, December 7, 2016.



JOAN M. PRATT
Secretary