

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated June 17, 2013, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

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

The routine agenda has been adopted."

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

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

Brown's Communications, Inc.	\$	1,500,000.00
Flo-Tron Contracting, Inc.	\$	7,614,000.00
Harthy Company, LLC	\$	500,000.00
Work capacity rating underwritten by Blanket Guarantee for \$500,000.00 from the Parent Company, Admiral Elevator Company, Inc.		
Hudak's Insulation, Inc.	\$	8,000,000.00
PBI Restoration Resources, Inc.	\$	8,000,000.00
Smith-Midland Corporation	\$	95,004,000.00
Titan Industrial Services, Inc.	\$	86,220,000.00

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:

Accurate Infrastructure Data, Inc.	Engineer Property Line Survey
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BOARDS AND COMMISSIONS - cont'd

Ammann & Whitney Consulting Engineers, P.C.	Engineer
Johnson, Mirmiran & Thompson, Inc.	Architect Engineer Landscape Architect Land Survey
PEER Consultants, P.C.	Engineer
T&M Associates	Engineer Landscape Architect

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

MINUTES

CITY COUNCIL BILL:

13-0217 - An Ordinance concerning the Sale of Property - Former Bed of Howil Terrace for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of Howil Terrace, laid out contiguous to the north outline of the property known as 5928 York Road and extending Westerly 138.0 feet, more or less, to the east side of a 10-foot wide alley laid out in the rear of the properties known as 5926 and 5928 York Road, and no longer needed for public use; and providing for a special effective date.

PROVIDED THAT THE STREET CLOSING ORDINANCE IS PASSED PRIOR TO APPROVAL OF CITY COUNCIL BILL 13-0217 AND PROVIDED THE SALE IS APPROVED BY THE BOARD OF ESTIMATES, THE LAW DEPARTMENT APPROVES CITY COUNCIL BILL 13-0217 FOR FORM AND LEGAL SUFFICIENCY.

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT RESPECTFULLY DEFERS ITS POSITION ON CITY COUNCIL BILL 13-0217 TO THE DEPARTMENT OF PLANNING.

THE DEPARTMENT OF REAL ESTATE HAS NO OBJECTION TO THE PASSAGE OF CITY COUNCIL BILL 13-0217 (WHICH IS TO TAKE EFFECT ON THE DATE IT IS ENACTED) ON THE CONDITION THAT THE ACCOMPANYING CITY COUNCIL BILLS 13-0216 ARE ALSO APPROVED AND ENACTED.

THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL 13-0217 PROVIDED THE CLOSING ORDINANCE IS APPROVED.

ALL OTHER REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved bill No. 13-0217 and directed that the bill be returned to the City Council with the recommendation that it also be approved and passed by that Honorable Body. The President **ABSTAINED**.

MINUTESDepartment 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 21** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on May 22, 2013 and June 5, 2013.

The Board **NOTED** receipt of the 21 favorable reports.

MINUTES

Department of General Services - Developer's Agreement No. 1282-A

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1282-A with Canton East, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$19,960.00

BACKGROUND/EXPLANATION:

The developer would like to install conduit to its proposed construction located at 1212 South East Avenue. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A Performance Bond in the amount of \$19,960.00 has been issued to Canton East, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

City funds will not be utilized for this project, therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of developer's agreement no. 1282-A with Canton East, LLC, developer.

MINUTESDepartment of General Services - Minor Privilege Permit Application

The Board is requested to approve the following application for a Minor Privilege Permit. The application is 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. 3339 Belair Road	Cheung C. Chin	Single face electric sign 12' x 3'

Annual Charge: \$ 140.60

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

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

MINUTES

Baltimore Development - First Amendment of License Agreement Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a first amendment to license agreement with Merritt Canton BP, LLC, licensee. The Amendment extends the period of the agreement through November 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$19,420.00 - Annual Amount

BACKGROUND/EXPLANATION:

On May 18, 2011, the Board approved the original license agreement with Merritt Canton BP, LLC for portions of the public right-of-way along the 1400 and 1500 blocks of Baylis Street, and the east side of the 1400 and 1500 blocks of South Highland Avenue.

The licensed right-of-way consists of approximately 24,560 square ft. in area, and is utilized for surface automobile parking for patrons of the Merritt Athletic Club located at 3401 Boston Street. The license agreement expired on May 31, 2013. The amendment will extend the term for 18 months through November 30, 2014.

The licensee will pay the City an annual license fee of \$19,420.00.

The City reserves the right to terminate the agreement if the licensed right-of-way is needed by the City for any use or purpose associated with the construction, operation and/or maintenance of a public infrastructure improvement, upon six months written notice.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the first amendment to license agreement with Merritt Canton BP, LLC, licensee.

MINUTES

Baltimore Development - Land Disposition Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement for 150 South Gay Street, otherwise known as development Parcel 8 in the Inner Harbor I Urban Renewal Plan with PDL Pratt Associates, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$305,100.00 - Purchase Price

BACKGROUND/EXPLANATION:

The proposed redevelopment is a result of the Pratt Street Redesign Plan. City leaders undertook a redesign effort in Spring 2006 with the following goals: to provide a comprehensive plan for Pratt Street between Martin Luther King, Jr. Boulevard on the west and President Street on the east. The plan will improve its aesthetic and functional design, usage, activities, and attractions as well as to provide additional retail amenities in the Central Business District (CBD) and Inner Harbor. The redevelopment will better activate and create public spaces; and provide an active and engaging pedestrian experience. One of the recommendations of the plan is to offer City-owned property on the north side of Pratt Street for additional infill development through additions to existing buildings.

On March 12, 2012, in response to an unsolicited proposal, the BDC released a Request for Proposal (RFP) for the purchase and redevelopment of the City-owned parcel adjacent to and in front of 400 East Pratt Street, with a street address of 150 South Gay Street, otherwise known as Development Parcel 8 in the Inner Harbor I Urban Renewal Plan. One proposal was received in response to the RFP from the Developer.

PDL Pratt Associates, LLC will pay to the City the appraised value of \$305,100.00 based on an appraisal of the Property which

MINUTES

BDC - cont'd

was conducted for the BDC by Lipmman, Frizzell & Mitchell, in May 2012.

The BDC respectfully requests a waiver of the City's Appraisal Policy which states that any agreement must be presented to the Board for approval within twelve months of the date of the appraisal report. Due to an extended negotiation process, the BDC was unable to present the LDA within twelve months of the appraisal report.

PDL Pratt Associates, LLC plans to purchase and redevelop the Property as a two-story retail and office addition to their existing building at 400 East Pratt Street to total approximately 22,600 square feet.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement for 150 South Gay Street, otherwise known as development Parcel 8 in the Inner Harbor I Urban Renewal Plan with PDL Pratt Associates, LLC, developer.

MINUTES

Mayor's Office of Human Services (MOHS) - Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a consultant agreement with Marilyn Stack-Gill. The period of the agreement is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$59,280.00 - 4000-486314-6051-452200-603018

BACKGROUND/EXPLANATION:

The purpose of this agreement is to secure a Special Education Consultant for the Baltimore City Head Start Program. The Consultant will implement the requirements of the Head Start Federal performance standards for services to children with suspected and documented disabilities and their families.

The Consultant will place emphasis on the use of community resources, early identification, and intervention services. The Consultant will also collaborate with the Baltimore City Public School System to ensure all children are appropriately identified and assessed in accordance with the Statewide Early Childhood Special Education accountability system. The funding is available under the DHHS/Head Start Program. All activities under this agreement will be monitored by the MOHS.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with Marilyn Stack-Gill.

MINUTES

Mayor's Office of Human Services (MOHS) - Amendment No. 1
to Agreements

The Board is requested to approve and authorize execution of the various amendment no. 1 to agreements.

1. **ST. VINCENT DE PAUL OF BALTIMORE, INC./ST. VINCENT DE PAUL HEAD START PROGRAM** **\$ 79,721.00**

Account: 4000-486313-6051-516700-603051

Under the terms of this amendment no. 1 to agreement, the funds will be used to address health and safety issues at three program sites to repair playgrounds. On June 27, 2012, the Board approved a two-month advance in the amount of \$1,019,700.00. On August 8, 2012, the Board approved the agreement for the balance of the award, in the amount of \$5,141,584.00. This amendment no. 1, in the amount of \$79,721.00, increases the total award to \$6,241,005.00. All other terms and conditions of the original agreement remain unchanged.

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

MBE: Calmi Electric Company	\$1,500.00	0.02%
Time Printers	1,500.00	0.02%
C&T Transportation	3,000.00	0.05%
E. Jackson & Son, Inc.	3,500.00	0.06%
Total	\$9,500.00	0.15%
WBE: Sue-Ann's Office Supply	\$3,000.00	0.05%
Fireline Corporation	1,000.00	0.01%
B&B Lighting	1,500.00	0.02%
Total	\$5,500.00	0.08%

The provider requested and was granted a waiver of the balance of the MBE/WBE goals. Of the total amount of \$6,241,005.00, \$5,852,716.00 is for items that are proprietary and non-segmentable. The goals were set on the non-exempt amount \$388,289.00.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

MOHS - cont'd

2. **MORGAN STATE UNIVERSITY/MORGAN STATE UNIVERSITY HEAD START PROGRAM** **\$ 62,400.00**

Account: 4000-486313-6051-554000-603051

Under the terms of this amendment no. 1 to agreement, the funds will be used to purchase classroom materials for three classrooms at one program site. On August 15, 2012, the Board approved the agreement in the amount of \$1,569,462.00. This amendment no. 1, in the amount of \$62,400.00, increases the total award to \$1,631,862.00. All other terms and conditions of the original agreement remain unchanged.

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

MBE: Southerland Data Products, \$1,500.00 0.09%
Ltd.

WBE: Rudolph's Office & Computer \$2,000,00 0.12%
Supply, Inc.

The provider requested and was granted a waiver of the balance of the MBE/WBE goals. Of the total amount of \$1,631,862.00, \$1,584,403.00 is for items that are proprietary and non-segmentable. The goals were set on the non-exempt amount of \$47,459.00.

MWBOO FOUND VENDOR IN COMPLIANCE.

3. **UNION BAPTIST CHURCH-SCHOOL, INC.** **\$ 58,973.00**

Account: 4000-486313-6051-516000-603051

Under the terms of this amendment no. 1 to agreement, the funds will be used to address health and safety issues at its main site. The playground at the Union Baptist/Harvey Johnson Head Start Program on Druid Hill Avenue will be repaired. On June 27, 2012, the Board approved a two-month advance in the amount of \$247,655.00. On August 22, 2012,

MINUTES

MOHS - cont'd

the Board approved the agreement for the balance of the award, in the amount of \$1,249,612.00. This amendment no. 1, in the amount of \$58,973.00, increases the total award to \$1,556,240.00. All other terms and conditions of the original agreement remain unchanged.

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

MBE: Time Printers, Inc.	\$ 2,000.00	0.13%
Rufus Ingram, P.A.	14,550.00	0.93%
B & B Lighting Supply, Inc.	2,500.00	0.16%
Sue Ann's Office Supplies Inc.	<u>14,000.00</u>	<u>0.90%</u>
Total	\$33,050.00	2.12%
 WBE: Expressly Yours, Gloria, Inc.	 \$ 2,000.00	 0.13%

The provider requested a waiver of the balance of the MBE/WBE goals. Of the total amount of \$1,556,240.00, \$1,416,291.00 is for items that are proprietary and non-segmentable. The goals were set on the non-exempt amount of \$139,948.00.

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 various amendments to agreements.

The President **ABSTAINED** on item no. 1.

MINUTESMayor's Office of Human Services (MOHS) - Grant Agreements

The Board is requested to approve and authorize execution of the grant agreements. The agreements are for the period July 1, 2013 through June 30, 2014, unless otherwise indicated.

<u>Grantee</u>	<u>No. of Clients</u>	<u>Amount</u>
1. AIDS INTERFAITH RESIDENTIAL SERVICES, INC.	12	\$ 54,384.00
Account: 5000-529114-3572-333743-603051		
2. ASSOCIATED CATHOLIC CHARITIES, INC.	45	\$ 34,424.00
Account: 5000-529114-3572-333703-603051		
3. ASSOCIATED CATHOLIC CHARITIES, INC.	100	\$ 63,327.00
Account: 5000-529114-3572-333704-603051		
4. FUSION PARTNERSHIPS, INC.	300	\$100,000.00
Account: 5000-529114-3572-333754-603051		
5. PATRICK ALLISON HOUSE, INC.	22	\$ 22,750.00
Account: 5000-529114-3572-333727-603051		
6. PROJECT PLASE, INC.	200	\$104,382.00
Account: 5000-529114-3572-333726-603051		

MINUTES

MOHS- cont'd

<u>Grantee</u>	<u>No. of Clients</u>	<u>Amount</u>
7. ST. VINCENT DE PAUL SOCIETY OF BALTIMORE, INC.	30	\$ 41,907.00
Account: 5000-529114-3572-333729-603051		
8. THE BALTIMORE STATION, INC.	92	\$ 50,437.00
Account: 5000-529114-3572-333728-603051		
9. THE BALTIMORE STATION, INC.	180	\$144,600.00
Account: 5000-529114-3572-333728-603051		
10. UNITED MINISTRIES, INC.	35	\$ 40,200.00
Account: 5000-529114-3572-333760-603051		
The organizations will provide shelter and support services to the indicated number of homeless clients in Baltimore City.		
11. ASSOCIATED CATHOLIC CHARITIES, INC.	14	\$ 14,649.00
Account: 5000-525114-3573-333751-603051		
12. COMMUNITY HOUSING ASSOCIATES, INC.	151	\$ 33,450.00
Account: 5000-525114-3573-333755-603051		

MINUTES

MOHS- cont'd

<u>Grantee</u>	<u>Amount</u>
13. GOVANS ECUMENICAL DEVELOPMENT CORPORATION (GEDCO)	\$ 93,707.00

Account: 5000-525114-3573-333750-603051

The organizations will use the funds to pay the salary of resident advocates who will link low-income residents of permanent housing in Baltimore City to service and help them remain in their homes. GEDCO will serve 75 clients.

14. BALTIMORE OUTREACH SERVICES, INC.	\$156,000.00
Account: 5000-525614-3572-333764-603051	\$133,405.00
5000-529114-3572-333764-603051	\$22,595.00

The organization will use the funds to provide shelter, supportive services, meals, counseling and/or information and referrals to services of homeless clients in Baltimore City. Baltimore Outreach Services will serve 250 clients.

15. PUBLIC JUSTICE CENTER, INC.	\$ 22,750.00
Account: 5000-523114-3571-333739-603051	

The Public Justice Center, Inc. will use funds to assist family units at-risk of being evicted from their permanent housing with services. The service will include but is not limited to case management, counseling, training, mediation between landlord and tenant and cash assistance. The Public Justice Center, Inc. will serve 240 clients.

MINUTES

MOHS - cont'd

<u>Grantee</u>	<u>Amount</u>
16. MARIAN HOUSE, INC.	\$ 57,948.00

Account: 4000-496212-3572-591425-603051

The organization will provide supportive services to 30 homeless families whose parents are homeless ex-offenders suffering from serious mental illness, co-occurring substance use disorders and histories of trauma as well as financial, family and other counseling services as part of the Trauma, Addictions, Mental Health and Recovery Project. The period of the agreement is March 1, 2013 through February 28, 2014.

This agreement is late because of the delays at the administrative levels.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTIONS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned grant agreements. The Mayor **ABSTAINED** on item no. 14. The President **ABSTAINED** on item no. 7.

MINUTES

Mayor's Office of Human - Amendments to Grant Agreements
Services (MOHS)

The Board is requested to approve and authorize execution of the amendments to grant agreements. The amendments are effective upon Board approval through June 30, 2013.

<u>Grantee</u>	<u>Amount</u>
1. ASSOCIATED CATHOLIC CHARITIES, INC./ST. JEROME HEAD START PROGRAM	\$ 96,215.00

Account: 4000-486313-6051-516600-603051

The funds will be used at two program sites to repair the playgrounds at two program sites and to provide for classroom materials for three Head Start classrooms at one program site.

The Head Start award was \$1,955,474.00. A two-month advance was approved by the Board on July 1, 2012 in the amount of \$323,225.00. The balance of the award in the amount of \$1,632,249.00 was approved August 22, 2012. This amendment increases the agreement by \$96,215.00; making the total award \$2,051,689.00.

The provider requested and was granted a waiver of the balance of the MBE/WBE goals. Of the total in amount of \$2,051,689.00, of which \$2,021,689.00 are for items that are proprietary and non-segmentable. The goals were set on the non-exempt amount of \$30,000.00.

MBE: Charm City Caterers, Inc.	\$140,000.00	6.82%
Sue Ann's Office Supplies	<u>1,500.00</u>	<u>0.07%</u>
	\$141,500.00	6.89%
WBE: The Fitch Dustdown Co., Inc.	\$ 1,000.00	0.05%
Rudolph's Office & Computer Supply, Inc.	<u>2,500.00</u>	<u>0.12%</u>
	\$ 3,500.00	0.17%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

MOHS - cont'd

<u>Grantee</u>	<u>Amount</u>
2. METRO DELTA EDUCATIONAL PROGRAMS, INC./THE METRO DELTA HEAD START PROGRAM	\$158,720.00

Account: 4000-486313-6051-516300-603051

The funds will be used at one program site to repair the playground and to purchase classroom materials for seven Head Start classrooms at two program sites.

The amount of the Head Start award was \$2,188,906.00. A two-month advance was approved by the Board on June 27, 2012 in the amount of \$362,023.00. The balance of the award in the amount of \$1,826,883.00 was approved August 22, 2012. This amendment increases the agreement by \$158,720.00; making the total amount \$2,347,626.00.

The provider requested and was granted a waiver of the balance of the MBE/WBE goals. Of the total in amount of \$2,347,626.00, \$2,171,430.00 is for items that are proprietary and non-segmentable. The goals were set on the non-exempt amount of \$176,196.00.

MBE: Genesis Office Systems, Inc.	See note below ¹	
E. Jackson & Son, Inc.	\$ 7,000.00	.30% ²
Rufus Ingram, P.A.	18,000.00	.77%
Abrams, Foster, Nole &	14,178.00	.60%
Williams, P.A.	<u>\$39,178.00</u>	<u>1.67%</u>

WBE: None listed

¹Genesis Office Systems, Inc. is not certified as a MBE with Baltimore City.

²E. Jackson & Son, Inc. is not is good standing with the Maryland State Department of Assessments and Taxation. The bidder will be allowed to substitute an approved MBE if E. Jackson & Son, Inc. is not in good standing at the time of award.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

MOHS - cont'd

3. **THE JOHNS HOPKINS HOSPITAL (JHH)/** **\$ 11,825.00**
THE MARTIN LUTHER KING JR., EARLY
HEAD START PROGRAM

Account: 4000-486513-6051-452400-603051

The funds will be used for a mental Health Clinician for the Martin Luther King, Jr. Early Head Start Program. The consultant will provide parent orientation, workshops, classroom and referral observations, parent and teacher consultations, and CSEFEL coaching to Education Coordinators for the implementation at classrooms.

The amount of the Head Start was \$2,710,623.00 which was approved by the Board on March 13, 2013. This amendment increases the agreement by \$11,825.00; making the total amount \$2,722,448.00.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreements. The President **ABSTAINED** on item no. 3.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

2315

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

1. EWO #026, \$ 32,019.64 - TR 03313, Reconstruction of
Washington Boulevard: I-95 to Monroe Street
\$ 4,568,865.30 \$ 307,284.55 Civil Construction, - -
LLC
2. EWO #015, \$123,645.45 - TR 10005, Uplands Redevelopment:
Mass Grading & Infrastructure
\$18,279,447.78 \$ 1,187,876.32 Monumental Paving - -
& Excavating, Inc.
3. EWO #005, \$173,500.00 - TR 12009, Dredging the Inner Harbor
Water Channels
\$ 1,066,000.00 \$ 160,800.00 McLean Contracting - -
Company
4. EWO #004, \$98,958.25 - TR 08046, Rehabilitation of Broening
Highway from Holabird Avenue to Colgate Creek
\$14,700,000.00 \$ 9,391.19 American Infra- - -
structure-MD, Inc.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Previous Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Department - Payment of Settlement</u>			
1. William and Yoma Howard	936 E. Preston St.	L/H	\$ 7,616.66

On February 01, 2012, the Board approved the acquisition of the leasehold interest in 936 E. Preston St. for the amount of \$5,133.34, by condemnation, based upon appraisal reports obtained from independent appraisers.

However, after a formal mediation session in November of 2012, the City's appraiser and the owners' appraiser inspected the property to update the property valuation. The City's updated appraisal report valued the property at \$8,033.34. The owners' appraiser valued the property at \$21,000.00. A pre-trial conference early in February 2013 resulted in a stalemate. On February 28, 2013, the owners filed a counter-claim demanding \$150,000.00 plus its fair market valuation of \$21,000.00.

On May 28, 2013, the condemnation case was settled, on the record before the court, for \$12,750.00 with the dismissal of the \$150,000.00 counter-claim, with prejudice. The previous owners will also have to satisfy current outstanding municipal liens and charges. Therefore, the Board is requested to approve an additional \$7,616.66.

Funds are available in account 9990-907714-9593-900001-704040, Johnson Square Project.

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

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

2318

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing & Community Development</u>		
1. \$ 92,000.00	9910-926010-9609	9910-933010-9610
Federal Home	Home FY 2010	Settlement Expense
FY 2010	Reserve	Grants

This transfer of funds will provide Federal HOME funds for the Settlement Expense Grant Program for 23 homeownership units associated with two HOME funded projects: Mi Casa Homeownership Phase III; 18 units located on the 700 block of East Preston Street and TRF Artist Housing Homeownership; five units located on the 400 block of East Oliver Street.

MINUTES

Circuit Court for Baltimore City - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Baltimore Mental Health Systems, Inc. The period of the agreement is July 01, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$17,500.00 - 5000-540213-1100-109400-405001

BACKGROUND/EXPLANATION:

The LINKS Project will provide specialized support groups and referrals/information for mental health services for youth referred to Juvenile Court throughout Baltimore City.

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 Baltimore Mental Health Systems, Inc.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with PMC 301 North Charles, LLC.

AMOUNT OF MONEY AND SOURCE:

\$5,668.54 - 9950-906082-9512-000000-490375

BACKGROUND/EXPLANATION:

PMC 301 North Charles, LLC proposes to construct a residential development of 92 dwelling units for 301 N. Charles located at 301 N. Charles Street.

Under the terms of this agreement, PMC 301 North Charles, LLC will pay a one-time contribution in the amount of \$5,668.54 to fund the City multimodal transportation improvements in the Downtown Midtown Zone.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the traffic mitigation agreement with PMC 301 North Charles, LLC.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with 520 Park Avenue Business Trust.

AMOUNT OF MONEY AND SOURCE:

\$26,712.24 - 9950-906082-9512-000000-490375

BACKGROUND/EXPLANATION:

520 Park Avenue Business Trust proposes to construct a residential development of 171 dwelling units, approximately 15,000 square feet of gross floor area in retail and approximately 3,000 square feet of gross floor area of restaurant for 520 Park Avenue located at 520 Park Avenue.

Under the terms of this agreement, 520 Park Avenue Business Trust will pay a one-time contribution in the amount of \$26,712.24 to fund the City multimodal transportation improvements in the Downtown Midtown Zone.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the traffic mitigation agreement with 520 Park Avenue Business Trust.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 2 to HAKS Engineering, Inc., under Project No. 1162, On-Call Consultant Services for Reconstruction and Resurfacing Projects.

AMOUNT OF MONEY AND SOURCE:

\$146,199.92 - 2024-000000-5480-395700-603026

BACKGROUND/EXPLANATION:

The task assignment will authorize engineering design for conduit asset management services throughout Baltimore City. The scope of work will include, but not be limited to, collection and summarization of information on uses and occupants, reviewing data and relevant literature, meeting with City officials, defining analytical tracks for enhancing efficiency and preparing reports.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 2 to HAKS Engineering, Inc., under Project No. 1162, On-Call Consultant Services for Reconstruction and Resurfacing Projects.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 8 to Rummel, Klepper & Kahl, LLC under Project No. 1113, On-Call Consultant Services for Federal Aid Resurfacing-Reconstruction Project.

AMOUNT OF MONEY AND SOURCE:

\$ 40,479.56 - 9950-907824-9508-900020-703032

BACKGROUND/EXPLANATION:

The task assignment will authorize updating plans, specifications, and the cost estimate for the Maisel Street Pedestrian Bridge portion of the Baltimore City Project TR 12311, Replacement of the Three Bridges over MD 295.

DBE PARTICIPATION:

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

DBE: 25.00%

APPROVED FOR FUNDS BY FINANCE

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

MINUTESDepartment of Transportation - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 46,464.00	9950-901824-9509	9950-907824-9508-3
MVR	Construction Reserve	Design and Study
	Maisel Street	Maisel Street
	Pedestrian Bridge	Pedestrian Bridge

This transfer will fund the cost associated with Project 1113, Task 8, On-Call Consultant Services for Federal Aid Resurfacing Reconstruction Project for work assigned to Rummel, Klepper & Kahl, LLC related with the project of Maisel Street Pedestrian Bridge.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 8 to Rummel, Klepper & Kahl, LLC under Project No. 1113, On-Call Consultant Services for Federal Aid Resurfacing-Reconstruction Project. 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.

MINUTESHealth Department - Agreements and Amendment to Agreements

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

AGREEMENTS

1. **THE JOHNS HOPKINS UNIVERSITY** **\$463,024.00**
(JHU)

Account: 1001-000000-3030-271500-603051

Under the terms of this agreement, the JHU will provide clinical services that include but are not limited to Sexually Transmitted Disease care, Tuberculosis Care, HIV counseling and testing, HIV primary care, and contraceptive services for women. In addition, the JHU will provide medical care which includes obtaining a medical history, performing appropriate physical examinations, assessing patients' problems, and resolving identified problems by appropriate medical management. The JHU will also provide nursing care to patients attending clinics and provide social work/case management support services to patients and families and/or significant others. The period of the agreement is July 1, 2012 through June 30, 2013.

The agreement is late because the Department recently received the request and there was a delay in receiving an acceptable budget and scope of services.

MWBOO GRANTED A WAIVER.

2. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$150,571.00**

Account: 1001-000000-3030-271500-603051

The JHU will provide laboratory services required to meet the goals and objectives of Health Prevention and Disease Promotion programs. Under the agreement, the JHU will provide orientation, training, and supervision in laboratory techniques required of personnel who are authorized to perform on-site laboratory testing. In addition the JHU will establish and maintain a liaison with the Maryland Laboratories Administration as well as maintain an inventory of supplies and equipment and initiate new orders and ensure replacement on a periodic

MINUTES

Health Dept. - cont'd

and timely basis. The JHU will maintain equipment, perform quality control, and participate in the preparation of grant applications and contracts. The JHU will direct Sexually Transmitted Disease lab operations as well as perform reception, specimen accession, housekeeping, delivery management, preparation of correspondence and file maintenance, specimen pickup and other related tasks, as assigned. The period of the agreement is July 1, 2012 through June 30, 2013.

This agreement is late because of staff shortage and the Department did not receive the request until April 2, 2013.

MWBOO GRANTED A WAIVER.RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

- | | | | |
|----|--|----|------|
| 3. | PERSERVATION MANAGEMENT, INC./
NEW WATERS TOWER APARTMENT | \$ | 0.00 |
| 4. | GOOD SAMARITAN NURSING CENTER, INC. | \$ | 0.00 |
| 5. | KESWICK MULTI-CARE CENTER, INC. | \$ | 0.00 |

The above-listed organizations will serve as volunteer stations for the RSVP. The RSVP has been funded since 1982 by the federal government. The Baltimore City Health Department was awarded a grant from the Corporation of National and Community Services to pay administrative staff to arrange volunteer work for persons 55 years of age and over. The period of the agreement is July 1, 2013 through June 30, 2014.

- | | | | |
|----|---|----|-----------|
| 6. | TRAINING RESOURCES NETWORK, INC.
(TRN) | \$ | 80,000.00 |
|----|---|----|-----------|

Account: 4000-427713-3023-273315-603051

Under the terms of this agreement, the TRN will work in conjunction with the Department's Clinical Quality Management (CQM) staff to effectively manage and implement

MINUTESHealth Dept. - cont'd

an Eligible Metropolitan Area (EMA) wide CQM program to enhance the development, delivery, and availability of HIV services throughout the EMA. The period of the agreement is March 1, 2013 through August 31, 2013.

The agreement is late because the Department was waiting for approval of the Notice of Grant Award for the 2013 Part A Formula and Minority AIDS Initiative.

MWBOO GRANTED A WAIVER.AMENDMENTS TO AGREEMENTS**7. TOTAL HEALTH CARE, INC. \$ 5,000.00**

Account: 4000-424513-3023-599632-603051

On February 27, 2013, the Board approved the original agreement, in the amount of \$89,064.00, for the period of July 1, 2012 through June 30, 2013. This amendment to agreement, in the amount of \$5,000.00, increases the total amount of the award to \$94,064.00. This increase will provide for the purchase of two laptop computers for use at four multiple site locations for the Non-Medical Case Managers who serve HIV positive clients. All other terms and conditions of the original agreement remain unchanged.

The amendment to agreement is late because supplemental awards were recently received from the Department of Health and Mental Hygiene.

8. PARK WEST HEALTH SYSTEMS, INC. \$5,500.00

Account: 4000-424513-3023-599623-603051

On December 5, 2012, the Board approved the original agreement in the amount of \$60,000.00 for the period July

MINUTESHealth Dept. - cont'd

1, 2012 through June 30, 2013. The Department received supplemental funding and is increasing the agreement by \$5,500.00 making the total \$65,500.00. The organization will continue to provide non-Medical Case Management for the Ryan White Part B Program. The organization will provide services to an additional 50 clients referred through street/site based or prison outreach to assess their need for health and support services.

The amendment is late because of supplemental awards received by the Department on April 22, 2013.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NOS. 3-5) AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned agreements and the amendment to agreements. The President **ABSTAINED** on item nos. 1 and 2.

MINUTES

Health Department - Revised Notice of Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a revised notice of award (NOA) from the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral, Hepatitis, STDs and TB Prevention.

AMOUNT OF MONEY AND SOURCE:

\$1,361,050.00 - 4000-499013-3023-513200-404001

BACKGROUND/EXPLANATION:

On January 23, 2013, the Board approved the original NOA in the amount of \$2,041,574.00 for the period of January 1, 2013 through December 31, 2013.

This revised NOA will provide an additional 30% in funding, in the amount of \$1,361,050.00, for the budget period to meet the needs of the Comprehensive HIV Prevention Project. All other terms and conditions of the original NOA remain unchanged.

This item is being presented at this time because it was just received.

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 revised notice of award from the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral, Hepatitis, STDs and TB Prevention.

MINUTES

Bureau of Solid Waste - Renewal of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve a renewal option of the agreement with the Downtown Partnership of Baltimore, Inc. (DPOB). The period of the renewal is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$340,000.00 - 1001-000000-5152-386200-603026

BACKGROUND/EXPLANATION:

The Department of Public Works, Bureau of Solid Waste, desires to exercise the renewal option of the agreement with the DPOB. The renewal option will allow the DPOB to continue to provide cleaning services in the Downtown Management District under the same terms and conditions.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the renewal option of the agreement with the Downtown Partnership of Baltimore, Inc. The Mayor **ABSTAINED**.

MINUTESBureau of Solid Waste - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 006 to KCI Technologies, Inc. under Project No. 1157, Solid Waste Project.

AMOUNT OF MONEY AND SOURCE:

\$1,934,633.05 - 9948-902047-9517-900020-703331

BACKGROUND/EXPLANATION:

KCI Technologies, Inc. will help the Bureau of Solid Waste with the Quarantine/Millennium mixed refuse application permit task, which remained from Project 1054.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 006 to KCI Technologies, Inc. under Project No. 1157, Solid Waste Project.

MINUTES

Office of the City Council - Governmental/Charitable
Solicitation_____

ACTION REQUESTED OF B/E:

The Board is requested to endorse a governmental/charitable solicitation application for submission to the Board of Ethics for Ms. Stephanie Murdock, of the Office of Ms. Mary Pat Clarke to solicit donations from friends, family members and associates to benefit Skate park of Baltimore, Inc. (SOB), a 501 (c) (3) non-profit organization. The period of the solicitation is effective upon Board approval through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

No City funds are being requested in this Application.

BACKGROUND/EXPLANATION:

As President of the Board of Directors of Skate park of Baltimore, Inc. Ms. Murdock is expected to support the organization's fundraising efforts through a variety of endeavors during the 2013-2014 year including soliciting donations from corporate entities and foundations that have a history of providing financial and in-kind donations to SOB and other public parks. Solicitations will be made in person, online, telephone, mail, and email.

Skate park of Baltimore, Inc. works to ensure that the youth who skateboard in Baltimore have a safe place to recreate. All donations are used to conduct a number of activities included but not limited to the following; education and outreach events, administrative costs, design, as well as construction of the skate park. The purpose of these activities is to provide an attractive and safe destination for residents and visitors, encourage the hosting of programs and events, attract new park users, and address issues of safety.

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or

MINUTES

Office of the City Council - cont'd

activity, or a City-endorsed charitable function or activity. Ethics Regulation 96.26B sets out the standards for approval, which includes the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designee.

UPON MOTION duly made and seconded, the Board the endorsement of the governmental/charitable solicitation application for submission to the Board of Ethics for Ms. Stephanie Murdock, of the Office of Ms. Mary Pat Clarke to solicit donations from friends, family members and associates to benefit Skate park of Baltimore, Inc. (SOB), a 501 (c) (3) non-profit organization. The President **ABSTAINED**.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

1. THERMO ELECTRON NORTH

AMERICA, LLC	\$ 7,174.40	Renewal
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Solicitation No. 08000 - Support and Maintenance for Nicolet FTIRS Spectrometer- Police Department - Req. No. R554047

On September 22, 2010, the City Purchasing Agent approved the initial award in the amount of \$7,174.40. The award contained five 1-year renewal options. On July 29, 2011, the City Purchasing Agent approved a renewal in the amount of \$7,174.40. On July 13, 2012, the City Purchasing Agent approved the second renewal in the amount of \$7,174.40. This third renewal in the amount of \$7,174.40 is for the period July 28, 2013 through July 27, 2014, with two 1-year renewal options remaining.

2. CRITICAL IMAGING, LLC

CRITICAL IMAGING, LLC	\$ 9,500.00	Renewal
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Solicitation No. 08000 - Repairs to Infrared Camera - Police Department - Req. No. R553625

On July 28, 2010, the City Purchasing Agent approved the initial award in the amount of \$6,500.00. The award contained five 1-year renewal options. On March 23, 2011, the City Purchasing Agent approved an increase in the amount of \$3,000.00. On July 13, 2011, the City Purchasing Agent approved a renewal in the amount of \$9,500.00. On June 6, 2012, the Board approved a renewal in the amount of \$9,500.00. This renewal in the amount of \$9,500.00 is for the period July 28, 2013 through July 27, 2014, with two 1-year renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|--|-------------|---------------------------|
| 3. ELKIN HI-TECH,
INC. | \$75,000.00 | Sole Source/
Agreement |
| Solicitation No. 08000 - OEM Parts and Services for Elkin
Cement Mixers - Department of General Services - Req. Nos.
R615345 | | |

The Board is requested to approve and authorize execution of the agreement with Elkin Hi-Tech, Inc. The period of the agreement is June 1, 2013 through May 31, 2016, with two 1-year renewal options.

An intent to waive competition was advertised (B50002741) with no responses received. Elkin Hi-Tech, Inc, is the manufacturer of Elkin Cement Mixers.

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

MBE/WBE NOT APPLICABLE. REFER TO ABOVE CERTIFICATION.

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|---|-------------|---------|
| 4. RAYTHEON COMPANY | \$50,000.00 | Renewal |
| Solicitation No. 08000 - GM Vehicle and Commercial Technical
Training - Department of General Services, Fleet Management -
P.O. No. P518112 | | |

On August 17, 2011, the Board approved the initial award in the amount of \$67,940.00. On December 12, 2012, the Board approved a ratification and term order in the amount of \$65,000.00. This renewal in the amount of \$50,000.00 is for the period August 17, 2013 through August 16, 2014, with two 1-year renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

MBE/WBE NOT APPLICABLE. REFER TO ABOVE CERTIFICATION.

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|---|---------|---------|
| 5. METTLER-TOLEDO INTERNATIONAL,
INC. | \$ 0.00 | Renewal |
| Solicitation No. B50001543 - Automated Titration System and Accessories - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P514906 | | |

On August 11, 2010, the Board approved an initial award in the amount of \$29,618.10. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$0.00 is for the period August 31, 2013 through August 30, 2014.

MWBOO GRANTED A WAIVER.

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|---|-------------|---------|
| 6. MASIMO AMERICAS, INC. | \$50,000.00 | Renewal |
| Solicitation No. 08000 - Rad-57 CO-Oximeters - Fire Department - P.O. No. P517483 | | |

On June 29, 2011, the Board approved the initial award in the amount of \$50,000.00. The award contained five 1-year renewal options. Subsequent actions have been approved. This second renewal in the amount of \$50,000.00 is for the period July 1, 2013 through June 30, 2014, with three 1-year renewal options remaining.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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| 7. BELAIR ROAD SUPPLY
COMPANY, INCORPORATED | \$30,000.00 | Renewal |
|--|-------------|---------|
- Solicitation No. B50002087 - Sewer Brick Storm Water - Department of Public Works, Water and Wastewater and Department of Transportation - P.O. No. P518004

On August 22, 2011, the City Purchasing Agent approved the initial award in the amount of \$12,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$30,000.00 is for the period August 25, 2013 through August 24, 2014.

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|------------------------------------|--------------|---------|
| 8. ROCKY MOUNTAIN
HOLDINGS, LLC | \$250,000.00 | Renewal |
|------------------------------------|--------------|---------|
- Solicitation No. 06000 - Non-Emergent Air Transportation Services - Health Department - Req. No. TBD

On June 16, 2010, the Board approved the initial award in the amount of \$250,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal is for the period July 1, 2013 through June 30, 2014.

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

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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|--|-------------|---------|
| 9. CA, INC. f/n/a COMPUTER | \$90,000.00 | Renewal |
| ASSOCIATES INTERNATIONAL
Solicitation No. 08000 - Maintenance of Computer Associates
Software - Mayor's Office of Information Technology - Req. No.
R552151 | | |

On August 25, 2010, the Board approved the initial award in the amount of \$116,495.79. The award contained two 1-year renewal options. This renewal in the amount of \$90,000.00 is for the period August 25, 2013 through August 24, 2014, with one 1-year renewal option remaining.

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

MBE/WBE NOT APPLICABLE. REFER TO ABOVE CERTIFICATION.

- | | | |
|---|--------------|---------|
| 10. COMCAST BUSINESS COMMUNICATIONS,
LLC d/b/a COMCAST BUSINESS | \$ 37,119.60 | Renewal |
| SERVICES
Solicitation No. 06000 Internet Service - Fire Department -
P.O. No. P515462 | | |

On November 24, 2010, the Board approved the initial award in the amount of \$32,619.60. The award contained four 1-year renewal options. On April 13, 2011, the City Purchasing Agent approved an increase in the amount of \$4,500.00. Subsequent actions have been approved. This renewal in the amount of \$37,119.60 is for the period June 30, 2013 through June 29, 2014, with one 1-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|---------|
| 11. BIO-RAD LABORATORIES,
INC. | \$167,000.00 | Renewal |
| Solicitation No. 08000 - HIV Test Kits - Health Department -
P.O. No. P520784 | | |

On June 20, 2012, the Board approved the initial award in the amount of \$89,220.50. The award contained three 1-year renewal options. On December 14, 2012, the City Purchasing Agent approved an increase in the amount of \$12,317.20. On January 9, 2013, the Board approved an increase in the amount of \$65,000.00. This renewal in the amount of \$167,000.00 is for the period June 20, 2013 through June 19, 2014, with two 1-year renewal options remaining.

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

MBE/WBE NOT APPLICABLE. REFER TO ABOVE CERTIFICATION.

MINUTES

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

12. SHANNON-BAUM SIGNS,
 INC. \$ 60,000.00 Increase
 Solicitation No. 06000 - Decals and Striping - Police
 Department/Department of General Services - P.O. No. P511237

On November 25, 2009, the Board approved the initial award in the amount of \$38,000.00. Subsequent actions have been approved. Due to increased usage, an increase in the amount of \$60,000.00 is necessary. This increase in the amount of \$60,000.00 will make the award amount \$191,000.00. The contract expires on November 29, 2014.

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

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the informal award, renewals, increases to contracts and extensions. The Board also approved and authorize execution of the agreement with Elkin Hi-Tech, Inc. (item no. 3).

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. Walter Vice.

It is the opinion of the Law Department that Mr. Vice has met the qualifications for a real property tax exemption as a disabled veteran, and that Mr. Vice is eligible to receive a refund of taxes paid because he 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. The dwelling house is owned by the claimant and the claimant continues to reside in the dwelling place. It has been determined that Mr. Vice is entitled to a refund of real property taxes, which were paid as follows:

<u>Claimant</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
WALTER VICE	3709 Frankford	2012/2013	\$3,058.91
Ave.	2011/2012	<u>2,972.97</u>	
		Total Refund	\$6,031.88

Mr. Vice filed his application on May 7, 2013.

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.

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for Mr. Walter Vice.

MINUTES

Department of Finance, - Insurance Renewals
Office of Risk Management

The Board is requested to approve and authorize the renewals of the following insurance policies and coverage:

1. RENEWAL OF FY 2014 INSURANCE COVERAGE **\$ 7,887.15**
FOR GPS TRACKING SYSTEMS

This policy provides coverage for theft and direct physical damage for GPS tracking units installed in 30 Baltimore City Public School System buses and 350 vendor-owned buses. The insurance is being provided by the incumbent carrier, AGCS Marine Insurance Company. The period of the policy is July 01, 2013 through June 30, 2014.

Funds are available in account no. 2043-000000-1450-162900-603014.

2. RENEWAL OF FY 2013 FLOOD COVERAGE **\$17,691.00**
FOR 805 S. CAROLINE STREET

On September 13, 2003, heavy rain from Hurricane Isabel caused flooding and inundated the Caroline Street Parking Garage with three feet of flood water. A claim was made with the Federal Emergency Management Agency (FEMA), and Public Assistance reimbursement was approved. The distribution of FEMA Public Assistance was contingent upon securing and maintaining flood coverage. This policy is written through Harleysville Mutual and renews June 22, 2013.

Funds are available in account no. 2043-000000-1450-162900-063014.

MINUTES

Office of Risk Management - cont'd

3. **FY 2014 INSURANCE RENEWAL FOR** **\$65,747.00**
OFFICE OF EMPLOYMENT DEVELOPMENT
WOREKERS' COMPENSATION

The renewal of this policy with the Injured Workers' Insurance Fund (IWIF), a State agency, will provide Workers' Compensation benefits for the Office of Employment Development (OED) Trainees Program. The OED receives federal grant funds, which require the purchase of Workers' Compensation Insurance for the participants in its various programs. The OED has completed its 18th year under the IWIF Program. The rate/premium offered by IWIF is favorable again this year. A 40% credit was negotiated due to good loss experience. The period of the policy is July 01, 2013 through June 30, 2014.

Funds are available in account no. 4000-806414-6313-460205-603017.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the renewals of the aforementioned insurance policies and coverage.

MINUTES

Department of Finance - Amendment No. 3 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an amendment no. 3 to agreement with the Segal Company. This amendment extends the period of the agreement through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

No Cost Extension

BACKGROUND/EXPLANATION:

Pursuant to Ordinance 10-306, Section 4, requiring the Taxation, Finance, and Economic Development Committee to have hearings on the feasibility of alternatives to establish a new pension benefit structure for new hires eligible to participate in the Fire and Police Employees' Retirement System, (F&P) the City of Baltimore retained the Segal Company to undertake the investigation and analysis of alternative pension benefit structures for new hires.

The Segal Company entered into an initial agreement with the City on May 25, 2011. Since the initial date of engagement, the Segal Company has met with and received feedback from various stakeholders, including but not limited to: the Fire and Police Retirement System Administration, F&P Board of Trustees, F&P Actuary, City Council members, Members of the Administration, F&P Union Leadership, rank and file members of the F&P unions, and Greater Baltimore Committee individuals responsible for compiling a report on the F&P System.

The amendment provides an additional 12 month timeframe of July 1, 2013 through June 30, 2014 which will allow the Segal Company to make final presentations to the groups identified. These final presentations were part of the original scope of work.

UPON MOTION duly made and seconded, the Board approved and authorized amendment no. 3 to agreement with the Segal Company.

MINUTES

Bureau of Water and Wastewater - Extension/Relocation Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Extension/Relocation Contract with the Baltimore Gas and Electric Co. (BG&E).

AMOUNT OF MONEY AND SOURCE:

\$43,738.91 - 9956-902685-9551-900020-706079

BACKGROUND/EXPLANATION:

Sanitary Contract No. 870, Scum & Grease System Improvements at the Back River Wastewater Treatment Plant, includes the construction of a Storm Water Management Pond. During the construction, it was discovered that an existing and active 4" gas line, owned by BG&E, is in conflict with the proposed storm water pond.

BG&E has submitted a lump-sum cost proposal and contract to relocate this gas line.

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 Extension/Relocation Contract with the Baltimore Gas and Electric Co.

MINUTES

Bureau of Water and Wastewater - Amendment No. 2 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 2 to agreement with Johnson, Mirmiran & Thompson, Inc., Project 1138J, On-Call Environmental Engineering Services. The amendment no. 2 extends the agreement through December 23, 2014.

AMOUNT OF MONEY AND SOURCE:

There are no additional funds involved.

BACKGROUND/EXPLANATION:

The City exercised its option under the original agreement to extend the agreement for one additional year from December 22, 2012 to December 22, 2013, upon the same terms and conditions. The schedule for some tasks will require time beyond the contract expiration date of December 22, 2013. This amendment will extend the agreement through December 23, 2014.

MBE/WBE PARTICIPATION:

The consultant will continue to comply with all terms and conditions of the M/WBE program in accordance with the Baltimore City Code, Article 5, Subtitle 28.

AUDITS NOTED THIS TIME EXTENSION AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to agreement with Johnson, Mirmiran & Thompson, Inc., Project 1138J, On-Call Environmental Engineering Services.

MINUTES

Bureau of Water and Wastewater - Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 for Project No. 1145, Utility Cost of Service, Rate, and Financial Consulting Services with Raftelis Financial Consultants, Inc.

AMOUNT OF MONEY AND SOURCE:

\$ 825,000.00 - 2070-000000-5541-399301-603026 - WW Util. Funds
825,000.00 - 2071-000000-5541-398600-603026 - Water Util.
 Funds

\$1,650,000.00

BACKGROUND/EXPLANATION:

On December 21, 2011, the Board approved the original agreement in the amount of \$3,000,000.00. This amendment to agreement in the amount of \$1,650,000.00 will allow the consultant to continue to perform utility cost of service, rate, and financial consulting service for the Bureau of Water and Wastewater.

MBE/WBE PARTICIPATION:

The consultant will continue to comply with all terms and conditions of the MBE/WBE programs in accordance with Baltimore City Code, Article 5, Subtitle 28 established in the original agreement.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 1 for Project No. 1145, Utility Cost of Service, Rate, and Financial Consulting Services with Raftelis Financial Consultants, Inc. The President voted
NO.

MINUTES

Bureau of Water and Wastewater - Amendment No. 4 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 4 for Project No. 1033, Engineering Support Services with Johnson, Mirmiran & Thompson, Inc. The amendment no. 4 extends the agreement through June 19, 2014.

AMOUNT OF MONEY AND SOURCE:

No cost extension

BACKGROUND/EXPLANATION:

On June 20, 2007, the Johnson, Mirmiran & Thompson, Inc. was awarded a contract to provide engineering support services under project 1033, Engineering Technical Support Services for Utility GIS and Consent Decree projects. On August 20, 2008, a Change Order in the amount of \$295,824.34 was issued. On July 14, 2010, the Board approved amendment no. 1 to agreement in the amount of \$994,794.34. On June 8, 2011, the Board approved amendment no. 2 in the amount of \$1,100,782.29. On June 6, 2012, the Board approved amendment no. 3 in the amount of \$1,000,167.41. The total upset limit for this contract is \$6,403,384.44. In order to continue providing these services the Department is requesting an extension of the existing agreement at no additional cost to the City.

MBE/WBE PARTICIPATION:

The consultant will continue to comply with all terms and conditions of the MBE/WBE programs in accordance with Baltimore City Code, Article 5, Subtitle 28 established in the original agreement.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 4 for Project No. 1033,

MINUTES

Bureau of Water and Wastewater - cont'd

Engineering Support Services with Johnson, Mirmiran & Thompson,
Inc.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
1. Angela Batey Angelo Brooks	2013 National Center for Victims of Crimes Phoenix, AZ Sept. 8, - 11, 2013 (Reg. Fee \$525.00 ea.)	GTEAP Grant	\$3,189.60

Department of Public Works

2. Kimberly Morton	54 th Annual Conf. and Equipment Show Chicago, IL Aug. 24, - 28, 2013 (Reg. Fee \$695.00)	General Funds	\$2,102.80
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The airfare in the amount of \$329.80 was prepaid using the City issued credit card assigned to Ms. Lyque O'Connor. The disbursement to Ms. Morton will be in the amount of \$1,773.00.

Mayor's Office of Government Relations

3. Janelle Mummey	MML Summer Conference Ocean City, MD June 23 - 26, 2013 (Reg. Fee \$601.00)	General Funds	\$1,546.40
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The hotel accommodations in the amount of \$593.39 and the registration fee in the amount of \$601.00 were paid by a City issued credit card assigned to Kathe Hammond. The amount to be disbursed to Ms. Mummey is \$147.40. The disbursement amount to Ms. Mummey will be \$352.01.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Sherriff's Office</u>			
4. John W. Anderson*	NSA Annual Conference	General	\$1,546.40
Henry A. Martin**	& Exhibition	Funds	
Samuel L. Cogen**	Charlotte, NC		
	June 23 - 26, 2013		
	(Reg. Fee \$275.00*		
	\$375.00**, \$375.00**)		

The subsistence rate for this location is \$148.00 per night for a total of \$444.00. The hotel rate is \$190.00 per night for a total of \$570.00. The occupancy tax is \$31.48 per day for a total of \$94.44. The Department is requesting additional subsistence of \$42.00 per day, for a total of \$126.00 to cover the costs of the hotel, and \$40.00 per day, for a total of \$120.00 to cover the costs of food and incidentals. The registration fees for each attendee was prepaid by EA No. 000119103. Mr. Anderson and Mr. Martin will be disbursed \$784.44 each and Mr. Cogen will be disbursed \$1,051.74.

Department of Recreation & Parks

5. Malkia McLeod	Digital Impact	General	\$3,800.44
Gwendolyn Chambers*	Conf. 2013	Funds	
	New York, NY		
	June 26-28, 2013		
	(Reg. Fee \$999.00)		
	(Reg. Fee \$899.00)*		

The hotel rate is \$299.00 per night, plus \$47.61 per night, for taxes. The allowed subsistence rate is \$312.00 per day. The Department is requesting an additional \$27.00 per day for each representative for meals. The additional funds have been included in the total. The transportation costs have been paid using a City issued credit card assigned to Mr. Kenn L. King. Therefore, the disbursement to Ms. McLeod will be \$1,802.21 and the disbursement to Ms. Chambers will be \$1,702.21.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
6. Calvin Ford Mach Allison, III	USA Boxing Jr. Olympics Nationals Mobile, AL June 26-28, 2013	Special Funds	\$2,637.19

The transportation costs have been paid using a City issued credit card assigned to Mr. Kenn L. King. Therefore, the disbursement to Mr. Ford will be \$1,048.99 and the disbursement to Mr. Allison will be \$725.00.

The Department is requesting \$323.99 for the cost of a rental vehicle. The boxing coaches, Messrs. Ford and Allison have requested a rental vehicle for transportation from the airport to the hotel and back to the airport. Also, the training equipment will be transported, and the vehicle will be used to travel to and from the event. In their efforts to save money, they will also travel to the market to purchase food.

AM-240-8 - If official City business at the event site will require extensive inspection trips, tours, or other unusual but necessary land travel, the Board of Estimates must approve funds for such expenses in advance of the trip.

Mayor's Office

7. Stephanie Rawlings- Blake Andrew Smullian	US Conference of Mayor's Annual Conference June 20 - 24, 2013 Las Vegas, NV (Reg. Fee \$700.00 ea.)	General Funds	\$4,181.80
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The subsistence rate for this location is \$170.00 per day. The hotel rate is \$199.00 per night. The Mayor's Office is requesting additional subsistence of \$29.00 per day/per person to cover the cost of the hotel as well as \$40.00 per day/per person for meals and incidental expenses. The Mayor's Office has prepaid the airfare, hotel and

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
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registration fees on City issued credit card assigned to Kathe Hammond. The disbursement to Ms. Rawlings-Blake will be in the amount of \$160.00 and to Mr. Smullian in the amount of \$220.00.

Employees' Retirement System (ERS)

8. Jerome Sanders	NASP Conference	Special	\$2,522.28
Dorothy Bryant	June 23 - 26, 2013	Funds	
	New York, NY	ERS	
	(Reg. Fee \$150.00 ea.)		

The Board is requested to approve the following education related travel of the ERS Trustees to the following public education conference covering pension related topics such as the evolving role and responsibilities of the pension fund fiduciary, current economic environment, investment strategies and accounting regulations. No general funds are required - Special Funds from the ERS will be used to cover the expenses.

TRAVEL APPROVALS**Mayor's Office**

9. Kaliope Parthemos	Weinberg Founda- tion Mission	Weinberg Foundation
	Trip to Israel	(No City Funds)
	April 27-May 6, 2013	

On April 27 - May 6, 2013, Ms. Parthemos travelled to Israel with the Weinberg Foundation as a guest of the Weinberg Foundation Mission Trip. The Weinberg Foundation Mission Trip's purpose was educational and several public and private community leaders from Baltimore were invited to participate in the trip. There were no City funds used for this trip. All

MINUTES

TRAVEL APPROVALS - cont'd

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office</u>			

transportation, lodging, and planned meal expenses were paid by the Weinberg Foundation. Any incidental expenses incurred by Ms. Parthemos that were not included in the Weinberg Foundation sponsorship were paid by Ms. Parthemos and no reimbursement was sought by Ms. Parthemos from the Weinberg Foundation or the City for any portion of the trip.

Ms Parthemos submitted this reimbursement post trip when she learned pursuant to AM 240-3 that Board of Estimates approval is required if "...the trip will require travel outside the continental US regardless of source of funds, cost of trip, or length of absence..."

10. Alexander Sanchez	New Cities Summit 2013 June 3 - 6, 2013 Sao Paolo, Brazil (Reg. Fee \$700.00)	The Living Cities Foundation (No City Funds)	
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The Living Cities Foundation financed Mr. Sanchez's travel and attendance at the New Cities Summit 2013. Brazil leads the world in innovative ways of stimulating economic development and moving low-income people out of poverty, both of which are particularly relevant to Baltimore. As Chief of Staff, Mr. Sanchez's attendance benefitted Baltimore as leaders from the public and private sectors across the United States and throughout the world attended this conference to share best practices, stimulate innovation, and learn how to implement successful strategies. Up to \$3,000.00 in expenses will be reimbursed to Mr. Sanchez by the Living Cities Foundation.

The item is submitted late to the Board because it was believed that this request for approval was unnecessary because no City funds needed to be allocated. Upon further

MINUTES**TRAVEL APPROVALS** - cont'd

review of the Administrative Policy, Board approval is required if the trip will require travel outside the continental United States regardless of source of funds, cost of trip, or length of absence.

UPON MOTION duly made and seconded, the Board approved the aforementioned travels requests. The Mayor **ABSTAINED** on item nos. 3, 7, 9, and 10. The Comptroller **ABSTAINED** on item no. 8.

MINUTES

Department of Housing and - Second Update for
Community Development Developer's Agreement No. 1259

ACTION REQUESTED OF B/E:

The Board is requested to **NOTE** the second update to developer's agreement no. 1259, O'Donnell Heights Project.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On January 16, 2013, the Board approved developer's agreement no. 1259, O'Donnell Heights Project.

On April 10, 2013, the Board requested that a second update be presented to the Board in 60 days regarding the concerns raised by the O'Donnell Heights Tenants Council (OHTC) in its protest filed to the developer's agreement considered by the Board at its January 16, 2013 meeting.

As stated in the first update dated March 15, 2013, the concerns raised by the OHTC in its protest are not related to the developer's agreement itself, which deals with infrastructure site work. Rather, the OHTC is concerned about public housing issues that are the purview of the Housing Authority of Baltimore City (HABC).

As such, the DHCD continues to object to the Board meeting being used as a venue for the discussion of public housing issues. These issues properly belong to the HABC and its own independent Board of Commissioners. The HABC Board has reviewed the OHTC's concerns on multiple occasions and is continuing its oversight role. Nonetheless, in order to meet the Board's request, the Department has provided updates to the specific items referenced in the protest.

MINUTES

DHCD - cont'd

The Development Advisory agreement between the OHTC and the developer, which establishes certain roles, responsibilities, and rights of the O'Donnell Heights residents in connection with the first phase of the redevelopment of O'Donnell Heights, was agreed to and executed on April 17, 2013.

The developer, the HABC and the OHTC along with its legal counsel have continued to work on the stand-alone Admissions and Leasing Criteria for the deeply subsidized units in Phase I. A meeting with the OHTC, the HABC, and the developer was held on April 17, 2013. A follow-up meeting to finalize the remaining outstanding items was scheduled for June 4, 2013, but was regrettably cancelled at the request of Legal Aid Bureau, Inc. (Legal Aid) due to unforeseen circumstances. The HABC is in the process of rescheduling this meeting.

As to Legal Aid's request for Phase I closing documents, in its letter to the Board dated April 10, 2013, the developer has advised that the Development Advisory Agreement states that the OHTC can review transaction documents at the developer's office with 24-hours notice. In addition, if the OHTC requests specific documents, they may be provided by the developer electronically.

Large scale real estate development is a complicated and time consuming process, especially when multiple government programs are brought to bear. The HABC continues to work closely with its residents to ensure that their concerns are heard and addressed in the redevelopment of O'Donnell Heights. It is the hope of the Department that any concerns the Board may have will be dispelled by the progress shown in this update and the continued collaboration between the OHTC, the developer, and the HABC.

The Board **NOTED** the second update and OHTC response on developer's agreement no. 1259, O'Donnell Heights Project. The DHCD will report back to the Board in 60 days, after providing its update to the Developer and OHTC so that the Board can have the report and all responses to review at one time.



Legal Aid Bureau, Inc.
Statewide Advocacy Support Unit

Charles H. Dorsey, Jr. Building
500 E. Lexington Street
Baltimore, Maryland 21202
(410) 951-7777
(410) 951-7818 FAX
www.mdlab.org

Warren S. Oliveri, Jr., President
Wilhelm H. Joseph, Jr., Executive Director
C. Shawn Boehringer, Chief Counsel
Gustava E. Taler, Chief Operating Officer
Cheryl Hystad, Director of Advocacy
Gregory Countess, Assistant Director of Advocacy
Janet Forrester-Hartge, Assistant Director of Advocacy
Jennifer Goldberg, Assistant Director of Advocacy
Yoanna Moises, Assistant Director of Advocacy
Frank Natale, II, Assistant Director of Advocacy

June 18, 2013

Harriet B. Taylor
Clerk of the Board of Estimates
Room 204, City Hall
100 N. Holliday Street
Baltimore, Maryland

Re: Developer's Agreement No. 1259 and Board of Estimates Motion

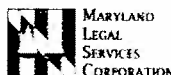
Dear Ms. Taylor

Attached is the response of the O'Donnell Heights Tenant Council to the Report required pursuant to the Board's motion resolving the Tenant Council's protest of Developer's Agreement No. 1259.

Thank you.

Respectfully submitted

Gregory Countess





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Statewide Advocacy Support Unit

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Frank Natale, II, Assistant Director of Advocacy

To: Honorable President and Members of the
Board of Estimates
c/o Clerk, Board of Estimates
City Hall Room 204

From: Gregory Countess, attorney for the
O'Donnell Heights Tenant Council

Date: June 18, 2013, 2013

Subject: Developer's Agreement No. 1259 and
BOE motion

Dear Mr. President and Members

My client the O'Donnell Height's Tenant Council (hereinafter "Council") have had a chance to review the memo submitted by Commissioner Graziano dated June 18, 2013, 2013 and though the report is correct to the extent that it asserts that the parties were scheduled to meet in regard to the concerns expressed by the Council, it incorrectly frames the issues which make continued reporting to the BOE both prudent and necessary.

As this Board is most clearly aware it is charged with formulating and executing the fiscal policy of the City. It also is responsible for approving contracts which utilize federal grant funds for this project. These federal funds obligate the City and the Housing Authority to assure that the project financed by these funds will comply with the federal fair housing law and will be used by the City and HABC to affirmatively further fair housing. Federal funds were used to demolish the public housing units which stood on the O'Donnell site and are being used to rebuild units on



this site. The Developers Agreement deals with infrastructure work on the site. The Council's concerns relate to site redevelopment and the operation of the housing on the redeveloped site. In particular the Council knows that it is important to ensure that federal funds are used appropriately and that promises made to the Council to gain their acquiescence in not opposing the funding applications for the redeveloped public housing units are kept. Former and current O'Donnell residents who resided in housing on the demolished site were promised the right to return to the site. They were originally promised that the units would be public housing units and residents would have the rights granted them under federal law. The issues related to the "stand alone LTA ACOP" and other project documents are important in that important rights granted to residents under federal law will be lost if they are not reflected in these documents. Additionally and most importantly- if criteria is used to bar the return of former and current O'Donnell residents to the site as well as new applicants on the public housing waiting list then their fundamental right to due process as well as their right to be free from discrimination under federal fair housing law and international law arise.

There are several issues which highlight residents concerns which have not been resolved at this time. For instance both the Council and HABC have agreed that resident's right to return is conditioned upon the residents being in "good standing". However the criteria used to evaluate whether a resident is in good standing and the process used by a resident to challenge a determination that they are not in good standing remains unresolved. Application of inappropriate criteria will in our opinion improperly have a disparate impact on persons protected from discrimination under federal and international law. For instance the use of criminal histories without the application of appropriate standards for evaluation of their use by the owner of the property can have a discriminatory impact on returning residents.

The Department of State recently reported to an international tribunal concerning compliance of the United States with its obligations under the Convention on the Elimination of all forms of Racial Discrimination. In its report it noted:

although establishing a race discrimination violation of the U.S. Constitution requires proof of discriminatory intent, many U.S. civil rights statutes and regulations go further, prohibiting policies or practices that have discriminatory effects or disparate impact on members of racial or ethnic minorities or other protected classes. In cases involving disparate impact analysis, the inquiry is whether evidence establishes that a facially neutral policy, practice, or procedure causes a significantly disproportionate negative impact on the protected group and lacks a substantial legitimate justification. When facts support the use of disparate impact analysis, the United States is committed to using these valuable tools to address indirect discrimination.

In regard to actions taken to fulfill obligations under federal and international law it further noted:

In 2013 the Department of Housing and Urban Development (HUD) published a final rule on the implementation of a discriminatory effects standard with regard to housing, designed to promote enforcement against housing practices that have an unjustified discriminatory effect,

<http://portal.hud.gov/hudportal/documents/huddoc?id=discriminatoryeffectrule.pdf>. In April 2012, the Equal Employment Opportunity Commission (EEOC) issued guidance, *inter alia*, on the application of disparate impact



analysis in cases involving employer use of arrest and conviction records in employment decisions – decisions that often have a disproportionate impact on racial minorities,

http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm. See also

<http://www.state.gov/documents/organization/210817.pdf>

The Council believes that the application of a disparate impact analysis for criteria which involve decisions as to whether criminal criteria used to evaluate a returning resident's good standing and an applicant's admission is not just appropriate but required by law. If a decision is made that a returning resident is not in good standing then that resident should have the right to employ the formal grievance process to which all public housing residents have access to dispute adverse determinations made by the Housing Authority or in this instance the owner to challenge that determination.

Thus the Council's concern is not just with "public housing issues" but with issues which this Board must be concerned in formulating and executing the fiscal policy of the City- compliance of the City with its obligations under federal fair housing law and because of the treaty obligations of the United States with international law.

These concerns and others related to the "LTA ACOP" as well as concerns related to whether leases and house rules comply with state and federal law remain. These concerns involve issues that the BOE should review. The Council remains committed to meeting with HABC to resolve these issues and we wait for the scheduling of our next meeting to discuss our concerns. For that reason we request the Board continue its oversight and require the Housing Authority and the Department of Housing and Community Development to report on the status of 1259 in sixty days.



MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies
hereinafter named, the Board,
UPON MOTION duly made and seconded,
awarded the formally advertised contracts
listed on the following pages:

2359 - 2365

to the low bidders meeting the specifications,
or rejected bids on those as indicated
for the reasons stated.

The Transfers of Funds were approved
SUBJECT to receipt of a favorable report
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

Item No. 1 and 2 was **DEFERRED** for one week.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Water and Wastewater

1. SC 897R, Improvements to Sanitary Sewers in Greenmount, Hampden, and Bolton Hill Areas in the Jones Falls Sewershed Insituform Technologies, LLC \$17,620,438.20

DBE: AB Construction	\$1,955,800.00	11.1%
A+A Construction & Utilities Sewer Water	1,374,800.00	7.8%
Daco Construction Co.	296,590.00	1.7%
R.E. Harrington Plumbing & Heating	68,100.00	0.4%
Apex Petroleum Corp.	167,028.00	0.9%
Total	\$3,862,318.00	21.9%

DBE: M. Luis	\$1,326,968.00	7.5%
TFE Resources	579,406.00	3.3%
Kennedy Personnel	174,250.00	1.0%
Total	\$2,080,624.00	11.8%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$21,089,335.70	9956-906626-9549	
WW Rev. Bonds	Constr. Res.	
	Rehab Program	
	Jones Falls	
2,169,642.30	9956-906619-9549	
WW Rev. Bonds	Constr. Res.	
\$23,258,978.00	Sewer System	
	Evaluation	
	Prog Low	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

BW&WW - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 1,762,043.50	-----	9956-907643-9551-2 Extra Work
1,762,043.50	-----	9956-907643-9551-3 Engineering
1,057,226.40	-----	9956-907643-9551-5 Inspection
17,620,438.20	-----	9956-907643-9551-6 Construction
<u>1,057,226.40</u>	-----	9956-907643-9551-9 Administrative
\$23,258,978.00		

The funds are required to cover the cost of the award of SC 897R, Improvements to Sanitary Sewers in Greenmount, Hampden, and Bolton Hill Areas in the Jones Falls Sewershed.

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. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

Kim A. Trueheart

June 19, 2013

Board of Estimates
Attn: Clerk
City Hall, Room 204
\$17,620,438.20100 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 Department of Public Works.

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 64, BW & W - SC 897R, Improvements Insituform, if approved:
 - i. This award in the amount of \$17,620,438.20:
 1. Fails to disclose the estimate of the number of jobs anticipated;
 2. Fails to impose the maximum MBE/WBE goals allowable under the current law;
 3. Appears to circumvent competitive procurement procedures and unfairly extends this agreement beyond the original scope of work; adding extensive new work which more appropriately should be competed in a new solicitation to achieve the best value for tax-payer funds.
 - ii. Please provide access to:
 1. The document that provides an estimate of the number of jobs anticipated as a result of this contract award.
 2. The document that provides the justification for sole sourcing this procurement award.
 3. The decision elements used to substantiate a reduction in the maximum MBE/WBE goals allowed.
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 leadership, management and cogent decision making within the Department of Public Works, which potentially cost me and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending, without benefit of local jobs and minority/women contracts.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on June 19, 2013. If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely, Kim Trueheart, Citizen & Resident

Email:ktrueheart@whatfits.net
5519 Belleville Ave
Baltimore, MD 21207

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Water and Wastewater

1. SC 897R, Improvements Insituform \$17,620,438.20

to Sanitary Sewers Technologies,

in Greenmount, Hampden, LLC

and Bolton Hill Areas

in the Jones Falls

Sewershed

MBE: AB Construction \$1,955,800.00 11.1%

A+A Construction & 1,374,800.00 7.8%

Utilities Sewer Water

Daco Construction Co. 296,590.00 1.7%

R.E. Harrington 68,100.00 0.4%

Plumbing & Heating

Apex Petroleum Corp. 167,028.00 0.9%

Total \$3,862,318.00 21.9%

WBE: M. Luis \$1,326,968.00 7.5%

TFE Resources 579,406.00 3.3%

Kennedy Personnel 174,250.00 1.0%

Total \$2,080,624.00 11.8%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. TRANSFER OF FUNDS

AMOUNT FROM ACCOUNT/S TO ACCOUNT/S

\$21,089,335.70 9956-906626-9549

WW Rev. Bonds Constr. Res.

Rehab Program

Jones Falls

2,169,642.30 9956-906619-9549

WW Rev. Bonds Constr. Res.

\$23,258,978.00 Sewer System

Evaluation

Prog Low

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Department of General Services

3.	GS 11867, Oliver Multipurpose Center - Partial Renovations of 2 nd Floor	J.A.K. Construction Company, Inc.	\$ 277,000.00
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MBE:	Couser Supply, Inc.	\$74,790.00	26.97%
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WBE:	Electric Masters Service, Inc.	\$24,930.00	9.00%
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MWBOO FOUND VENDOR IN COMPLIANCE.

A PROTEST WAS RECEIVED FROM WARWICK SUPPLY AND EQUIPMENT CO.

President: "The first item on the non-routine agenda (of agenda 6/19/2013) can be found on page 65, item 3, Oliver Multi-purpose Center partial renovation of second floor. Will the parties please come forward?"

Mr. Tom Corey: Good morning, Mr. President and members of the Board. I am Thomas Corey, Chief of the Minority and Women's Business Opportunity Office. I will let Mr. Cook go first because he's the agency that is moving the contract forward for approval."

Mr. Cook: "Good morning, Mr. President and Honorable members of the Board, my name is Michael Cook, Chief of the Design and Construction Division for General Services. Upon the recommendation of the MWBOO Office that this contract with JAK's is in compliance we - and they are the low bidder. We recommend approval of the contract for JAK."

MINUTES

Ms. Bertazon: "Good morning, I am President of Warwick Supply and Equipment. We were the second bidder on the project and -

President: "Your name."

Ms. Bertazon: "Brigid Bertazon, sorry. And, I have with me Jesse Murphy from JM Murphy Enterprises who was one of the subcontractors that was part of our MBE participation package. Ah, I felt compelled, after I reviewed the actual documents that were submitted by JAK, just to come here and make this a quick and concise speech. They basically submitted as their 27 percent compliance as a trash removal item of \$74,000.00 odd dollars, of which legitimately there may be \$1,000.00 worth of trash removal on this job. The principal items of work based on the City's own letting are installation of doors and frames, accessible chairlift installation, and construction of exterior steel decks and stairs. They have no participation whatsoever in any of those items which is the real work which my understanding is the goal and the ah -- which would make my subcontractors of which I used steel, painting, concrete, drywall, and demolition and Mr. Murphy here is one of them who gave legitimate bids and were doing portions of the real work, denied contracts for a supplier who is supplying dumpsters and removing trash from the site. Mr. Murphy is here. I know it is hard to get into the scope of each project and that's not - it beyond what - you know -- maybe

MINUTES

compliance tries to do but I do know the scope of the work on this project and there is not anywhere close to \$78,000.00 or 74,000.00 worth of work being performed legitimately by a MBE sub on this project. I brought Mr. Murphy because he also bid that portion of the project. In addition, he would be doing the concrete work and his proposal was \$15,000.00."

City Solicitor: "15."

Ms. Bertazon: "Yeah. I would just give him a chance to speak for a second."

Mr. Murphy: "I was invited to come down to sort of --"

President: "You have to state your name, sir."

Mr. Murphy: "Oh, Jesse Murphy, President and owner of J.M. Murphy Enterprises - uh, we did bid the project with Warwick and it is kind of disheartening to come down and have to protest the obvious. Ah, I did not think that supply would be counted as MBE participation and essentially, I just wanted to come down and support this protest because we don't think that's fair."

President: "Okay."

Thomas Corey: "Ah, Thomas Corey, Chief of Minority and Women's Business Opportunity Office, with respect to the - ah, -- saying that this is a supply contract - it is not Couser Supply, the MBE is a service contractor. They are certified to provide trash removal services and also to provide dumpsters and in the

MINUTES

instance of a dumpster if you provide that service - it's a service. So, they are not a supplier."

President: "Okay, go ahead."

Ms. Bertazon: "Well and in summary of that --

President: "You have to talk into the mic."

Ms. Bertazon: "I am sorry and, I agree with that however, this is not a demolition project. This is a construction project with very, very specific structural steel ah - you know an elevator addition and compliance and again I submit that trash removal and dumpster services is not 27% not even close to 27% worth of the work on this project, Thank you."

Mr. Corey: "On that regard, we look at the whether or not they are making the goals. We do not have before us at the time that we do a review an item per item a description of the job. We look to see whether or not they are achieving the goals and if there are any questions about whether or not someone has inflating or padding the contract. We defer to the agency and if the agency says that they are satisfied with the work and the participation of the amount of work that going to be done by the MBES/WBES. We then find them in compliance."

President: "Madam Comptroller."

Comptroller: Mr. Cook when will this work begin?

Mr. Cook: The work will begin within a month.

MINUTES

Comptroller: "Within a month. And, how long do you think it would take to complete the work.

Mr. Cook: The contractors are given 90 days to complete.

Comptroller: Okay. So, Mr. Corey after 90 days could you come back and state whether or not ah -- the supply company was able to provide the service and spent also \$75,000.00.

Mr. Corey: "Yes, we certainly will and this particular instance we are going to make sure and ask for a report at half-way during the contract with copies of cancelled --

Comptroller: "Okay."

Mr. Corey: checks front and back to make sure that the monies promised in this contract is in fact being paid and used by the MBE and WBE. That's the assurances that we are going to make sure that we give to everyone including Warwick Supply."

Comptroller: "Good."

President: "Okay, I will entertain a motion.

City Solicitor: Move for denial of the protest and approval of the recommendation up to where the contractor is proposed by General Services.

Comptroller: "Second."

President: All those in favor say 'AYE' all those opposed 'NAY'. The motion carries.

WARWICK SUPPLY & EQUIPMENT CO., INC.
913 RIDGEBROOK ROAD
SUITE 104
SPARKS, MARYLAND 21152
443-662-9000
443-662-9010 FAX

MDOT WBE NO. 78-055
CITY WBE NO. 88-000112

May 15, 2013

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

RE: Our Estimate No. 2540
Department of General Services, Contract No. GS11867
Oliver Multi-Purpose Center - Partial Renovation of Second Floor

Honorable President & Members of the Board of Estimates:

After reviewing the bid proposals submitted for the above referenced contract, Warwick protests the award to JAK Construction who was the low bidder in the amount of \$277,000.00.

We respectfully submit our observations of their MBE / WBE Participation submittal for your review and necessary action as follows:

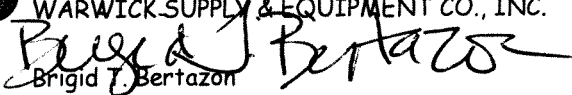
JAK used Couser Supply, Inc. for trash removal / dumpster in the amount of \$74,790.00 for the total 27% MBE Participation. First of all, work to be performed by Couser Supply, Inc. is that of a supplier and not of a Subcontractor. Also, since Couser is a "non-manufacturer", they can only be used for 25% of the goal, thus resulting in considerable short fall of MBE participation. \$74,790.00 is the exact dollar amount needed to meet the goal and is not a legitimate price for the small amount of work involved in trash removal and dumpsters for this project.

Furthermore, JAK used Electric Masters in the amount of \$24,930.00 to meet the entire WBE Goal. Attached is Electric Masters proposal for \$10,340.00 which both Warwick and the other bidder used. The electric portion of this project is very minor and again, there is obvious inflation just to meet the percentage required for WBE Participation.

Per 00300-15 of the specifications, Section 6C, the bidder may only count toward their goal MBE's and WBE's that perform a commercially useful function which means the performance of real work. This contract is an elevator addition; trash removal/dumpsters and electrical work is not 36% of the real work.

In view of the above, we request that the bid of JAK Construction be declared Non-Responsive and the project be awarded to Warwick Supply and Equipment Co., Inc.

Very truly yours,
WARWICK SUPPLY & EQUIPMENT CO., INC.


Brigid J. Bertazon
President



Electric Masters Service, Inc.

Quality Electrical & Cabling Services
Commercial & Government
Electrical Construction
Cabling Specialists
Fiber Optic



To: **WARWICK SUPPLY**

Attention: **DEE**

Phone: 443-662-9000

Fax: 443-662-9010

Date: **APRIL 22, 2013**

Reference: **RENOVATION OF PARTIAL SECOND FLOOR
OLIVER MULTIPURPOSE CENTER**

Dear Sir(s)

Thank you for allowing Electric Masters the opportunity to provide this bid quote to your office.

Electric Masters is a certified WBE/ Minority Electrical Company with the City of Baltimore, and is certified as a MBE/DBE Electrical Contractor for the State of Maryland.

Electric Masters proposes to provide labor and materials to furnish and install the Electrical Systems per drawing E-1 and E-2 dated 4/27/12 , inclusive of the comments noted below and the attached Scope Clarification document, for the amount of :

\$10,340.00 (TEN THOUSAND THREE HUNDRED FORTY DOLLARS) (Plus bond if required)

The attached Scope of Work is part of Electric Masters proposal. Please refer to this attachment for further clarification of details within our proposal. We will honor the price quote included within this proposal for the next 30 days.

Please don't hesitate to call me if you have any questions or need further clarifications about this proposal. Thank you for your consideration, as we look forward to working with you on this project. Thank you.

Respectfully Submitted,

Tim Malstrom
Estimator
Electric Masters Service, Inc.

**ELECTRIC MASTERS SERVICE SCOPE CLARIFICATIONS FOR:
Project Name OLIVER MULTI PURPOSE CENTER**

	INCLUDED	EXCLUDED	COMMENTS
DEMOLITION		X	NOT SHOWN ON THE ELECTRICAL DRAWINGS
TEMPORARY POWER		X	USE EXISTING OUTLETS
TEMPORARY LIGHTING		X	USE EXISTING LIGHTING
NEW LIGHT FIXTURES	X		TWO TYPE A LIGHT FIXTURES
NEW ELECTRICAL PANELS		X	TWO 20A 1 POLE CIRCUIT BREAKERS IN EXISTING PANEL.
FIRE ALARM SYSTEM MODIFICATIONS		X	NOT SHOWN ON THE ELECTRICAL DRAWINGS
DISCONNECTS, MOTOR STARTERS	X		ONE 30A 2 POLE FOR WHEELCHAIR LIFT
TERMINATE POWER CONNECTIONS FOR EQUIPMENT	X		MAKE ELECTRICAL CONNECTION TO WHEELCHAIR LIFT
FIRESTOPPING	X		FOR ELECTRICAL PENETRATIONS
ELECTRICAL CONNECTION AT ONE SHUTTER	X		SHUTTER FURNISHED AND INSTALLED BY OTHERS
ACCESS CONTROL CONDUITS		X	NOT SHOWN ON THE ELECTRICAL DRAWINGS
CCTV CONDUITS		X	NOT SHOWN ON THE ELECTRICAL DRAWINGS
LOW VOLTAGE SYSTEMS EQUIPMENT, DEVICES, & CABLING		X	TO BE COMPLETED BY OTHERS
ROOF PENETRATIONS AND PITCH POCKETS		X	NOT INCLUDED IN THE BID
TRENCHING AND BACKFILLING FOR DUCTBANK		X	
OVERTIME		X	ALL WORK BASED ON REGULAR WORKING HOURS
CLEAN UP DEBRI TO GC'S ON SITE DUMPSTER	X		OF ELECTRICAL DEBRI
DISPOSAL/RECYCLING OF REMOVED MATERIALS		X	NO ALLOWANCE INCLUDED
ELECTRICAL & FIRE ALARM PERMIT		X	
CORE DRILLING		X	
POURED CONCRETE EQUIPMENT PADS		X	
CUTTING, PATCHING, PAINTING OF			
WALLS, FLOORS, ROOF, SIDEWALK, ROADWAY		X	
BOND		X	ADDITIONAL IF REQUIRED
THIS QUOTE IS BASED ON INSTALLING M/C CABLE FOR ALL POWER AND LIGHTING CIRCUITS WHERE ALLOWED BY CODE & AS NOTED IN THE SPECIFICATIONS	X X X		

CONTRACT NO. GS 11867

PART B: MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT

COMPLETE A SEPARATE FORM FOR EACH MBE AND WBE NAMED IN THIS BID.

(Make additional copies of this form as needed.)

PART A: INSTRUCTIONS MUST BE REVIEWED BEFORE COMPLETING THIS FORM, WITH PARTICULAR ATTENTION PAID TO SECTIONS 2, 6a, AND 6e.

Name of Prime Contractor: WARDWICK SUPPLY
Name of MBE or WBE: ELECTRIC MASTERS SERVICE, INC

Brief Narrative Description of the Work/Service to be performed by MBE or WBE:
Light electrical modifications

Materials/Supplies to be furnished by MBE or WBE:
conduit, wire, fixtures

Subcontract Amount: \$ 10,390.00 (If this is a requirements contract, the subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 3.0 %

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

African American..... % Asian American... %
Hispanic American.... % Native American. %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore. The subcontractor is currently certified as an MBE or WBE with the City of Baltimore Minority and Women's Business Opportunity Office to perform the work described above.

[Signature] Signature of Prime Contractor (REQUIRED) 4/24/13 Date
[Signature] Signature of MBE or WBE (REQUIRED) 4/22/13 Date

ANY CHANGES TO THE INFORMATION ON THIS FORM MUST BE INITIALED BY BOTH PARTIES

CONTRACT NO. GS 11867

PART B: MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT

COMPLETE A SEPARATE FORM FOR EACH MBE AND WBE NAMED IN THIS BID.

(Make additional copies of this form as needed.)

PART A: INSTRUCTIONS MUST BE REVIEWED BEFORE COMPLETING THIS FORM, WITH PARTICULAR ATTENTION PAID TO SECTIONS 2, 6a, AND 6e.

Name of Prime Contractor: E. PIKOYNIS
Name of MBE or WBE: ELECTRIC MASTERS SERVICE, INC

Brief Narrative Description of the Work/Service to be performed by MBE or WBE: Light electrical modifications

Materials/Supplies to be furnished by MBE or WBE: conduit, wire, fixtures

Subcontract Amount: \$ 10,340.00 (If this is a requirements contract, the subcontract amount may be omitted; however, the subcontract percentage must be included.)

Subcontract percentage of total contract: 3.4 %

(If MBE sub-goals apply, please indicate the sub-goal covered by this Statement of Intent.) WBE 3.4

African American..... 0 % Asian American... 0 %
Hispanic American.... 0 % Native American. 0 %

The undersigned Prime Contractor and subcontractor agree to enter into a contract for the work/service indicated above for the dollar amount or percentage indicated to meet the MBE/WBE participation goals, subject to the prime contractor's execution of a contract with the City of Baltimore. The subcontractor is currently certified as an MBE or WBE with the City of Baltimore Minority and Women's Business Opportunity Office to perform the work described above.

Signature of Prime Contractor (REQUIRED) [Signature] Date 04/24/13

Signature of MBE or WBE (REQUIRED) [Signature] Date 4/22/13

ANY CHANGES TO THE INFORMATION ON THIS FORM MUST BE INITIALED BY BOTH PARTIES

MINUTESDepartment of Real Estate - Interdepartmental Lease Renewals

The Board is requested to approve the renewal of interdepartmental leases between the Department of General Services, Landlord, and the Department of Housing and Community Development, Tenant. The period of the lease renewal is July 1, 2013 through June 30, 2014.

	<u>Property Address</u>	<u>Annual Rent</u>	<u>Monthly Installment</u>
1.	3939 Reisterstown Rd. Suite 206	\$41,680.87	\$3,473.41

The tenant will rent approximately 5,929 square feet of space.

2.	5225 York Road, Lower Level	\$28,305.00	\$2,358.75
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The tenant will rent approximately 3,825 square feet of space.

Account: 1001-000000-5832-412800-603096

BACKGROUND/EXPLANATION:

The tenant will be using the above-listed leased premises as office space for the operation of the Code Enforcement Offices.

The landlord will be responsible for maintaining the interior common areas and the exterior of the building, janitorial and pest control services, and provide and pay for all utilities. The tenant will be responsible for its operation, cost of improvements, telephone, and computer services, and provide security to the leased premises.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of interdepartmental leases between the Department of General Services, Landlord, and the Department of Housing and Community Development, Tenant for the aforementioned properties.

MINUTESDepartment of Real Estate - Interdepartmental Lease Renewals

The Board is requested to approve the renewal of interdepartmental leases between the Department of General Services, Landlord, and the Department of Transportation, Tenant. The period of the lease renewal is July 1, 2013 through June 30, 2014.

	<u>Property Address</u>	<u>Annual Rent</u>	<u>Monthly Installment</u>
1.	414 N. Calvert St.	\$162,191.70	\$13,515.98

The tenant will rent approximately 11,430 square feet of space. The leased premise will be used as office space for the operation of the Department's Traffic and Management Center.

2.	510 Fallsway	\$ 93,220.20	\$ 7,768.35
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The tenant will rent approximately 16,470 square feet of space. The leased premise will be used office space for the operation of the Department's Survey and Records Office.

Account: 1001-000000-2301-248700-603096

BACKGROUND/EXPLANATION:

The landlord will be responsible for maintaining the interior common areas and the exterior of the building, janitorial and pest control services, and provide and pay for all utilities. The tenant will be responsible for cost of improvements, its operation, telephone and computer services, and provide security to the leased premises.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of interdepartmental leases between the Department of General Services, Landlord, and the Department of Transportation, Tenant for the aforementioned properties.

MINUTESDepartment of Real Estate - Interdepartmental Lease Renewal**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the interdepartmental lease between the Department of General Services, Landlord, and the Mayor's Office of Information Technology (MOIT), Tenant, for rental of the property known as 401 E. Fayette Street, being on the Lower Level 2 (Computer Training) 2nd, 3rd and 4th floors, containing 28,353 square feet of space. The period of the lease renewal is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$199,605.12	\$16,633.76

BACKGROUND/EXPLANATION:

On October 3, 2012 the Board approved the lease for one year with an option to renew for five 1-year renewal periods. MOIT will exercise its first one year renewal option. All other terms and conditions of the agreement will remain unchanged.

UPON MOTION duly made and seconded, the Board approved the renewal of the interdepartmental lease between the Department of General Services, Landlord, and the Mayor's Office of Information Technology (MOIT), Tenant, for rental of the property known as 401 E. Fayette Street, being on the Lower Level 2 (Computer Training) 2nd, 3rd and 4th floors, containing 28,353 square feet of space.

MINUTES

Department of Real Estate - Estoppel Certificate

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Estoppel Certificate on behalf of Russell Street Data Center, LLC, tenant, of parking consisting of approximately 1,960 feet under the Russell Street viaduct directly adjacent to 1401 Russell Street.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On October 10, 2001, the Board approved a lease agreement with 1401 Fiber Group, LLC. On November 2, 2005, the Board approved a landlord's consent, Assignment of Lease Agreement with 1401 Fiber Group, LLC and Russell Street Data Center, LLC. Also, on July 2, 2011 the Board approved a Renewal Lease agreement with the City and Russell Street Data Center, LLC for their second renewal option for five years, which terminates October 15, 2015.

The tenant has requested an Estoppel Certificate. Under this Estoppel Certificate, the City, acknowledges that (a) TierPoint Maryland, LLC, a Delaware limited liability company, buyer, may acquire Russell Street Data Center, LLC, a Maryland limited liability company, tenant. The landlord and tenant as successors in interest to 1401 Fiber Group, LLC by assignment and assumption to lease agreement are parties to a certain lease dated October 10, 2011, (the lease), whereby the tenant leases certain real property directly adjacent to 1401 Russell Street, Baltimore, MD from landlord. The lease is in full force and effect and has not been further amended, modified, supplemented, or suspended.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Estoppel Certificate on behalf of

MINUTES

Department of Real Estate -

Russell Street Data Center, LLC, tenant, of parking consisting of approximately 1,960 feet under the Russell Street viaduct directly adjacent to 1401 Russell Street.

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

The Board is requested to approve and authorize execution of the lease agreement with Jonathan Latiano, lessor, for the rental of property located at 1427 Light Street, known as School 33, Studio #105. The period of the lease agreement is April 01, 2013 through March 31, 2014, and will renew automatically for one additional year upon expiration.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$3,900.00	\$ 325.00

BACKGROUND/EXPLANATION:

The demised premises will be used as an artist studio. The City is responsible for heat, electricity, and water. The lessee is responsible for content insurance, janitorial, trash receptacles, and security. The lease may be terminated by the City during the original term and renewal term by giving a 60-days notice to lessee. The City is responsible for heat, electricity, and water. The lease agreement is late because of delays in getting the lessees signature and notary.

The Space Utilization Committee approved this lease agreement on June 11, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Jonathan Latiano, lessor, for the rental of property located at 1427 Light Street, known as School 33, Studio #105.

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

The Board is requested to approve and authorize execution of a lease agreement with the State of Maryland, Maryland Transit Administration (MTA), lessee, for the rental of a portion of the property located at 801 E. 25th Street, consisting of approximately 28,000 square feet of unpaved land. The period of the lease is July 1, 2013 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$13,450.00	\$1,120.83

BACKGROUND/EXPLANATION:

The demised premises will be used by the MTA for surface parking in order to accommodate its construction trailers, employees, guests, and invitees, during the renovation of the Kirk Avenue Bus Division.

The City will be responsible for maintaining liability insurance under its self-insured program. The lessee will be responsible for maintaining the demised premises, in first class condition and repair at its sole cost and expense. The lessee will comply with all related laws, ordinances, rules, and regulations of governmental authorities. The lessee will return the land to its original unimproved state upon lease termination. The Space Utilization Committee approved the lease on June 11, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with the State of Maryland, Maryland Transit Administration (MTA), lessee, for the rental of a portion of the property located at 801 E. 25th Street, consisting of approximately 28,000 square feet of unpaved land.

MINUTES

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Mt. Olive Holy Evangelistic Church, Inc., landlord, for the rental of approximately 330 square feet of space located at 3816 Edmondson Avenue. The period of the agreement is May 1, 2013 through April 30, 2015, with an option to renew for one additional 2 year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$4,200.00	\$350.00

Account: 5000-586213-1191-594400-603013

BACKGROUND/EXPLANATION:

The City will use the leased premises for office space in conjunction with the Mayor's Office of Human Services Community Action Partnership to provide support for Community Action Services to low-income persons and families. The hours of operation will be Tuesday only from 8:30 a.m. to 4:30 p.m., one day a week.

The landlord will be responsible for janitorial services, trash removal, electricity, water and snow removal and provide Human Services Workers with access to the facility, provide access to their wireless network at no additional charge. The Site Manager for the landlord will be responsible for coordinating the provision of the services with the designated Community Action Center Manager and provide a copy machine at no additional charge.

The tenant will be responsible to provide and maintain its computers and telephone system, notify the landlord when they will not be operating with two weeks notice if possible, provide Community Action Services to low-income clients, refer clients to other agencies for additional help if needed, see returning

MINUTES

Space Utilization Committee - cont'd

clients and assist and act as a liaison between the Mayor's Office of Human Services of Community Action Partnership and Mt. Olive Holy Evangelistic Church and provide liability insurance.

The agreement is late because of delays in negotiations.

The Space Utilization Committee approved this lease at its meeting on June 11, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Mt. Olive Holy Evangelistic Church, Inc., landlord, for the rental of approximately 330 square feet of space located at 3816 Edmondson Avenue.

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

The Board is requested to approve and authorize execution of a lease agreement with Friends of President Street Station, Inc. for the rental of 801 Fleet Street, known as the President Street Station. The period of the lease agreement is July 01, 2013 through June 30, 2014, with five additional one-year renewal options.

AMOUNT OF MONEY AND SOURCE:

\$1.00 (Annually, if demanded)

BACKGROUND/EXPLANATION:

The Department of General Services desires to enter into a lease agreement with Friends of the President Street Station, Inc. The Friends of President Street Station will be volunteering their services for the historical preservation of the Civil War Museum. The Department of General Services will be responsible for maintaining the property. The Friends of President Station will be responsible for the security costs of the property and will share 50% of the proceeds from the donations they receive from the public. These proceeds will go toward the utility and maintenance cost of the building. The lease agreement is late because of administrative issues.

The Space Utilization Committee approved this Lease Agreement at its meeting on June 11, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Friends of President Street Station, Inc. for the rental of 801 Fleet Street, known as the President Street Station.

MINUTESSpace Utilization Committee - Amendment to Sublease**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to sublease with The United Way of Central Maryland, Inc., sublandlord, for the rental of a portion of the property known as Bank of America Center, located at 100 S. Charles Street, consisting of approximately 3,104 square feet. The amendment will extend the agreement through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$43,145.60	\$3,595.47

Account: 4000-486314-6051-452210-603013

BACKGROUND/EXPLANATION:

On June 13, 2012, the Board approved a lease agreement with The United Way of Central Maryland, Inc. The amendment to the sublease is for the extension of the agreement for one year through June 30, 2014.

The rental will remain the same as in the original agreement.

All other rental conditions and provisions of the lease agreement, dated June 13, 2012, will remain in full force and effect. The Space Utilization Committee approved this amendment to sublease agreement on June 11, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to sublease with The

MINUTESSpace Utilization Committee- cont'd

United Way of Central Maryland, Inc., sub-landlord, for the rental of a portion of the property known as Bank of America Center, located at 100 S. Charles Street, consisting of approximately 3,104 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 Creative City Charter Public School, Inc., tenant, for the rental of a portion of the property at 2810 Shirley Avenue, consisting of approximately 33,200 square feet. The period of the lease agreement will commence upon Board approval for five years thereafter.

AMOUNT OF MONEY AND SOURCE:Annual Rent

\$1.00 Year 1 - 5(Annually, if demanded)

BACKGROUND/EXPLANATION:

The property will be used for a charter elementary school beginning with kindergarten to Grade 5, to be known as Creative City Public School Charter, Inc. The tenant will take the building in "as is" condition. They will also provide all equipment necessary for the operation by tenant's programs. In addition, the tenant will abide by all State and Federal guidelines required to operate a Charter School; as well as, be responsible for utilities, interior and exterior painting, door upgrades, repair/replacement of ceiling tiles, alarm system, janitorial trash removal, and pest control. The tenant will be responsible for Capital Improvements and all routine maintenance and emergency maintenance, insurance, removal of graffiti, grass cutting, and landscaping, and snow removal. The tenant will also be responsible for furnishing maintenance and repairs to the upkeep of the outside playground area including removal of trash, snow, and debris. ADA compliance will be the responsibility of the tenant. For Year 1 and 2 the landlord will pay up to \$25,000.00 towards maintenance and repairs per year. Anything above the \$25,000.00 will be the responsibility of the tenant.

The Space Utilization Committee approved this lease agreement on June 14, 2013.

MINUTES

Space Utilization Committee- cont'd

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. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Creative City Charter Public School, Inc., tenant, for the rental of a portion of the property at 2810 Shirley Avenue, consisting of approximately 33,200 square feet.

Kim A. Trueheart

June 18, 2013

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 school age children of Baltimore City who appear to be victims of a lack of vision, poor fiscal planning and management and a complete failure to provide transparent communications about priorities and outcomes by the Baltimore City Board of School Commissioners.

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 77, Space Utilization Committee - Lease Agreement, if approved:
 - i. Please provide for inspection the Lease Agreement;
 - ii. This agreement appears to establish a set of disparate guidelines for Charter Schools occupying Baltimore City owned facilities;
 1. Please provide for inspection documents detailing for guidelines for Charter Schools occupying Baltimore City owned facilities:
 - iii. This agreement appears to contradict recently approved School Board policy concerning "use of school facilities" and should reference that newly approved policy.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden will be exacerbated by the continued wasteful spending by the Baltimore City Board of School Commissioners which is NOT adequately serving the educational needs of the children in my neighborhood nor the other 85,000 students enrolled in the BCPSS.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on June 19, 2013.

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

Sincerely,
Kim Trueheart
Citizen

5519 Belleville Ave
Baltimore, MD 21207

MINUTES**PROPOSAL AND SPECIFICATIONS**

1. Department of Transportation - TR 11313, Kent Street Transit Plaza and Pedestrian Corridor
BIDS TO BE RECV'D: 07/17/2013
BIDS TO BE OPENED: 07/17/2013

2. Department of General Services - GS 11804, Renovations to Engine House 53
BIDS TO BE RECV'D: 07/31/2013
BIDS TO BE OPENED: 07/31/2013

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

* * * * *

President: A reminder that the Board is scheduled to hold a public hearing for proposed water and sewage rate increases on Wednesday, June 26, 2013 at 9:00 a.m. There being no more business before this Board, the meeting will recess until bid opening at twelve noon."

* * * * *

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Dept. of Transportation - TR 11320, Greyhound Intermodal Terminal, 2110 Haines Street
BIDS TO BE RECV'D: 06/26/2013
BIDS TO BE OPENED: 06/26/2013

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

Bureau of Water and Wastewater - SC 906, Improvements to the Sanitary Sewers in the West Baltimore Region of High Level Sewershed Collection System, Sewer Rehabilitation

Inland Waters Pollution Control, Inc.
 Metra Industries
 Sak Construction
 Spiniello
 AM-Liner East, Inc.

MINUTES

Bur. of Water and Wastewater - SC 915, Improvements to at
Primary Settling Tank No. 11
Back River Wastewater
Treatment Plant

Ulliman Schutte Construction,
Inc.
MEB General Contractors, Inc.
W.M. Schlosser Co., Inc.

Bureau of Purchases B50002931, Furnish and
Deliver Aggregate Materials

C.D. Thomas Co., Inc.
Patuxent Materials, Inc.
P. Flanigan & Sons, Inc.
P&J Contracting co.

Bureau of Purchases B50002948, Data Center
Collocation

Baltimore Technology Park

Bureau of Purchases B50002973, General Bus
Transportation - Charter

NO BIDS RECEIVED

Bureau of Purchases B50002998, Sprinter Vans

Baltimore Freightliner
Contemporary Motor Car
American Truck & Bus, Inc.

