

MINUTES**REGULAR MEETING**

Bernard C. "Jack" Young, President
Stephanie Rawlings-Blake, Mayor
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 would direct the Board members attention to the memorandum from my office dated August 19, 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 of the items on the routine agenda."

Comptroller: "Second."

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

The Motion carries. The routine agenda items have been adopted.

MINUTES

BOARDS AND COMMISSIONS1. 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:

Big Boss Construction, LLC	\$	144,000.00
Fast and Neat Painting Company	\$	252,000.00
Gill-Simpson, Inc.	\$	91,350,000.00
Horton & Barber Construction Services, LLC	\$	1,080,000.00
Lee's Electrical Contracting, Inc.	\$	1,500,000.00
M.C. Dean, Inc.	\$	436,635,000.00
PC Construction Company	\$	643,365,000.00
Skanska USA Civil Northeast, Inc.	\$	4,072,572,000.00
US Modular Group East, Inc.	\$	2,934,000.00
Wohlsen Construction Company	\$	203,337,000.00

MINUTES

BOARDS AND COMMISSIONS - cont'd2. 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:

AD Engineering, Inc.	Engineer
Celadon Technologies, LLC	Engineer
Foundation Test Group	Engineer
IMS Engineers	Engineer
Michael Baker Jr., Inc.	Architect Engineer Landscape Architect Land Survey
National Consulting Engineers	Engineer
Poole Design, LLC	Landscape Architect
RJM Engineering, Inc.	Engineer
URS	Architect Engineer Landscape Architect Land Survey

There being no objection, the Board, UPON MOTION duly made and seconded, approved the prequalification of contractors and architects and engineers.

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 35** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on July 17, 24, and July 31, 2013.

UPON MOTION duly made and seconded, the Board **NOTED** the 35 favorable reports on Transfers of Funds previously approved.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3251 - 3254

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.

The Mayor **ABSTAINED** on item 6.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
1. \$ 160,000.00	9916-904845-9194	9916-902813-9197
5 th Public Bldg. Loan	Capital Constr. & Maint. - Res.	Northwest Community Action Ctr. - Active

The concrete and stone retaining walls at the Community Center located at 3939 Reisterstown Road are in poor condition and need to be rehabilitated in order to provide a safe environment for the public and City employees.

2. \$ 125,000.00	9916-904845-9194	9916-906936-9197
3 rd Public Bldg. Loan	Capital Constr. & Maint. - Res.	Warrant Task Force Roof - Active

The existing roof at the WATF facility has been leaking and repaired quite a few times. It is now beyond any normal repairs and needs replacement.

Department of Housing and Community Development (DHCD)

3. \$ 465,312.00	9910-915021-9588	9910-901933-9587
MCC Revenue	Uplands Program Income Account	Uplands Redevelopment
18,110.00	9910-905733-9588	9910-907994-9587
<u>Other Fund Rev.</u>	Uplands Other Revolving Master	Special Capital Projects - Reserve
\$ 483,422.00		

This transfer of appropriations is necessary to reduce appropriation balances for the Uplands Program Income Account and for the Uplands Other Revolving Master Account to reflect the correct amounts required by the projects. Appropriations are being moved back to the respective reserve accounts from which they originally came.

MINUTES**TRANSFERS OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD</u> - cont'd			
4.	\$ 380,143.32	9910-995001-9587	9910-906011-9588
	28 th CDB	Unallocated Res. HCD	Emp. Home Buying Assistance
	7,531.93	9910-907436-9588	" "
	27 th CDB	Patterson Park Homeownership I	
	22,218.07	9910-907436-9588	" "
	26 th CDB	Patterson Park Homeownership I	
	5,139.66	9910-907406-9588	" "
	25 th CDB	Patterson Park Intervention	
	13,550.72	9910-907406-9588	" "
	27 th CDB	Patterson Park Intervention	
	18,034.12	9910-907406-9588	" "
	24 th CDB	Patterson Park Intervention	
	50,000.00	9910-905614-9588	" "
	26 th CDB	Poverty Solutions	
	71,000.00	9910-903949-9587	" "
	<u>21st EDB</u>	Somerset Court Demolition-Res.	
	\$ 567,617.82		

This transfer will provide appropriations to support loans made through the Employees Home Buying Assistance Program.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD</u> - cont'd		
5. \$ 255,046.00	9910-922012-9587	9910-915631-9588
Gen. Funds	Whole Block Demo.	Whole Block Op.
Revenue	Reserve	Cost - Demo
424,212.00	9910-922012-9587	9910-910632-9588
Gen. Funds	Whole Block Demo.	Whole Block Op Cost
Revenue	Reserve	Acquisition/ Relocation
2,450,410.00	9910-922012-9587	9910-910633-9588
Gen. Funds	Whole Block Demo.	Whole Block Demo
Revenue	Reserve	
810,000.00	9910-922012-9587	9910-910633-9588
31 st CDB	Whole Block Demo.	Whole Block Demo
	Reserve	
1,755,606.00	9910-922012-9587	9910-910634-9588
Gen. Funds	Whole Block Demo.	Whole Block
<u>Revenue</u>	Reserve	Acquisition/ Relocation
\$5,695,274.00		

This transfer will provide appropriations approved in the FY2014 Ordinance of Estimates supporting the Whole Block Demolition Program.

Baltimore Development Corporation (BDC)

6. \$ 100,000.00	9910-904115-9600	9910-905829-9603
22 nd EDF	Westside	Westside Façade
	Initiative -	Initiative
	Constr. Res.	

This transfer will provide funds to the Downtown Partnership of Baltimore per the Grant Agreement between the City, Downtown Partnership, and the BDC approved in

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BDC</u> - cont'd		
<p>July 2010, as amended to administer a Façade Improvement Grant Program. The funding will be used to support the continuance of the existing program which makes façade grants to businesses with matching requirements. The program targets commercial and mixed-use properties in traditional retail commercial corridors within the boundaries of the Westside Initiative.</p>		
(FILE NO. 56327)		
7. \$ 39,000.00	9910-910024-9600	9910-902879-9601
24 th EDF	Public Markets	Commercial
	Constr. Res.	Revitalization

The transfer will provide funds to the Baltimore Public Markets who contracted with Brown, Craig and Turner to provide full service landscape architecture and building engineering services for renovation work.

The scope of work included demolition of the façade on Monument Street and replacing it with a more modern brick front that conforms to the surrounding architectural designs. Other improvements include painting the interior of the market, new energy efficient lighting throughout, total renovations to four merchant stalls and complete renovations to the customer seating area.

MINUTES

Mayor's Office of - Amendatory Agreement No. 1
Human Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the amendatory agreement no. 1 with the Johns Hopkins University/ Johns Hopkins Center for Injury Research Policy (JHCIRP). This amendment extends the period of the agreement through October 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 4000-486313-6051-452200-603020

BACKGROUND/EXPLANATION:

On April 10, 2013, the Board approved the agreement with the JHCIRP to work in partnership with the Baltimore City Head Start Program to develop plans for enhancing injury prevention activities in Head Start Centers throughout the City.

This no-cost amendatory agreement no. 1 will extend the period of the agreement through October 31, 2013. The contractor was unable to provide services during the time allotted and has requested an additional four months to complete the project.

APPROVED FOR FUNDS BY FINANCE**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendatory agreement no. 1 with the Johns Hopkins University/Johns Hopkins Center for Injury Research Policy. The President **ABSTAINED**.

MINUTES

Mayor's Office of - Notice of Award
Human Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the notice of award (NOA) for the Head Start Program from the U.S. Department of Health and Human Services (DHHS), Administration for Children and Families. The period of the grant is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$28,795,455.00 - 4000-486314-6051-180700-404001

BACKGROUND/EXPLANATION:

Under the terms of this NOA, the funds will be used to support Head Start and Early Head Start services to 3,391 preschool age children and 176 infants, toddlers, and pregnant women in Baltimore City.

The NOA is late because it was recently received from the DHHS.

APPROVED FOR FUNDS BY FINANCE

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

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 notice of award for the Head Start Program from the U.S. Department of Health and Human Services, Administration for Children and Families.

Kim A. Trueheart

August 20, 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 citizens of the Baltimore City who appear to be victims of a lack of vision, poor fiscal planning and management and failure to capitalize on strategic investment opportunities in our youth by the Mayor of Baltimore City and the various Departments and Agencies.

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. Pages 10, Mayor's Office of Human Services (MOHS) Notice of Award (NOA) for the Head Start Program, if approved:
 - i. Fails to provide assurances that MOHS has corrected problems in administering \$9.5M in federal grants, as noted in November 2012 by HUD: "The U.S. Department of Housing and Urban Development audit found that city officials did not understand their responsibilities and did not develop a plan before rapidly awarding money ..."
3. How the protestant will be harmed by the proposed Board of Estimates' action: The MOHS continues to demonstrate an inability to administer the City's Homeless Services Program and based on the BAD outcomes from that program, they should NOT be entrusted with \$28M in HSS Head Start funding for our children. The critical need being filled by this funding will, if properly administered, give our early learners a tremendous lift in developing the skills to learn and master critical skills that are foundational to their academic future. The risk for over 3,300 children is too high to allow this money to be mismanaged by MOHS.
4. The remedy I seek and respectfully request is that this action be delayed until MOHS present a program plan that has been endorsed by the Head Start Policy Council.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 21, 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

MINUTES

Police Department - Professional Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a professional services agreement with Mr. Frank C. Meyer. The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$36,000.00 - 6000-611213-2013-197500-603026

BACKGROUND/EXPLANATION:

Mr. Meyer provided exemplary training to the Department from 2012 through 2013. This renewal agreement includes the administration of legal training program at the Baltimore Police Department's Education and Training Section with a primary teaching focus on in-service and recruit training. The training curriculum will be coordinated with the Director of Education and Training and the Office of the State's Attorney for Baltimore City. The training will focus on criminal procedure, criminal law, and Constitutional Law (Fourth and Fifth Amendments). The training commitment may include periodic projects at the discretion of the Director of Education and Training. It is anticipated that the training commitment will be 16 hours per week over a 45-week schedule. Mr. Meyer will be responsible for providing all instructors and subject matter experts to provide training modules.

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 professional services agreement with Mr. Frank C. Meyer.

MINUTESPolice Department - Grant Award and a Grant Adjustment Notice

The Board is requested to approve acceptance of a grant award and a grant adjustment notice.

GRANT AWARD

1. **GOVERNOR'S OFFICE OF CRIME** **\$34,500.00**
CONTROL AND PREVENTION (GOCCP)

Account: 5000-598114-2252-688000-600000

The GOCCP has awarded a grant entitled "SART Vertical Advocacy." The Mayor's Office on Criminal Justice "SART Vertical Advocacy" project assists in developing and implementing strategies specifically intended to provide assistance to sexual assault victims. The funds will be used for a Victim Advocate position that will provide crisis response, support, and advocacy to victims of sexual assault. The period of the grant is October 1, 2013 through June 30, 2014.

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

GRANT ADJUSTMENT NOTICE (GAN)

2. **MARYLAND EMERGENCY MANAGEMENT** **\$ 0.00**
AGENCY (MEMA)

On February 23, 2011, the Board authorized acceptance of a Memorandum of Agreement for the 2010 Urban Area Security Initiative (UASI). The FY10 UASI is intended to help strengthen the nation and Maryland against risks associated with potential terrorist attacks, and focuses on developing integrated systems for prevention, protection, response, and recovery. The GAN is a no-cost extension which extends

MINUTES

Police Dept. - cont'd

the award period through July 31, 2013. All other terms and conditions of the grant will remain unchanged.

AUDITS NOTED THE NO-COST TIME EXTENSION.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the grant award and the grant adjustment notice.

MINUTESLaw Department - Claim Settlement Agreement and Release

The Board is requested to approve the claim settlement agreement and release for the following claim. The settlement has been reviewed and approved by the Settlement Committee of the Law Department.

1. Lola Freeze v. Mayor & City Council of Baltimore, et al. \$80,000.00

Account: 2044-000000-1450-532446-603070

UPON MOTION duly made and seconded, the Board approved and authorized execution of the claim settlement agreement and release for the aforementioned claim.

MINUTES

Department of Housing and - Community Development Block Grant
Community Development (CDBG) Agreements

The Board is requested to approve and authorize execution of the following CDBG agreements:

1. **COMMUNITY MEDIATION PROGRAM, INC.** **\$ 26,420.00**

Account: 2089-208914-5930-425926-603051

The organization will work to reduce interpersonal and community violence by utilizing non-violent conflict resolution strategies in providing free conflict resolution and mediation services to low and moderate-income persons in Baltimore City. The period of the agreement is July 1, 2013 through June 30, 2014.

2. **LIVING CLASSROOMS FOUNDATION, INC.** **\$380,480.00**

Account: 2089-208914-5930-424964-603051

The organization will train Project SERVE members to clean and occasionally board a minimum of 4,000 vacant properties within predetermined eligible code enforcement areas of the City under the direction and control of the Department of Public Works (DPW), Bureau of Solid Waste. The DPW will provide all Service Requests to the organization and oversee each completed Service Request for satisfactory compliance with City procedures and codes. The period of the agreement is July 1, 2013 through June 30, 2014.

MWBOO GRANTED A WAIVER.

On June 26, 2013, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2013 Annual Action Plan for the following formula programs:

MINUTES

DHCD - cont'd

1. Community Development Block Grant (CDBG)
2. HOME Investment Partnership Act (HOME)
3. Emergency Solutions Grant (ESG)
4. Housing Opportunity for People with AIDS (HOPWA)

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2013 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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 aforementioned CDBG agreements. The Mayor **ABSTAINED** on item No. 2. The President **ABSTAINED** on item No. 2.

Kim A. Trueheart

August 20, 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 citizens of the Baltimore City who appear to be victims of poor fiscal administration and management by the Mayor of Baltimore City and the various Departments and Agencies.

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 15, Item #2, Department of Housing and Community Development, Community Development Block Grant, (CDBG) Agreements - LIVING CLASSROOMS FOUNDATION, INC., if approved:
 - i. The agreement appears to again provide funding to the most politically entrenched organization that allegedly services underserved residents of Baltimore;
 - ii. The action fails to provide details of quantifiable outcomes and/or measures of effectiveness for this non-profit which should substantiate awarding these funds;
 - iii. The management practices of this politically entrenched organization display a clear and intentional disdain for unencumbered ethical board management that avoids impressions of perceived conflicts or actual conflicts of interests.
 - iv. Please provide access to the agreement for inspection.
3. How the protestant will be harmed by the proposed Board of Estimates' action: While the work to be performed is welcomed in the underserved communities of my home town, it appears that Living Classrooms Foundation has been preselected to provide this needed service and yet most of the procurement policies seem to have been waived, without substantiating justification. This pre-selection and waiving of normal contractual protocols is concerning and leads me to believe that my tax dollars are NOT being spent in the most beneficial manner. As a citizen I am significantly impacted by our underserved youth, who because they observe the lack of concern for and investment in their well being, make everyday life choices which often result in grave harm to others, as evidenced by my own family tragedies.
4. The remedy I seek and respectfully request is that this agreement NOT be awarded and this opportunity be solicited in an open and competitive bid process. Additionally, I

Email: ktrueheart@whatfits.net

5519 Belleville Ave
Baltimore, MD 21207

request that this item be referred to the Inspector General to investigate the possible ethical failings and conflicts of interest present in the management and operations of the Living Classroom Foundation and its entanglements with numerous Baltimore City officials.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 21, 2013.

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

Sincerely, Kim Trueheart, *Citizen & Resident*

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Ms. Rebecca Eisen, developer, for the sale of the City-owned properties located at 1807 and 1809 Barclay Street.

AMOUNT OF MONEY AND SOURCE:

\$3,000.00 - 1807 Barclay Street
3,000.00 - 1809 Barclay Street
\$6,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

Ms. Eisen will purchase the vacant row houses known as 1807 and 1809 Barclay Street from the City for rehabilitation and consolidation as her primary residence. The properties are located within the Greenmount West Community. The purchase price and improvements to the site will be funded through an M&T Bank loan.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW PRICE DETERMINED BY THE WAIVER VALUATION PROCESS:

The waiver valuation process was used to determine the price for each property at \$5,000.00. The properties are being sold to Ms. Eisen for less than that waiver valuation price because of the following reasons:

1. the renovations will be a specific benefit to the immediate community,
2. the renovations will eliminate blight from the block and thus eliminate blight from the neighborhood,
3. this sale and rehabilitation will return the vacant buildings to the tax rolls of Baltimore City, and

MINUTES

DHCD - cont'd

4. the properties are being sold for less than the value determined by the waiver valuation process because the condition of the buildings will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Ms. Rebecca Eisen for the sale of the City-owned properties located at 1807 and 1809 Barclay Street.

MINUTES

Department of Housing and Community Development - Land Disposition Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with A New Door Developing, LLC, developer, for the City-owned properties known as 1211, 1213 and 1215 Myrtle Avenue.

AMOUNT OF MONEY AND SOURCE:

\$ 2,500.00 - 1211 Myrtle Avenue
 5,000.00 - 1213 Myrtle Avenue
 5,000.00 - 1215 Myrtle Avenue
\$12,500.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will be privately funded. The three properties being conveyed are three story row-houses that are vacant, boarded and require extensive rehab work. The developer plans to install new kitchens, bathrooms, central heating/air conditioning units, new flooring, painting, and other finishing details to each of the properties. There are plans as well to install new doors and vinyl windows where applicable, make necessary roof repairs to two of the properties and install a new roof at 1211 Myrtle Avenue. Once the work is completed, the dwellings will be sold to prospective homeowners.

The aforementioned properties have been journalized and approved for sale on August 29, 2011.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY THE WAIVER VALUATION PROCESS:

The properties were priced pursuant to the appraisal policy of Baltimore City. The waiver valuation process was used in lieu of an appraisal and determined the value of each property at \$10,000.00. Due to the fact that the properties are blighted and require major repairs, they are being sold below the price determined by the waiver valuation process. The properties at

MINUTES

DHCD - cont'd

1213 and 1215 Myrtle are being sold for \$5,000.00 and because of the collapse of the roof and the condition of 1211 Myrtle Avenue, it is being sold for \$2,500.00. The following factors are present:

1. stabilizing the immediate community,
2. elimination of blight,
3. economic development, real estate and other taxes, and
4. the opportunity to hasten the rehabilitation of the properties.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with A New Door Developing, LLC, for the City-owned properties known as 1211, 1213, and 1215 Myrtle Avenue.

MINUTES

Baltimore Development - Amendment No. 1 to Land Disposition
Corporation (BDC) Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to the land disposition agreement (LDA) with CBAC Borrower LLC.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The amendment no. 1 to LDA is for the garage facility to allow for certain permitted transfers within the ownership structure of the entity which will own the garage, once completed, relating to the equity financing for the garage. The transfers contemplated by the amendment no. 1 to LDA are permitted under the terms of the associated Ground Lease Agreement and the amendment no. 1 to LDA harmonizes the provisions of the LDA and Ground Lease Agreement.

The City and CBAC Gaming, LLC entered into a LDA for construction of a garage and a Ground Lease (Ground Lease) for construction and operation of the Casino on October 31, 2012. The LDA was recorded in the Land Records of Baltimore City Liber 15462, Folio 030 and the Ground Lease Agreement was recorded in the Land Records of Baltimore City in Liber 15462, Folio 167. The rights of CBAC Gaming, LLC as developer were assigned to CBAC Borrower, LLC to facilitate the financing pursuant to the Memorandum of Omnibus Assignment and Assumption Agreement dated July 1, 2013 and recorded in the Land Records of Baltimore City in Liber FMC 15462, Folio 167.

Both the LDA and the Ground Lease allow for certain permitted dispositions of interests in the Caesar ownership entity which are necessary in order to obtain both the equity and borrowed funds necessary to build the garage and the Casino. One of the enumerated permitted transfers which were allowed under the Ground Lease was not mirrored in the LDA and needs to be included. This amendment no. 1 mirrors the exact terms set forth

MINUTES

BDC - cont'd

in the Ground Lease by adding a subsection 5.3(a) (ix) to the LDA to permit the transfer of interests in CR Baltimore Holdings, LLC to shareholders of Caesars Entertainment Corporation or DG Mothership, LLC provided that the day to day management of CBAC Borrower, LLC is controlled by one or more subsidiaries or affiliates of Caesars Entertainment Corporation or DG Mothership, LLC.

MBE/WBE PARTICIPATION:

The developer has agreed to comply with the MBE requirements as described in Title 14, Subtitle 3 of the State Finance and Procurement Article in the Ground Lease and LDA.

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 amendment no. 1 to the land disposition agreement with CBAC Borrower LLC.

Kim A. Trueheart

August 20, 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 citizens of the 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 Mayor of Baltimore City and the Baltimore Development Corporation (BDC).

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 21, Baltimore Development Corporation (BDC) – Amendment No. 1 to Land Disposition Agreement, if approved:
 - i. Please provide access to the revised LDA and Ground Lease Agreement for inspection;
 - ii. This action fails to identify the name of the entity representing shareholders of Caesars Entertainment Corporation or DG Mothership, LLC who will be the day to day management of CBAC Borrower, LLC.;
 - iii. Fails to explicitly correct the problem of residency concerning the entity providing the day to day management of the casino;
 - iv. Fails to ensure the tax-payer's equity interests in the Casino's operations are soundly documented in the LDA and Ground Lease Agreement;
 - v. Fails to state whether the local Development Council endorsed this action;
 - vi. States that the "unnamed developer" will comply with state MBE policy, without mention of Baltimore City policy being imposed where appropriately allowable.
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 undisclosed material facts and details specific to this LDA and Lease.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 21, 2013.

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

5519 Belleville Ave
Baltimore, MD 21207

Sincerely,
Kim Trueheart
Citizen

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Baltimore Development - Modification to Loan Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve a modification to a loan agreement with Morgan Stanley & Co., LLC (Morgan Stanley). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development or the Director of Finance to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

\$ 750,000.00 - 23rd EDBF
250,000.00 - 24th EDBF
\$1,000,000.00 - 9910-902860-9601

The loan will be at a rate of 2.0% with unsecured collateral.

BACKGROUND/EXPLANATION:

On November 26, 2003, Morgan Stanley and the City of Baltimore entered into a loan agreement for a series of loans that were partially convertible to grants as certain employment levels were achieved. Each loan required a commitment to achieve a level of employment by a certain date, and if that level were both achieved and thereafter maintained for no less than three years, 50% of the loan would be converted to a grant. These first three loans were:

- Phase I Loan of \$450,000.00 required reaching 150 employees by June 30, 2005. The goal was met and exceeded by June 30, 2005, and the 3-year retention period was also satisfied.

- Phase II Loan of \$450,000.00 required reaching 300 employees by November 30, 2010. The goal was met and exceeded by November 30, 2006, and the 3-year retention period was also satisfied.

MINUTES

BDC - cont'd

- Phase III Loan of \$850,000.00 required reaching 600 employees by November 30, 2014. The goal was met and exceeded by November 30, 2011, and the 3-year retention period began on that date.

In light of the rapid growth of the office, the City and Morgan Stanley entered into an amendment to the loan agreement on November 5, 2007 to provide for three additional phase loans tied to 900 additional hiring for a total of 1,500 employees:

- Phase IV Loan of \$500,000.00 required committing by December 31, 2008 and reaching 900 employees by December 31, 2012.

- Phase V Loan of \$500,000.00 required committing by December 31, 2011 and reaching 1,200 employees by December 31, 2015.

- Phase VI Loan of \$500,000.00 required committing by December 31, 2014 and reaching 1,500 employees by December 31, 2018.

Morgan Stanley continues to explore options to achieve the long-term growth target of 1,500 jobs, but requests modifications to the level and timing of Phases IV, V and VI. The following is a summary of the modified terms agreed upon by the Maryland Department of Business and Economic Development and Morgan Stanley. Morgan Stanley is requesting the same modifications be made to the loan agreement with the City of Baltimore. The long-term impact of this Project remains intact even with these modifications.

1. Delay until December 31, 2013 (a 13 month extension) the date by which employment must reach 900 employees for Phase IV, and begin the three year retention period at that time.
2. Reduce the Phase V number of jobs to be created from 300 to 100 (total employment would be 1,000 qualified employees) as well as reduce the loan from \$500,000.00 to \$167,000.00, to be proportional with the reduction in the creation of jobs and modify the date for requesting/committing to the loan to December 31, 2013.

MINUTESBDC - cont'd

3. Increase the Phase VI number of jobs to be created from 300 to 500 (total employment would be 1500 qualified employees) as well as increase the loan from \$500,000.00 to \$833,000.00, to be proportional with the increase in the creation of jobs with no change in achievement dates and modify the date for requesting/committing to the loan to December 31, 2014.

The end result is a rescheduling of hiring and re-proportioned funding with no change to loan amount, number of jobs or commitment on the part of Morgan Stanley.

MBE/WBE PARTICIPATION:

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 750,000.00 23 rd EDF	9910-906995-9600 Constr. Res. Ind. & Coml. Financing	9910-902860-9601 Ind. & Coml. Financing
250,000.00 <u>24th EDF</u>	9910-906995-9600 Constr. Res Ind. & Coml. Financing	9910-902860-9601 Ind. & Coml. Financing
\$1,000,000.00		

This transfer will provide funds for the restructure of Phases 4, 5, and 6 of a remaining \$1,000,000.00 conditional loan to Morgan Stanley.

MINUTES

BDC - 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 the modification to the loan agreement with Morgan Stanley & Co., LLC. The Board further authorized the Commissioner of the Department of Housing and Community Development or the Director of Finance to execute any and all documents to effectuate this transaction SUBJECT to review and approval for form and legal sufficiency by the Department of Law. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

Kim A. Trueheart

August 20, 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 citizens of the Baltimore City who appear to be victims of a lack of vision, poor fiscal and asset management and a complete failure by the Mayor of Baltimore City and the Baltimore Development Corporation (BDC) to negotiate development deals on behalf of citizens that provide economic benefit to citizens instead of corporations.

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 23, Baltimore Development Corporation (BDC) – Modification to Loan Agreement, if approved:
 - i. This FOUL BDC deal is outrageously inequitable to the citizens of Baltimore City who will never been offered an opportunity to borrow with such preferential terms and conditions;
 - ii. The description of this proposed FOUL BDC deal states that the citizens of Baltimore City will be offering this loan at a rate of 2.0% with unsecured collateral;
 - iii. This FOUL BDC deal outlines performance incentives yet fails to comply with them and instead reverses the rewards in the absence of meeting the incentives;
 - iv. This FOUL BDC deal fails to impose workforce development incentives enacted to mandate incentives to require local first source hiring preferences for Baltimore City residents.
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 undisclosed material facts and details specific to this BDC GIVE-A-WAY to Morgan Stanley.
4. The remedy I seek is that this FOUL BDC deal be modified to include currently enacted local first source hiring preferences for Baltimore City residents;

Email: ktrueheart@whatfits.net

5519 Belleville Ave
Baltimore, MD 21207

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 21, 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

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. Rose Phylis Silberman	1717 Barclay St.	G/R \$70.00	\$ 641.00
Funds are available in account 9910-902487-9588-900000-704040, Greenmount West Project.			
2. Cav Commercial, LLC	947 N. Collington Avenue	G/R \$60.00	\$ 550.00
(includes administrative settlement of \$150.00)			
3. Dolores Medin	2042 E. Eager St.	G/R \$36.00	\$ 240.00
4. Fairway Woods, LLC	1238 N. Gay St.	G/R \$36.00	\$ 240.00
5. Fairway Woods, LLC	1240 N. Gay St.	G/R \$36.00	\$ 240.00
Funds are available in account 9910-906416-9588-900000-704040, East Baltimore Development Initiative (EBDI), Phase II Project. These projects are part of the Middle East Renewal Plan.			
6. Gramby Invest- ments, LLC	4702 Delaware Ave.	G/R \$96.00	\$ 880.00
Funds are available in account 9910-903187-9588-900000-704040, Park Heights Project.			

23 Baltimore Development - Modification to Loan Agreement Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve a modification to a loan agreement with Morgan Stanley & Co., LLC (Morgan Stanley). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development or the Director of Finance to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

\$ 750,000.00 - 23rd EDBF

250,000.00 - 24th EDBF

\$1,000,000.00 - 9910-902860-9601

The loan will be at a rate of 2.0% with unsecured collateral.

BACKGROUND/EXPLANATION:

On November 26, 2003, Morgan Stanley and the City of Baltimore entered into a loan agreement for a series of loans that were partially convertible to grants as certain employment levels were achieved. Each loan required a commitment to achieve a level of employment by a certain date, and if that level were both achieved and thereafter maintained for no less than three years, 50% of the loan would be converted to a grant. These first three loans were:

- Phase I Loan of \$450,000.00 required reaching 150 employees by June 30, 2005. The goal was met and exceeded by June 30, 2005, and the 3-year retention period was also satisfied.

- Phase II Loan of \$450,000.00 required reaching 300 employees by November 30, 2010. The goal was met and exceeded by November 30, 2006, and the 3-year retention period was also satisfied.

- Phase III Loan of \$850,000.00 required reaching 600 employees by November 30, 2014. The goal was met and exceeded by November 30, 2011, and the 3-year retention period began on that date.

23 Baltimore Development - Modification to Loan Agreement Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve a modification to a loan agreement with Morgan Stanley & Co., LLC (Morgan Stanley). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development or the Director of Finance to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

5519 Belleville Ave
Baltimore, MD 21207

AMOUNT OF MONEY AND SOURCE:

\$ 750,000.00 - 23rd EDBF

250,000.00 - 24th EDBF

\$1,000,000.00 - 9910-902860-9601

The loan will be at a rate of 2.0% with unsecured collateral.

BACKGROUND/EXPLANATION:

On November 26, 2003, Morgan Stanley and the City of Baltimore entered into a loan agreement for a series of loans that were partially convertible to grants as certain employment levels were achieved. Each loan required a commitment to achieve a level of employment by a certain date, and if that level were both achieved and thereafter maintained for no less than three years, 50% of the loan would be converted to a grant. These first three loans were:

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- Phase II Loan of \$450,000.00 required reaching 300 employees by November 30, 2010. The goal was met and exceeded by November 30, 2006, and the 3-year retention period was also satisfied.

- Phase III Loan of \$850,000.00 required reaching 600 employees by November 30, 2014. The goal was met and exceeded by November 30, 2011, and the 3-year retention period began on that date.

BDC - cont'd

- 3. Increase the Phase VI number of jobs to be created from 300 to 500 (total employment would be 1500 qualified employees) as well as increase the loan from \$500,000.00 to \$833,000.00, to be proportional with the increase in the creation of jobs with no change in achievement dates and modify the date for requesting/committing to the loan to December 31, 2014.

The end result is a rescheduling of hiring and re-proportioned funding with no change to loan amount, number of jobs or commitment on the part of Morgan Stanley.

MBE/WBE PARTICIPATION:

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

TRANSFER OF FUNDS

AMOUNT FROM ACCOUNT/S TO ACCOUNT/S

\$ 750,000.00 9910-906995-9600 9910-902860-9601

5519 Belleville Ave
Baltimore, MD 21207

23rd EDF Constr. Res. Ind. & Coml. Ind. & Coml. Financing
Financing

250,000.00 9910-906995-9600 9910-902860-9601

24th EDF Constr. Res Ind. & Coml.

Ind. & Coml. Financing

Financing

\$1,000,000.00

This transfer will provide funds for the restructure of Phases 4, 5, and 6 of a remaining \$1,000,000.00 conditional loan to Morgan Stanley.

(In accordance with Charter requirements, a report has been requested from the Planning Commission, the Director of Finance having reported favorably thereon.)

Space Utilization Committee - Second Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee. The agreement is for the rental of a portion of the tower and storage space located at 2120 Eastern Avenue.

AMOUNT OF MONEY AND SOURCE:

Additional Annual Rent Annual Rent

\$1,800.00 \$32,580.90

The rent will increase annually during the placement of the additional equipment on the tower.

BACKGROUND/EXPLANATION:

The original lease agreement was entered into on December 1, 1999 for a portion of the tower and property located at 2120 Eastern Avenue. The first amendment to the lease was entered into on October 28, 2009. The rental premises are used for cellular telephone communications.

The amendment to the lease is to allow for installation of remote radio heads and associated equipment at an existing site. The lessee will be permitted to add up to three remote radio heads, along with mounting hardware and coaxial cables (collectively, the "Remote Radio Head Equipment"). During the period of time the remote radio head equipment is installed on the tower lessee will pay lessor additional yearly rent of \$1,800.00. The current annual rent is \$30,780.90 and with the increased rent the total annual rent due will be \$32,580.90. All other provisions of the original lease and the first amendment will remain the same.

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

5519 Belleville Ave
Baltimore, MD 21207

(The lease agreement has been approved by the Law Department as
BDC - cont'd

In light of the rapid growth of the office, the City and Morgan Stanley entered into an amendment to the loan agreement on November 5, 2007 to provide for three additional phase loans tied to 900 additional hirings for a total of 1,500 employees:

- Phase IV Loan of \$500,000.00 required committing by December 31, 2008 and reaching 900 employees by December 31, 2012.

- Phase V Loan of \$500,000.00 required committing by December 31, 2011 and reaching 1,200 employees by December 31, 2015.

- Phase VI Loan of \$500,000.00 required committing by December 31, 2014 and reaching 1,500 employees by December 31, 2018.

Morgan Stanley continues to explore options to achieve the long-term growth target of 1,500 jobs, but requests modifications to the level and timing of Phases IV, V and VI. The following is a summary of the modified terms agreed upon by the Maryland Department of Business and Economic Development and Morgan Stanley. Morgan Stanley is requesting the same modifications be made to the loan agreement with the City of Baltimore. The long-term impact of this Project remains intact even with these modifications.

1. Delay until December 31, 2013 (a 13 month extension) the date by which employment must reach 900 employees for Phase IV, and begin the three year retention period at that time.

2. Reduce the Phase V number of jobs to be created from 300 to 100 (total employment would be 1,000 qualified employees) as well as reduce the loan from \$500,000.00 to \$167,000.00, to be proportional with the reduction in the creation of jobs and modify the date for requesting/committing to the loan to December 31, 2013.

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD</u> - cont'd			
7. Deborah R. Mondell, Rona Barrash & Marvin Demb	819 Harlem Ave.	G/R \$75.00	\$ 500.00

Funds are available in account 9910-908044-9588-900000-704040, Perkins Alley Project.

8. Turf, LLC	413 McAllister St.	G/R \$	\$ 275.00 30.00
9. John L. Purdie, (deceased), & Eloise M. Purdie, his wife	413 McAllister St.	L/H	\$ 8,500.00

Funds are available in account 9910-908044-9588-900000-704040, AG Demolition Project.

10. Tridack, LLC	3040 W. North Ave.	G/R \$120.00	\$ 1,000.00
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Funds are available in account 9910-908044-9588-900000-704040, 3000 Block W. North Avenue Project.

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

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

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Real Estate - Option</u>			
11. Marta H. Campbell	ES Meadow Lane Rear 4305-4409 Wickford Rd. (Block 4965 E, Lot 5)	F/S	\$22,200.00

This acquisition is necessary for construction of a continuous 3-mile path that runs along Stony Run Stream, in accordance with the Greater Roland Park Master Plan of 2011.

Funds are available in account 9938-928004-9474-900010-704040.

DHCD - Rescission and Re-approval of Condemnation

12. Daniel J. Tracy & Karin Tracy	908 N. Bradford St.	F/S	\$15,000.00
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On May 22, 2013, the Board approved the purchase by condemnation, of the fee simple interest in 908 N. Bradford Street for \$9,100.00. The purchase price at that time was based on an exterior inspection of the property. Upon the owner's request, an interior inspection was later conducted changing the property's value. Therefore, the Board is requested to rescind the original purchase by condemnation in the amount of \$9,100.00 and grant approval to purchase by condemnation the fee simple interest in 908 N. Bradford Street at the higher purchase price of \$15,000.00.

Funds are available in account 9910-908044-9588-900000-704040, Milton-Montford Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Prior Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Department - Settlements</u>			
13. Cross Atlantic Realty, LLC	1034 N. Castle St.	F/S	\$10,750.00
<p>On June 29, 2011, the Board approved the acquisition by condemnation, of the fee simple interest in the real property located at 1034 N. Castle Street. The Board previously approved \$5,250.00 to acquire the property interest. The owner of the property interest initially demanded \$33,500.00; but, agreed to settle the condemnation case for \$16,000.00. Therefore, the Board is requested to approve an additional \$10,750.00 (i.e., the total settlement of \$16,000.00 minus \$5,250.00).</p> <p>Funds are available in account 9910-906416-9588-900000-704040, EBDI Project, Phase II.</p>			
14. BE3 Business Trust	4669 Park Heights Ave.	F/S	\$ 2,500.00

On June 6, 2012, the Board approved the acquisition by condemnation, of the fee simple interest in the real property located at 4669 Park Heights Avenue in the amount of \$4,000.00. The owner of the property interest valued the property at \$10,000.00. The parties have agreed to settle the action in the amount of \$6,500.00. Therefore, the Board is requested to approve an additional \$2,500.00.

Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Ave. Corridor.

UPON MOTION duly made and seconded, the Board approved the option agreements, rescission and condemnation, and settlements.

MINUTES

Fire Department - Ratification of Services
and Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify services and approve payment to Mine Safety Appliance Company (MSA). The date of the invoice is June 6, 2012.

AMOUNT OF MONEY AND SOURCE:

\$19,500.00 - 4000-471312-2023-212602-605007

BACKGROUND/EXPLANATION:

The City originally purchased the equipment from the MSA in 2008 under P502067 through the Homeland Security grant by the Baltimore Police Department. The equipment is used for detecting hazardous materials and communicates through radio equipment.

The radios in the equipment needed an upgrade and due to the level of security needed during last year's Sailabration Event, the Office of Emergency Management (OEM) made last minute emergency arrangements to have the needed equipment upgrade completed.

The expenditure was through a Homeland Security grant, in the amount of \$19,500.00, for the services rendered by the MSA. Due to a change in personnel at the OEM, this upgrade was not purchased and paid in a timely fashion at no fault of the vendor. Therefore, the Department is requesting ratification of purchase and approval of this expense.

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

UPON MOTION duly made and seconded, the Board ratified the procurement of services and approved payment to the Mine Safety Appliance Company.

MINUTES

Mayor's Office of Minority and Women-Owned Business Development - Governmental/Charitable Solicitation Application

ACTION REQUESTED OF B/E:

The Board is requested to endorse a governmental/charitable solicitation application for submission to the Baltimore City Ethics Board to benefit the Baltimore City Foundation, Inc. (BCF) for the Top 100 MBE Awards Program. The period of solicitation effort is effective upon Board approval through calendar year ending December 31, 2013.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

The collected funds will be deposited and expenditures paid through the BCF's 190-00 Mayor's Office of Minority and Women-Owned Business Development account.

BACKGROUND/EXPLANATION:

The Top 100 MBE Awards Program was created to recognize those enterprising women and minority entrepreneurs that fuel the region's economy through their innovation, sacrifices, and dedication. These business owners are living their dreams and making significant contributions to their clients, professions, industries, and communities. The Top 100 MBE Awards Program will be held on Thursday, October 17, 2013 at the War Memorial Building.

The Baltimore City Ethics Board requires that the submitted application be reviewed and approved by the Board of Estimates. This is the first time for this request in compliance with this directive.

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 activity, or a City-endorsed charitable function or activity.

MINUTES

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

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.

The Campaign must be conducted in accordance with the standards, terms and conditions set forth in Board Regulation 06.26 and the submitted application.

Periodic Reports (once every 2 months) and a Final Report (within 30 days after all solicitations and anticipated donations have been made) must be filed with the Baltimore City Board of Ethics Form 627.

This approval is limited to the calendar year ending December 31, 2013. After that date, a new application will be required for any additional solicitation efforts.

UPON MOTION duly made and seconded, the Board endorsed the governmental/charitable solicitation application for submission to the Baltimore City Ethics Board to benefit the Baltimore City Foundation, Inc. for the Top 100 MBE Awards Program. The Mayor

ABSTAINED.

MINUTES

Department of General Services - Ratification of Services
and Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify the services and approve payment to Total Contracting, Inc. for services rendered at the Baltimore Convention Center, under Contract No. PB 08817. The services were rendered April 17 and 23, 2012.

AMOUNT OF MONEY AND SOURCE:

\$50,585.85 - Suites 440 and 424
31,151.74 - Suites 186, 424, and 440
\$81,737.59 - 9953-908015-9534

BACKGROUND/EXPLANATION:

Total Contracting, Inc. installed motorized shades and upgrades of finishes to the VIP Suites at the Baltimore Convention Center under Contract No. PB 08817.

The window treatments in the East and West VIP Suites were not included in the contract documents. Motorized shades consisting of motors, low and high voltage wiring with transformers and wall switches were added to two VIP Suites.

VIP Suites 186, 424, and 440 were upgraded with additional floor tile, new stainless steel sinks and faucets, additional counters, mirrors, and doors. In addition, the closets and showers were relocated to different areas of the rooms. Since the finishes in the VIP Suites were required for use by the clients of the Convention Center, the Department directed Total Contracting to perform the additional work.

MINUTES

Department of General Services - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the services procured and approved the payment to Total Contracting, Inc. for those services rendered at the Baltimore Convention Center, under Contract No. PB 08817. The Mayor **ABSTAINED**.

MINUTES

Department of General Services - Ratification of Services
and Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify the services and approve payment to AS Architects, Inc. for services rendered, under Project No. 997AS. The services were rendered October 4, 2011 through February 8, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 5,782.99
8,780.42
\$14,563.41 - 9916-902410-9197-000000-703032

BACKGROUND/EXPLANATION:

The On-Call Agreement with AS Architects, Inc. under Project No. 997AS expired on January 10, 2009. The agreement contained the provision that projects started before the contract expired, could continue until the project is completed.

A project, Elevator Upgrades for Courthouse East, which started before the contract expired, had to be rebid because all bidders were found non-compliant with City requirements. The rebidding required AS Architects, Inc. to provide Bid Phase services a second time. Also, the Construction Phase took much longer than initially anticipated. AS Architects, Inc. was requested to attend 12 progress meetings instead of the three meetings indicated in the original task.

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

UPON MOTION duly made and seconded, the Board ratified the services and approved payment to AS Architects, Inc. for services rendered, under Project No. 997AS.

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	1371 Andre Street	S & J Enterprise, LLC	Handicap Ramp 22' x 7'
	Annual Charge: \$	70.30	
2.	1108 Light Street	Max Properties, Inc.	One flat sign 13' x 3'
	Annual Charge: \$	54.60	
3.	6308 Eastern Avenue	Paul Gessner	Retain cornice sign 17' x 2', flat sign 12' x 2'
	Annual Charge: \$	105.50	
4.	511 S. Central Avenue	511 South Central Avenue, LLC	Service connec- tion four 5" ducts @ 60'
	Annual Charge: \$	4,200.00	
5.	1001 S. Lakewood Avenue	1001 S. Lakewood Ave., LLC	Handicap ramp 90 sq. ft.
	Annual Charge: \$	70.30	

MINUTES

DGS - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6.	1701 N. Charles Street, W. Lanvale Street side of building	Station North Development Part- ners, LLC	Outdoor seating 42'6" x 5'8"

Annual Charge: \$2,577.50

7.	2438 N. Charles Street	2436 North Charles Street, LLC	One single face electric sign 22.75 sq. ft.
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Annual Charge: \$ 70.30

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

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

MINUTES

Department of General Services - Developer's Agreement No. 1295

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1295 with Carter's Temple Church of God in Christ, developer.

AMOUNT OF MONEY AND SOURCE:

\$24,760.00

BACKGROUND/EXPLANATION:

The developer would like to improve its building at 11-13 South Poppleton Street for upgraded fire-suppression and domestic water services. This developer's agreement will allow for the upgraded improvements.

An Irrevocable Standby Letter of Credit in the amount of \$24,760.00 has been issued to Carter's Temple Church of God in Christ, 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. 1295 with Carter's Temple Church of God in Christ.

MINUTES

Department of General Services - Ratification of Services
& Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify services provided and approve an expenditure of funds to pay Stratos Elevator, Inc. for services rendered October 05, through October 26, 2012.

AMOUNT OF MONEY AND SOURCE:

\$48,997.81 - 9916-902410-9197-000000-702064

BACKGROUND/EXPLANATION:

Stratos Elevator, Inc. was awarded contract PB 09829R, Elevator Upgrade and Modernization at Courthouse East on April 06, 2011 in the amount of \$1,818,000.00.

While Stratos Elevator, Inc. was working on the elevators, extra work was requested by the Circuit Court Administrative Judge and was approved by the Chief Design & Construction Division. Under the original contract scope of work, all the existing and historic hall position indicators for elevators one through four, with the exception of those on the first floor, would have been abandoned and left inoperative. Those on the first floor were to have been replaced with lighted electronic indicators "emulating" the original dial indicators. It was determined that doing so would be short-sighted especially since modern electronic technology is now available that could modify the original indicators and interface them with the new state-of-the-art electronic elevator control system, making them function fully as they did when first installed decades ago while maintaining their original historic appearance.

Although the work was performed during the construction period, the written documentation was not completed until after that time. This approval will allow payment to Stratos Elevator, Inc. for refurbishing the 24 existing historic hall position indicators for elevators one through four of Courthouse East from the first through sixth floors.

MINUTES

Department of General Services - cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the services provided and approved the expenditure of funds to pay Stratos Elevator, Inc. for services rendered October 05, through October 26, 2012.

MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,
the Board approved the Extra Work Orders
listed on the following pages:

3289 - 3294

All of the EWOs had been reviewed and approved
by the Department of Audits, CORC,
and MWBOO, unless otherwise indicated.

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

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water and Wastewater

1. EWO #065, \$ 0.00 - SC 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$ 2,544,079.19	Fru-Con Construction, LLC	150	85
			CCD	

This extra work order will extend the project expiration date to December 15, 2013.

2. EWO #066, \$29,442.24 - SC 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$ 2,544,079.19	Fru-Con Construction, LLC	0	91
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3. EWO #068, (\$1,041,761.50) - SC 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$ 2,565,087.11	Fru-Con Construction, LLC	0	90
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Construction Management requests transference of sanitary sewer and storm water structures and piping, and facilities start up activities to the ongoing denitrification project. Movement of these activities will serve to protect the structural integrity of the utilities during ongoing construction and streamline the denitrification start up process.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.

4. EWO #001, \$0.00 - SC 845R, Nitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$129,750,000.00	-	Fru-Con Construction, LLC	24	14
			CCD	

MMCA- Maryland Minority Contractors Association, Inc.
A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA
Baltimore, Maryland 21210
443-413-3011 Phone
410-323-0932 Fax

August 20, 2013

Via Facsimile 410-685-4416

Honorable Bernard "Jack" Young
President, Baltimore City Board of Estimates
City Hall-Room 204
Baltimore, MD 21202

ATTN: Ms. Bernice Taylor, Esquire, Clerk to the Board

Dear Mr. President:

I represent the Maryland Minority Contractors Association ("MMCA"), its members, clients and constituents.

We wish to formally protest item No. 3, contained on pages 54-55 of your Honorable Board's 08/21/2013 public meeting agenda, which is a proposal to award WC 1240-"Meter Setting Installation at Various Locations, West Baltimore," to bidder J. Fletcher Creamer and Son, Inc., at its fourth lowest dollar bid price of \$4,817,470.00.

Our protest is based on the important and controlling fact that bidder Creamer is not the "lowest responsive and responsible bidder," within the ambit of the City's "mandatory" competitive bidding charter provision, Article VI, Section 11(h)(1(ii)).

We also herein file a protest against items No. 3, contained on page 40, and item No. 5, contained on page 41, which are proposed changes or EWO-Extra Work Orders to Fru-Con Construction, LLC, for Baltimore City Sanitary Contract 845R-"Nitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant."

Our protest is based on the plain and undisputed fact that the proposed added or extra contract work or tasks are totally unrelated to the original contract work/tasks under SC 845R, and were once scheduled to be issued, advertised and awarded as a separate, independent City contract. Thus, they clearly are not appropriate for award via a mere added, or change order to SC 845R. Inasmuch as each proposed extra work, or change order clearly exceeds \$50,000.00, they rightfully and lawfully should and must

be publicly advertised and awarded pursuant to the City's "mandatory" competitively bidding contract award

process as specifically mandated by Article VI, Section 11et seq. Moreover, the two (2) proposed contract extra work, change orders, are private agreements, between the City and the contractor, Fru-Con Construction, LLC., which tend to restrict competition, evade and circumvent the charter..

Therefore Your Honorable Board lacks the authority to approve these change orders or extra work orders, as proposed by the City's Bureau of Water and Waste Water, and we respectfully request that the City put these extra work, change orders out for open, fair competitive bidding.

The Court of Appeals has made patently clear that the City's competitive bidding "Charter provision is for the benefit of the 'public and any private agreement' which tends to prevent or restrict competition, or any scheme which has the effect of promoting favoritism, circumvents the [charter] and is contrary to the public policy of the State." See Hanna v. Board of Education of Wicomico County, 200 Md at 55 (1952).

Respectfully Submitted,

Arnold M. Jolivet

Arnold M. Jolivet
Managing Director

Bid Protest included with this fax.

Arnold M. Jolivet

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>

Bureau of Water and Wastewater

5. EWO #002, \$1,041,761.50 - SC 845R, Nitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$129,750,000.00	\$	0.00	Fru-Con Construction, LLC	0	14
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Construction Management requests transference of sanitary sewer and storm water structures and piping, and facilities start up activities from the preceding denitrification project. Movement of these activities will serve to protect the structural integrity of the utilities during ongoing construction and streamline the denitrification start up process.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.

MMCA- Maryland Minority Contractors Association, Inc.
A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA
Baltimore, Maryland 21210
443-413-3011 Phone
410-323-0932 Fax

August 20, 2013

Via Facsimile 410-685-4416

Honorable Bernard "Jack" Young
President, Baltimore City Board of Estimates
City Hall-Room 204
Baltimore, MD 21202

ATTN: Ms. Bernice Taylor, Esquire, Clerk to the Board

Dear Mr. President:

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Our protest is based on the important and controlling fact that bidder Creamer is not the "lowest responsive and responsible bidder," within the ambit of the City's "mandatory" competitive bidding charter provision, Article VI, Section 11(h)(1(ii)).

We also herein file a protest against items No. 3, contained on page 40, and item No. 5, contained on page 41, which are proposed changes or EWO-Extra Work Orders to Fru-Con Construction, LLC, for Baltimore City Sanitary Contract 845R-"Nitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant."

Our protest is based on the plain and undisputed fact that the proposed added or extra contract work or tasks are totally unrelated to the original contract work/tasks under SC 845R, and were once scheduled to be issued, advertised and awarded as a separate, independent City contract. Thus, they clearly are not appropriate for award via a mere added, or change order to SC 845R. Inasmuch as each proposed extra work, or change order clearly exceeds \$50,000.00, they rightfully and lawfully should and must

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process as specifically mandated by Article VI, Section 11et seq. Moreover, the two (2) proposed contract extra work, change orders, are private agreements, between the City and the contractor, Fru-Con Construction, LLC., which tend to restrict competition, evade and circumvent the charter..

Therefore Your Honorable Board lacks the authority to approve these change orders or extra work orders, as proposed by the City's Bureau of Water and Waste Water, and we respectfully request that the City put these extra work, change orders out for open, fair competitive bidding.

The Court of Appeals has made patently clear that the City's competitive bidding "Charter provision is for the benefit of the 'public and any private agreement' which tends to prevent or restrict competition, or any scheme which has the effect of promoting favoritism, circumvents the [charter] and is contrary to the public policy of the State." See Hanna v. Board of Education of Wicomico County, 200 Md at 55 (1952).

Respectfully Submitted,

Arnold M. Jolivet

Arnold M. Jolivet
Managing Director

Bid Protest included with this fax.

Arnold M. Jolivet

MINUTES

President: "The first item on the non-routine agenda can be found on Page 40, Item number 3, Bureau of Water and Wastewater, EWO #068, SC 852R, Deni-Denitr -- Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant. That's denitrification. Nitrification."

President: "Yes. -- Oh, I didn't see you. You can go ahead."

Rudy Chow, Chief of Bureau of Water and Wastewater: "Good morning, Honorable. I'm here to address the extra work orders and transfer of funds. Um --"

President: "Please state your name?"

Mr. Chow: "Rudy Chow, I'm the Bureau Head for Water and Wastewater."

President: "Okay."

Mr. Chow: "Uh, this request is to "cure" a, what we call a "misalignment in construction sequence", and before I start, I just want to stress both SC 845R and SC 852R were competitively bid and awarded. Uh, by design, SC 845R was supposed to be completed first. Unfortunately, due to the re-bid and protests, uh, this award for 845R was delayed. At first SC, 852R was awarded first. This caused this misalignment in construction sequence."

President: "Um hmm."

MINUTES

Mr. Chow: "SC 852R now is about 18 months ahead of the SC 845R in construction. Uh, removing the final paving and some piping work from 852R and re-assigning them then to SC 845R is about, about, just slightly over a million dollars and represents about 0.8% of the overall contract value uh - it is viewed as materially insignificant. This is a smart business decision on the City's part, uh -- which lead to a -- an approximately a million dollars savings because if we should proceed with the final paving under 852R, we would end up having to re-pave it one more time under 852R, uh 845R, when 845R is completed. So, I'm uh -- I'm asking the Board to approve this Extra Work Order and uh, Transfer of Funds."

President: "So you're referring to both items the one on 40 and 41?"

Mr. Chow: "That's correct."

President: "Alright, so, Mr. Jolivet, if you could make your comments reflecting um-- both of these items, since they're the same."

Mr. Jolivet: "I will. Thank you."

President: "Thank you."

Mr. Jolivet: "Good morning. Uh, the onus, uh,

President: "Talk in the mic, please."

Mr. Jolivet: "this issue has come up before, before this --

MINUTES

City Solicitor: "For the record, your name, please."

Mr. Jolivet: "Uh, Arnold, Arnold, Arnold "

City Solicitor: "Jolivet, sorry."

Mr. Jolivet: "Arnold M. Jolivet. Uh, Mr. President, this issue has come up before, uh, and I have argued uh -- the -- the logic of what we're doing, uh, on many other occasions, so I will attempt to be somewhat brief. The -- the -- the point, and maybe it would be appropriate for me to ask, Mr. Chow, before I proceeded, how will this extra work be awarded and performed were it not added to this existing contract? That's an appropriate -- that's an appropriate question in order for me to be in agreement or for me to understand why the need for because you mentioned it's a good business decision and it's appropriate, but that would not necessarily be the proper concern or question. Is it--is it authorized by the agency pursuant to the City's competitive bidding statute provision? And my contention that it would not be, but nevertheless I would be willing to hear, uh, I would want to hear, how would this extra work be handled in the absence of adding it to the existing contract? That -- that would help me a lot."

Mr. Chow: "First of all, the final paving is a part of the final restoration work after the construction is completed, and miscellaneous piping work associated with it. That, this, both

MINUTES

those items were part of the 852R bid package. It it's already included in that package, so all we doing, simply is, removing that portion of the work and reassigning that to 845R. So, this is not something extra that we came up with it; this is not something extra we came up after the bid was awarded. This, those two items are part of the original 852R bid package."

Mr. Jolivet: "Thank you. Mr. President, that was not made clear in the initial, uh, extra work presentation, and traditionally, that was not the case, so in view of Mr. Chow's answer, I would ask the Board to allow me to withdraw my complaint."

President: "So moved. I entertain a Motion."

City Solicitor: "I move to allow Mr. Jolivet to withdraw his protest."

Comptroller: "Second."

President: "All in favor, say Aye. AYE."

President: "All opposed, say nay. The motion carries for page 40 and 41 [nos. 3 & 5]."

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

The Board is requested to approve and authorize execution of a lease agreement with Ruri Yi, lessee, for the rental of property located at 1427 Light Street, known as School 33, Studio #203 (2nd Floor). The period of the agreement is August 1, 2013 through July 31, 2014 with an option to renew automatically for one additional 1-year term.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

The lessee will use the leased premises as an artist's studio. The lease may be terminated by lessor during the original term and renewal terms by giving 60-day notice to lessee.

The lessor is responsible for heat, electricity, and water. The lessee is responsible for content, insurance, janitorial services, trash receptacles, and security.

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

(The lease agreement has been approved by the Law Department as to form and legal sufficiency.)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Ruri Yi for the rental of property located at 1427 Light Street, Studio #203.

MINUTES

Space Utilization Committee - Second Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee. The agreement is for the rental of a portion of the tower and storage space located at 2120 Eastern Avenue.

AMOUNT OF MONEY AND SOURCE:

<u>Additional Annual Rent</u>	<u>Annual Rent</u>
\$1,800.00	\$32,580.90

The rent will increase annually during the placement of the additional equipment on the tower.

BACKGROUND/EXPLANATION:

The original lease agreement was entered into on December 1, 1999 for a portion of the tower and property located at 2120 Eastern Avenue. The first amendment to the lease was entered into on October 28, 2009. The rental premises are used for cellular telephone communications.

The amendment to the lease is to allow for installation of remote radio heads and associated equipment at an existing site. The lessee will be permitted to add up to three remote radio heads, along with mounting hardware and coaxial cables (collectively, the "Remote Radio Head Equipment"). During the period of time the remote radio head equipment is installed on the tower lessee will pay lessor additional yearly rent of \$1,800.00. The current annual rent is \$30,780.90 and with the increased rent the total annual rent due will be \$32,580.90. All other provisions of the original lease and the first amendment will remain the same.

MINUTES

Space Utilization Committee - cont'd

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protests. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protests. 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 second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee.

Kim A. Trueheart

August 20, 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 citizens of the Baltimore City who appear to be victims of questionable management and administration of resources by the government of Baltimore City.

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 43, 45, and 47, Space Utilization Committee – Lease Agreements, if approved:
 - i. Authorizes the installation of a potential human health hazard of unknown consequence within a publically owned and operated facility;
 - ii. Fails to establish a financial threshold that sufficiently mitigates the potentially harmful health hazard to humans who frequent these publically owned and operated facility;
 - iii. Fails to ensure the public users of publically owned and operated facilities are properly informed and notified that the City of Baltimore has entered into the respective agreements which subjects them to this potentially harmful health hazard to humans;
3. How the protestant will be harmed by the proposed Board of Estimates' action: The Municipality continues to demonstrate practices which routinely produce BAD outcomes for the underserved citizens of Baltimore City. The citizens who frequent the publically owned and operated facility are potentially being harmed by these agreements and the City has done nothing in negotiating this agreement to mitigate the potential harm and done nothing to warn/inform citizens of the potential risks.
4. Remedy I desire: This agreement should unanimously be DISapproved by this Board until these potential health risk issues are addressed.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 21, 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

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

The Board is requested to approve and authorize execution of a license agreement with and the Maryland Stadium Authority, licensor. The period of the license agreement is August 1, 2013 through July 31, 2018 with an option to renew for three 5-year terms.

AMOUNT OF MONEY AND SOURCE:

\$1.00

BACKGROUND/EXPLANATION:

The license agreement is for the use of the portion of the stadium complex for an antenna facility to facilitate network communication activities of the City. The Mayor's Office of Information Technology (MOIT) presently has some equipment at the Stadium Complex. The license agreement allows the licensor and the City to formally establish parameters of the City's use of the property. The City will have access to the subject property as regulated by the license agreement. The main purpose of the antenna facilities at the property is for facilitating broadband communication with the Baltimore Animal Rescue and Care Shelter at 301 Stockholm Street and wireless transmission from public safety camera.

The Space Utilization Committee approved this license agreement at its meeting on August 13, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with and the Maryland Stadium Authority, licensor.

MINUTES

Space Utilization Committee - Second Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee. The agreement is for the rental of a portion of the tower and storage space located at 2801 St. Lo Drive.

AMOUNT OF MONEY AND SOURCE:

<u>Additional Annual Rent</u>	<u>Annual Rent</u>
\$1,800.00	\$35,169.12

The rent will increase annually during the placement of the additional equipment on the tower.

BACKGROUND/EXPLANATION:

The original lease agreement was entered into on August 4, 1999 for a portion of the tower and property located at 2801 St. Lo Drive. The first amendment to the lease was entered into on October 7, 2009. The rental premises are used for cellular telephone communication.

The amendment to the lease is to allow for installation of remote radio heads and associated equipment at an existing site. The lessee will be permitted to add up to three remote radio heads, along with mounting hardware and coaxial cables (collectively, the "Remote Radio Head Equipment"). During the period of time the remote radio head equipment is installed on the tower lessee will pay lessor additional yearly rent of \$1,800.00. The current annual rent is \$33,369.12 and with the increased rent the total annual rent due will be \$35,169.12. All other provisions of the original lease and the first amendment will remain the same.

MINUTESSpace Utilization Committee - cont'd

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protests. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protests. 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 second amendment to the lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee.

Kim A. Trueheart

August 20, 2013

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

Dear Ms. Taylor:

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 - i. Authorizes the installation of a potential human health hazard of unknown consequence within a publically owned and operated facility;
 - ii. Fails to establish a financial threshold that sufficiently mitigates the potentially harmful health hazard to humans who frequent these publically owned and operated facility;
 - iii. Fails to ensure the public users of publically owned and operated facilities are properly informed and notified that the City of Baltimore has entered into the respective agreements which subjects them to this potentially harmful health hazard to humans;
3. How the protestant will be harmed by the proposed Board of Estimates' action: The Municipality continues to demonstrate practices which routinely produce BAD outcomes for the underserved citizens of Baltimore City. The citizens who frequent the publically owned and operated facility are potentially being harmed by these agreements and the City has done nothing in negotiating this agreement to mitigate the potential harm and done nothing to warn/inform citizens of the potential risks.
4. Remedy I desire: This agreement should unanimously be DISapproved by this Board until these potential health risk issues are addressed.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on August 21, 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

MINUTES

Space Utilization Committee - Second Amendment to Communications License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to the communications license agreement with Cellco Partnership, d/b/a Verizon Wireless, licensee. The agreement is for the rental of a portion of the tower and storage space located at 501 N. Athol Avenue.

AMOUNT OF MONEY AND SOURCE:

<u>Additional Annual Rent</u>	<u>Annual Rent</u>
\$3,600.00	\$36,088.00

The rent will commence upon the placement of the Remote Radio Head equipment on the tower.

BACKGROUND/EXPLANATION:

A license agreement with Cellco Partnership was approved by the Board on December 8, 2010. The first amendment to the Communications License Agreement was entered into on July 20, 2011. The rental property is used for cellular telephone communication. The amendment to the license agreement will allow for additional equipment and remote radio heads at an existing site. The licensee will be permitted to add additional equipment. During the period of time the remote radio head equipment is installed on the tower the lessee will pay lessor additional yearly rent of \$3,600.00. The current annual rent is \$32,488.00 and with the increased rent the total annual rent due will be \$36,088.00. All other provisions of the original lease and the first amendment will remain the same. The Space Utilization Committee approved this lease at its meeting on August 13, 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 protests. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protests. 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 second amendment to the communications license agreement with Cellco Partnership.

Kim A. Trueheart

August 20, 2013

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

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

MINUTES

Space Utilization Committee/
Department of Recreation and Parks

- Amended and Restated
 Lease Agreement and
 Community Benefits
Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the amended and restated lease agreement with Civic Works, Inc., tenant. The amended and restated lease agreement extends the period of the lease to 75 years from the effective date of the lease. The Board is further requested to approve and authorize execution of a Community Benefits agreement with Civic Works, Inc. The period of the agreement is effective upon Board approval through the date the lease expires.

AMOUNT OF MONEY AND SOURCE:

No City funds are involved in this transition.

BACKGROUND/EXPLANATION:

The amended and restated lease agreement and the Community Benefits agreement with Civic Works, Inc. is for the property known as the Clifton Mansion (the Mansion), located at 2710 St. Lo Drive (the property).

On April 18, 2012, the Board approved the original lease agreement with Civic Works, Inc. for a term of fifty years. The lease agreement requires Civic Works, Inc. to undertake the comprehensive renovation of the Mansion at an estimated project cost of \$4,000,000.00. Civic Works, Inc. will finance the renovations through a combination of New Market and Historic Tax credit financing. As a condition of such financing, Civic Works, Inc. needs to be the owner of the improvements constituting the Mansion, which the lease agreement provided for.

Settlement on the tenant's tax credit financing has been scheduled for the end of August and Civic Works, Inc. was advised by Tax Investor's Counsel that the terms of the lease agreement needed to be revised to allow the transaction to

MINUTESSpace Utilization Committee/Recreation and Parks - cont'd

qualify for the tax credit financing, as the initial term was not of sufficient duration and the City retained too many indicia of ownership of the improvements under the terms of the original lease agreement. The amended and restated lease agreement will extend the initial term of the lease to 75 years from the commencement date of the lease and includes language to indicate clearly that the City is conveying the improvements to the Civic Works, Inc.

The interest the City retained for the construction of public restrooms in the improvements is now a sublease. The City's review of plans after the initial renovation of the improvements has been deleted as well as the requirement for the City to approve additional tenants and all charges for rent or activities on the premises.

The purchase price due the City, should Civic Works, Inc. remove the improvements, has been revised to reflect a current fair market appraised value of \$1,500,000.00 which will accrue interest at 7% per year if the improvements are removed, at which time the entire amount of principal and accrued interest will be due and payable. The uses permitted under the lease have been expanded to accommodate the tax credit financing and a new slightly expanded legal description for the leased premises has been added. The obligation of Civic Works, Inc. to perform certain services within the City's parks has been deleted and such obligations are now set forth in the Community Benefits agreement. All the other terms of the lease agreement remain unchanged.

Under the terms of the Community Benefits agreement, the tenant will continue to assign participants in the tenant's programs and operations to assist in the upkeep and improvements of one or more of the City's park properties at no charge to the City.

MBE/WBE PARTICIPATION:

The amended and restated lease agreement provides that the tenant will comply with the City's MBE/WBE requirements.

MINUTESSpace Utilization Committee/Recreation and Parks - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amended and restated lease agreement with Civic Works, Inc. The amended and restated lease agreement extended the period of the lease to 75 years from the effective date of the lease. The Board further approved and authorized execution of the Community Benefits agreement with Civic Works, Inc.

MINUTES

Department of Finance - Renewal of FY2014 Flood Coverage
Office of Risk Management

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the renewal of flood coverage for 2609 Leahy Street. This policy is written through Harleysville Mutual and renews August 27, 2013.

AMOUNT OF MONEY AND SOURCE:

\$6,308.00 - 2043-000000-1450-162900-063014

BACKGROUND/EXPLANATION:

On September 13, 2003, heavy rain from Hurricane Isabel caused flooding and inundated the Fire Boat Station at 2609 Leahy Street with 3' of flood water. A claim was made with the Federal Emergency Management Agency (FEMA). Public assistance reimbursement was obtained. Distribution of FEMA Public Assistance is contingent upon securing and maintaining flood coverage.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the renewal of flood coverage for 2609 Leahy Street.

MINUTES

Department of Finance - Renewal of FY 2014 Cancellation
Office of Risk Management Coverage

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the renewal of event cancellation coverage for the 2014 Baltimore Grand Prix. This policy is written through Lloyds of London.

AMOUNT OF MONEY AND SOURCE:

\$16,560.00 - 2043-000000-1450-162900-063014

BACKGROUND/EXPLANATION:

This policy is to indemnify the City for its Ascertained Net Loss should the Insured Event(s) be necessarily canceled, abandoned, postponed, interrupted, curtailed, or relocated which occurs during the policy period and is beyond the control of both the City and Participant.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the renewal of event cancellation coverage for the 2014 Baltimore Grand Prix.

MINUTES

Mayor's Office of - Renewal of Intergovernmental Agreement
Neighborhoods

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a renewal of an intergovernmental agreement with the Maryland State Department of Human Resources' Family Investment Administration, Maryland Office of Refugee and Asylees (DHR/MORA). The period of the renewal of the intergovernmental agreement is October 1, 2013 through September 30, 2014, with one renewal option remaining.

AMOUNT OF MONEY AND SOURCE:

\$390,860.00 - 5000-535914-1250-152800-603026

BACKGROUND/EXPLANATION:

In June 2012, the City started the Request for Proposal (RFP) process for the Targeted Assistance Grant (TAG) through the Bureau of Purchasing. As a result of the bid, Lutheran Social Services of the National Capital Area was selected as the contractor. On August 22, 2012, the Board approved the award for one year with two 1-year renewal options. This renewal is the first renewal option pending receipt of funds from the Office of Refugee Resettlement.

The funds for this agreement originate from the Federal Office of Refugee Resettlement (ORR) for the TAG program, and are designated for vocational training and employment services for hard to place refugees/asylees in the Baltimore Metropolitan Area. The Office administers the funds allocated for the Baltimore Metropolitan Area on behalf of the Maryland Department of Human Resources.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Mayor's Office of Neighborhoods - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the renewal of an intergovernmental agreement with the Maryland State Department of Human Resources' Family Investment Administration, Maryland Office of Refugee and Asylees. The Mayor **ABSTAINED**.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

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

3311 - 3326

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 favorable reports
from the Planning Commission,
the Director of Finance having reported
favorably thereon, as required
by the City Charter.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1. TR 13007, Citywide Curb Repairs	Machado Construction Co.	\$277,376.50
MBE: M&F Contracting Company	\$47,500.00	17.12%
WBE: S&L Trucking, LLC	\$22,500.00	8.11%

MWBOO FOUND VENDOR IN COMPLIANCE

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$318,982.98	9950-902465-9509	
MVR	Construction Reserve	
	Curb Repair	
\$277,376.50	-----	9950-906668-9508-6
		Structure & Improvements
27,737.65	-----	9950-906668-9508-5
		Inspection
<u>13,868.83</u>	-----	9950-906668-9508-2
\$318,982.98		Contingencies
		Citywide Curb Repair

This Transfer will fund the cost associated with the award of Project TR 13007, Citywide Curb Repair to Machado Construction Co., Inc.

Bureau of Water & Wastewater

3. WC 1240, Meter Setting Installations at Various Locations, West Baltimore	J. Fletcher Creamer & Son, Inc.	\$4,817,470.00
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MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

MBE:	M. Luis Construction Company, Inc.	\$543,000.00	11.27%
	JJ Adams Fuel Oil Company, LLC	100,000.00	2.08%
	Fallsway Construction Company, LLC	195,000.00	4.05%
	Machado Construction Company, Inc.	30,000.00	0.62%
		<u>\$868,000.00</u>	<u>18.02%</u>
WBE:	R & R Contracting Utilities, Inc.	\$330,000.00	6.85%
	Keys Materials & Utilities, Inc.	8,000.00	0.17%
		<u>\$338,000.00</u>	<u>7.02%</u>

MWBOO FOUND VENDOR IN COMPLIANCE

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$6,359,060.00	9960-9558-906133	
Water Revenue	Construction Reserve	
Bonds	Meter Replacement	
\$ 481,747.00	-----	9960-905658-9557-2
		Extra Work
481,747.00	-----	9960-905658-9557-3
		Engineering
289,048.00	-----	9960-905658-9557-5
		Inspection
4,817,470.00	-----	9960-905658-9557-6
		Construction
<u>289,048.00</u>	-----	9960-905658-9557-9
\$6,359,060.00		Administration

The funds are required to cover the cost of the award for WC 1240, Meter Settling Installation and Water Main Replacement at Various Locations - West Baltimore.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.

MINUTES

President: "The next item on the non-routine agenda can be found on Page 54 and 55, items 3 and 4, Bureau of Water and Wastewater, WC 1240, Meter Settling Installations at various locations, West Baltimore. Will the parties please come forward?"

Comptroller: "God bless you."

City Solicitor: "Thank you."

President: "Good morning."

Mr. Thomas Corey, MWBOO: "Good morning, uh -- Mr. President, Members of the Board. Um, I believe the bid is --"

City Solicitor: "Your name please."

Mr. Corey: "Oh, Thomas Corey. I'm sorry."

City Solicitor: "Middle initial?"

Mr. Corey: "B."

Comptroller: "Do you have one?"

Mr. Corey: "Yes, "B." Thomas B. Corey, Chief of the Minority and Women's Business Opportunity Office. Um, I'm going to say that, um, J. Fletcher Creamer, as I understand, that agency recommended for award, because the second low bidder was found non-compliant by, uh, our, our office. The non-compliance finding was based on the fact that one of the MBE's named by uh -- the second bidder, R.E. Harrington, --"

MINUTES

Mr. Jolivet: "Was he the second bidder?"

Mr. Corey: "Uh, second low bidder."

Mr. Jolivet: "I thought Corey, I thought Harrington --"

President: "Mr. Jolivet, let him finish and then --"

Mr. Corey: "He was first low bidder in terms of dollar amount. Um, what we found that firm non-compliant because the MBE, one of the MBE's, uh, named by the bidder, was not certified to provide the services for um -- which they were um -- um -- offered up on the bid. The a -- a second MBE that was named on the bid was not certified by the City of Baltimore, so um, consequently, we found them non-compliant."

Comptroller: "Mr. Corey, what was the service named by R.E. Harrington that they were not qualified for?"

Mr. Corey: "Um, it was CCTV Masters, they were uh, named to provide uh -- utility work and um, what CCTV is named to do is, uh, is just uh, um -- closed circuit TV inspections, and uh, they were named for some other things. Let me find this thing here, I'll tell you exactly what else they were named to do. But they weren't certified to provide that those services. Give me one second."

MINUTES

Comptroller: "Is this it?"

President: "I think it was water mains."

Mr. Corey: "Yes, I think it was water mains but I want to make sure. It was water mains. They were named to provide water main services, and they were not certified to provide that, only TV inspections. And, uh, as I said, Consolidated Services is not certified by the City of Baltimore at all."

President: "Mr. Jolivet."

Mr. Jolivet: "Again. Uh, Mr. Corey will obviously disagree with me on this, but uh, this same issue obviously has come up there have been two other contracts, uh, that I might add, were bid, as this contract, by a certified Baltimore City minority African-American contractor, and in each case, the agency, and I suppose Mr. Corey uh -- concurred, uh, elected to disqualify the first bidder uh -- and award the contract to the second bidder, and I, uh, Mr. President, I would like, if possible, for you to distribute this uh, document that I have prepared, and it, it, it does speak to what we're, the difficulty of what we're doing here and what I have done here, because uh -- both of, all three of these contracts, I might add, were originally bid, and the lowest responsive responsible bidder, in my opinion, was an

MINUTES

African-American owned contracting company. Uh, I appealed on two other occasions, uh -- regarding to 1255 and 1256, uh -- which the Board awarded to other contractors. Now, the point I'd like to make today, and the relevancy of that document which I have just submitted to you, -- it, it, it documents and shows the great, extra added taxpayers' monies that the City is paying when they don't award to the lowest responsive responsible dollar bidder. Uh, and I went through the difficulty of compiling that, those figures for you, because contrary to Mr. Nilson's contention, I still believe that the current state of the law would necessitate that we, that we award these kinds of contracts to the lowest responsive responsible bidder, notwithstanding the fact that they may not, for whatever reason, did not successfully meet the Minority Women's Business goal. Now, now hear me out. Hear me out. Last week I sat here and I watched the Board, I observed the Board award two contracts to bidders that were not in compliance with the City's MBE/WBE Ordinance goals. Now, what I'm submitting to this Board, this Honorable Board, you can't have it both ways. Either the City has to be uniform, -- you keep disqualifying one bidder for not

MINUTES

meeting the MBE/WBE at bid time and on the other hand, allow a proven MBE for contract award that violated the MBE. So, I, I, I just, I'm troubled by the fact, that three of these contracts, three of them, I'm very troubled, were honestly won, fair and square, by an African-American minority contractor, and this Board, for whatever reason, sees fit to disqualify this contractor, and honestly, I would assume, that the Board has some honest opinion that this is the correct policy. But, Mr. President, Madam Mayor, this is not a good policy. And I know that, I know that, you're going to say "Well, we gotta enforce the MBE program consistently across the Board", but I would submit to you that we're not doing it that way and, and all I'm going to ask, I'm not going to spend a tremendous amount of time on this 'cause I know that the Board's time is valuable, I do want to point out, and I want Mr. Nilson to, I want Mr. Nilson to grasp this, because I think Mr. Corey has already grasped this, and let me -- let me just, I know the hour is late uh, uh, honestly, but I want to point out, Mr. Nilson, that I have sent you memos., every jurisdiction. --"

MINUTES

City Solicitor: "and lawsuits."

Mr. Jolivet: "-- uh, I don't know about lawsuits--"

Mr. Jolivet: "-- but I have sent you memos detailing the current state of the law in Maryland and throughout the nation, in cases where, in municipalities like Baltimore City, has a race-ethnic-gender-based MBE Ordinance, and for whatever reason the bidder does not completely or satisfactorily, reach the MBE at bid time, and I might add, in every single case, even in cases where the municipality had a charter provision the lowest responsive responsible bidder, like we do, and the courts have said, the charter provision requiring the award to the lowest responsive responsible dollar bidder trumps the Ordinance. You've seen that Mr. Nilson. You've seen it, and you know that is the state of the law. And you know that the Maryland Board of Contract Appeals also takes the position that the issue of a bidder complying with the MBE/WBE requirement is an issue of responsibility and not of responsiveness. I, I, you know, I think, and I raise that point, because we're losing \$1.18 million dollars on just these three contracts. But I, I don't want --"

MINUTES

City Solicitor: "I, I appreciate the fact, I mean nobody likes to lose money, nobody likes to end up awarding to other than the low, another bidder, but I just want to clarify two things and --"

Mr. Jolivet: "Well maybe not losing - I want to change --"

City Solicitor: "Spending more. Sorry."

Mr. Jolivet: "I don't want to say losing, cause that's not an appropriate phrase. What I think we're saying here is maybe we're over-spending."

City Solicitor: "So, two things. Number one, is it your position that the Board has the authority to waive compliance with the Ordinance. .?"

Mr. Jolivet: "Absolutely. It is--"

City Solicitor: "-- in its discretion regardless of the nature of the non-compliance"

Mr. Jolivet: "Absolutely."

City Solicitor: "-- and regardless of the circumstances. .?"

Mr. Jolivet: "It's in the Charter."

City Solicitor: "Okay, okay, thank you Mr. Jolivet you've answered the question. Second question: are you here today on behalf of the association or the second low bidder?"

MINUTES

Mr. Jolivet: "Uh, I'm not really concern about the second low bidder. No."

City Solicitor: "So, you're here for the association?"

Mr. Jolivet: "Uh, well, uh, the second low bidder - I could -- let me clarify that."

City Solicitor: "The bidder on whose behalf you're arguing."

Mr. Jolivet: "The second low bidder is, is not being, is being awarded the contract. I wouldn't be, my argument is against the award to the second low bidder. My argument is for the award to the first low bidder."

City Solicitor: "You're here on their behalf?"

Mr. Jolivet: "I'm here because they are members of our association."

City Solicitor: "Okay."

President: "Mr. Corey?"

Mr. Corey: "I would only disagree that this goes to responsiveness, not to responsibility, and two, the Board last week, um, found, um, agreed with our finding that the bidders that were before the Board last week were compliant. They were not non-compliant bidders that won the contract. They were compliant."

MINUTES

Mr. Jolivet: "There were several bidders, if I can, uh Mr. President, if I can interrupt Mr. Corey, which I don't like to do -- there were several bidders, who were a part of the bidding process, and who were not recommended initially for award, because they did not meet the MBE, but if you check the record, the record, the transcript will show that the Board voted to raise the MBE requirements in regard to their failure to meet, and awarded, elected to award, the contract. So, I think Mr. Corey, in all due respect, I think that if he would review the record, and review the transcript, I would venture to say that he's likely to withdraw that statement he just made. But nonetheless, I'm not, I'm not going to ask him to do that. But, but, let me, let me just."

President: "Can he, can he respond to that?"

Mr. Jolivet: "Of course, of course."

Mr. Corey: "uh --Actually, he's correct. There were four vendors that were uh, non-compliant but they were all non-compliant, and in those instances, this Board and this office, has agreed, that the Board has the discretion to award it to

MINUTES

those contractors that are non-compliant because there's no competitive advantage to being gained by any one of them because all happen to be non-compliant. That was a case where four non-profits who were found non-compliant and we stuck, and, we maintained a position and the Board exercised its discretion to award those contracts to those four non-profit organizations with the condition that they come into compliance within 10 days. I'm here to report to the Board today, because it was part of my duties that those four vendors are in compliance. The uh, the MBE that was, um, that was named under those bids, um, has come into certification, being certified for that particular -- so I'm reporting to the Board today that those vendors have been found compliant. They've done what they're supposed to do. Okay?"

Mr. Jolivet: "Mr. Corey, may I ask, was the first, was the first bidder of the primary bidder recommended for award, was that bidder in compliance?"

Mr. Corey: "Yes, there are two of the bidders were uh -- in compliance, the other four were uh, we found non-compliant. The uh, the agency needs all six of the bidders in order to carry out uh - the, the contract, so that's why the Board did that --"

MINUTES

Mr. Jolivet: "Mr. President, thank you, Mr. Corey. Mr. President, I just would like to put one other fact on the record, and I know Mr. Nilson is uniquely familiar with this because these are cases that have been in the Maryland records for years, and they are cases that said, that say that not every defect or irregularity in the bid constitute ground for disqualification of the bidder, and the tests seem to be, as articulated by the Court of Appeals, the test seem to be, as articulated in Finney vs. Eldercon and Maryland Pavement vs. Mahool, the tests seem to be whether or not the irregularity, or the alleged irregularity, uh, gives one bidder an advantage over another, and I would venture to say that assuming that's the test that this Board recognizes, and is willing to adhere to, uh, I would simply make the argument, uh, that the first bidder, R.E. Harrington, honestly made a minor irregularity or a minor mistake in his bid. Obviously Mr. Corey that has found that, and when Mr. Corey finds something, it's the law. Uh -- But I make the point, and I will close, I make the point that, assuming that Mr. Corey has made a determination that Harrington's failure to meet the MBE/WBE provisions at bid time, constituted a matter that would make his bid non-responsive.

MINUTES

My contention that I would like the Board to consider uh is that, assuming that's correct, the error or the mistake that Mr. Harrington allegedly made, did not give him any undue advantage over the other bidders. He still gave the City the best responsive responsible price, and given that fact, uh -- and I know the MBE is very important, and I support it, and I was part of the group that first drafted the original Ordinance, but I still believe, Madam Mayor, I want you to hear me, I, I just believe that we can enforce it in a more creative, effective manner that we don't have to spend one million, one hundred eighty-six thousand dollars more for three contracts. I guess that if we looked at other contracts that have come before this Board, where the bidder did not meet, I would venture to say that we are probably spending more, so I want to ask this Board this morning to reconsider, that even if you don't see fit to approve this contract to Harrington today, I think that we're duly-bound to totally reconsider, and revamp the City's MWBE policy. I know that we're currently reviewing it and we have a disparity study that, in honesty, there might be some plans to

MINUTES

renew or re-enact the Ordinance before December 31st but now is the time to save City taxpayers money."

President: "I move for a Motion. I entertain a Motion."

City Solicitor: "I move to deny the bid protest, and sustain and approve the agency recommendation consistent with the Board's prior practices in this area."

Mr. Foxx: "Second."

President: "All those in favor, say aye. AYE."

President: "All those opposed, say nay. The Motion carries."

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

5. B50003067, Chlorine Cylinder Truck	Beltway International, LLC	\$112,523.00
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(Dept. of General Services,
Fleet Mgmt.)

MWBOO GRANTED A WAIVER.

MINUTES

Bureau of Water and Wastewater - Single Bond for Drain
Layers #1092025

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Single Bond for Drain Layers #1092025 for the firm, T.E. Jeff, Inc. The period of the bond will continue until either the firm or the surety gives notice of its termination.

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 - Bond

BACKGROUND/EXPLANATION:

The firm, T.E. Jeff, Inc., occasionally obtains permits from the City to excavate in streets, alleys, lanes, footways, thoroughfares, highways, and City of Baltimore rights-of-way for which it is obligated to give bonds. T.E. Jeff, Inc. desires to provide one bond to cover all permits that may be issued to it instead of being obligated to give a separate bond or money in each case.

(The single bond for drain layers has been approved by the Law Department as to form and legal sufficiency.)

UPON MOTION duly made and seconded, the Board approved acceptance of the Single Bond for Drain Layers #1092025 for the firm, T.E. Jeff, Inc.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
1. Keith T. Jones	Conducting Police Involved Shooting Investigation Training Orlando, FL Aug. 25 - 28, 2013 (Reg. Fee \$230.00)	Gen. Funds	\$ 981.80
2. Alonzo Moreland	Internal Affairs Investigative Training Glynco, GA Aug. 25 - 30, 2013 (Reg. Fee \$1,235.00)	Gen. Funds	\$1,722.60

TRAVEL REIMBURSEMENT

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of City Council President</u>			
3. Rochelle Spector	2013 NACo County Solutions & Market Place Ft. Worth, TX July 19 - 22, 2013 (Reg. Fee \$515.00)	Elected Officials Expense	\$ 120.27

Ms. Spector submitted a travel request and received an advance in the amount of \$1,793.80. Ms. Spector is requesting \$70.27

MINUTES

TRAVEL REIMBURSEMENT - cont'd

to cover the cost of transporting publication materials from the training back to the City and \$50.00 for ground transportation for which she did not receive an advance.

Transport of Materials	\$ 70.27
Ground Transportation	<u>50.00</u>
	\$120.27

UPON MOTION duly made and seconded, the Board approved the travel requests and the travel reimbursement. The President **ABSTAINED** on item No. 3.

MINUTES

Department of Transportation - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) with the Maryland Transportation Authority (MdTA). The period of the memorandum of agreement (MOA) is effective upon Board of Estimates' and MdTA's approval through September 30, 2016.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On August 8, 2012, the Board approved a memorandum of agreement with the MdTA which set forth a general understanding and agreement with respect to the joint development of support for the Baltimore Grand Prix and traffic operation plans.

This MOA outlines a joint traffic operations plan within the MdTA's right-of-way. Under authority granted by Title 4 section 4-205 of the Transportation Article of the Annotated Code of Maryland, the MdTA has certain powers relating to the supervision, financing, construction, operation, maintenance and repair of transportation facilities projects.

The authority has determined that the Grand Prix Project will impact normal traffic operation of the MdTA's Interstate 395 property to the extent that special traffic controls and/or other safety considerations are required. Under the terms of this MOA, the City is required to submit an annual maintenance of traffic plan to the Authority for approval.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of agreement with the Maryland Transportation Authority.

MINUTESParking Authority of Baltimore City - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds for repairs to the Fire Safety System Standpipe repair at the Redwood Garage.

AMOUNT OF MONEY AND SOURCE:

\$13,485.00 - 2075-000000-5800-408500-603016

BACKGROUND/EXPLANATION:

The repairs will be made by Fire and Life Safety of America, Inc. (FLSA). The fire safety system at the Redwood Garage located at 11 S. Eutaw Street is more than 15 years old. This system is tied into the fire safety system that also services the Redwood Towers Apartments which are above the garage. The two standpipes located in the garage have severe corrosion, which has caused water leaks. These water leaks result in a significant loss of water pressure, and thus the system cannot function as designed. Upon inspection last fall, it was deemed that these standpipes could fail catastrophically during a fire and present a life safety issue.

Currently, FLSA has the annual safety inspection and testing agreement with Redwood Towers Apartments. Although FLSA was the second lowest of three bidders who submitted proposals for the repairs, their pricing is competitive. The difference between FLSA's bid and the lowest bid was only \$490.00. In addition, due to the current written agreement between Redwood Towers and FLSA, the Parking Authority does not feel comfortable involving a different vendor for these repairs.

MINUTESParking Authority of Baltimore City - cont'd

The work will include removing the old standpipes, replacing them with Schedule 10 Black piping and installing new fire hose valves. After pressure testing, the system will be fully operational as required by National Fire Protection Association (NFPA). NFPA compliance is the standard for inspection testing and maintenance of water-based fire protection systems.

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

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds for repairs to the Fire Safety System Standpipe repair at the Redwood Garage.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---|-------------|---------------------------|
| 1. PERKINELMER HEALTH SCIENCES, INC. | \$41,552.55 | Sole Source/
Agreement |
| Solicitation No. 08000 - PerkinElmer Service Agreement -
Department of Public Works - Req. No. R630637 | | |

The Board is requested to approve and authorize execution of an agreement with Perkinelmer Health Sciences, Inc. The period of the agreement is effective June 9, 2013 for three years, with an option to renew for three additional one-year periods. A sole source award is recommended.

The agreement is late because of delays in receiving the quote from the vendor and contract negotiations.

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.

- | | | |
|--|-------------|----------|
| 2. ROBNET, INC. | \$10,000.00 | Increase |
| Solicitation No. 07000 - Stainless Steel Fasteners - Department of Public Works - Req. No. P515979 | | |

On January 29, 2011, the City Purchasing Agent approved the initial award in the amount of \$4,999.00. The first and second renewals were approved by the City Purchasing Agent on December 9, 2011 and November 19, 2012, respectively. This increase in the amount of \$10,000.00 is needed because of increased usage and will make the total contract amount \$26,999.00. This contract expires on January 28, 2014.

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

- | | | |
|---|--------------|---------|
| 3. DATA TICKET, INC. | \$ 60,000.00 | Renewal |
| Solicitation No. B50001176 - Provide Driver Motor Vehicle Information - Finance Department - Req. No. P510326 | | |

On September 16, 2009, the Board approved the initial award in the amount of \$38,760.00, with the option to renew for three additional one-year periods. Subsequent actions have been approved. The period of this renewal is October 1, 2013 through September 30, 2014, with no renewal options remaining.

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|----------|
| 4. ROTORK CONTROLS, INC. | \$ 20,000.00 | Increase |
| Solicitation No. 06000 - Rotork Valve Actuator Parts - Department of Public Works, Bureau of Water and Wastewater - P.O. P515312 | | |

On November 3, 2010, the Board approved the initial award in the amount of \$20,000.00. Subsequent actions have been approved. This increase in the amount of \$20,000.00 is needed due to increased usage and will make the total contract amount \$60,000.00. This contract will expire on November 7, 2013, with no 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 goods, 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

5. COMMERCIAL LIGHTING

SALES, INC.	\$200,000.00	Renewal
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Solicitation No. B50001572 - Traffic Signal Poles - Department of Transportation - P.O. No. P514787

On September 15, 2010, the Board approved the initial award in the amount of \$324,056.00, with two one-year renewal options. This is the first renewal option in the amount of \$200,000.00. The period of this renewal is September 15, 2013 through September 14, 2014, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

6. GARDEN STATE HIGHWAY

PRODUCTS, INC.	\$ 0.00	Renewal
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Solicitation No. B50001162 - Extruded Street Name Signs - Department of Transportation - P.O. P510321

On September 16, 2009, the Board approved the initial award in the amount of \$35,700.00 with four 1-year renewal options. Subsequent actions have been approved. The period of this renewal is October 1, 2013 through September 30, 2014, with no renewal options remaining.

MWBOO GRANTED A WAIVER.

7. IDEXX DISTRIBUTION, INC. \$ 30,000.00 Renewal

IDEXX DISTRIBUTION, INC.	\$ 30,000.00	Renewal
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Solicitation No. 08000 - IDEXX Water Microbiology Products - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P517931

On August 10, 2011, the Board approved the initial award in the amount of \$28,906.00 with two 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$30,000.00 is for the period September 9, 2013 through September 8, 2014, with no renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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 goods, equipment, and/or service is recommended.

Department of General Services (DGS)

- | | |
|--|----------------|
| 8. <u>C & T Painting Company, Inc.</u> \$ 28,600.00 | Ratify Low Bid |
| IC558 - Clifton Park Superintendent's House Painting Restoration Project in Clifton Park | |

On September 12, 2012, the lowest of two informal bids was received in the amount of \$28,600.00 for an extensive time-sensitive painting restoration project (i.e. main house, porch storage house, and garage area, etc.). Bids ranged from \$28,600.00 to \$41,000.00. The work was subsequently completed in November 2012. Although the original scope of work was not initially anticipated to meet and/or exceed the \$25,000.00 threshold limit required for Board approval, unforeseen conditions dictated otherwise.

Reorganizations within the Department of General Services coupled with other extenuating circumstances contributed to the delays, as well as an inadvertent oversight of procuring the necessary advanced Board approval for expenditures totaling \$25,000.00 and over. Therefore, the DGS on behalf of the Department of Recreation and Parks, acknowledges its omission and requests the Board's indulgence to ratify this post award contract.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, extensions, and the ratification of the low bid. The Board also approved and authorized execution of the agreement with Perkinelmer Health Sciences, Inc. (Item No. 1).

MINUTES

Department of Transportation - Amendment No. 1 to Funding Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to funding agreement with The Bryn Mawr School for Girls, Inc. and The Gilman School, Inc. The amendment no. 1 to funding agreement extends the completion date to September 2014. In the event the construction is not commenced by such time, the agreement will terminate.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On May 9, 2012, the Board approved the funding agreement to establish a framework for rehabilitating Northern Parkway between Roland Avenue and Boxhill Lane, and Roland Avenue between Northern Parkway and Coldspring Lane, and sharing the funding responsibility for these repairs. The Department wishes to amend the original agreement to change the completion date for project planning and design from September 2012 to September 2013 and the project completion date from September 2013 to prior to the opening of the September 2014 school term.

This request is being submitted at this time because of unforeseen delays encountered with right-of-way and permit issues, as well as design approvals by State and Federal authorities that delayed the anticipated timeline for the project but have been recently addressed.

MBE/WBE PARTICIPATION:

N/A

MINUTESDepartment of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to funding agreement with The Bryn Mawr School for Girls, Inc. and The Gilman School, Inc.

PROPOSAL AND SPECIFICATIONS

- | | |
|-----------------------------------|---|
| 1. <u>Dept. of Transportation</u> | - TR 14001, Reconstruction of
Footways Citywide
BIDS TO BE RECV'D: 9/18/2013
<u>BIDS TO BE OPENED: 9/18/2013</u> |
|-----------------------------------|---|

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

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ACKNOWLEDGEMENT

President "Madam Mayor."

Mayor: "Thank you very much, Mr. President. Um, I just want to thank and uh -- welcome to the Board of Estimates, not only our Labor Commissioner, Deborah Moore-Carter, but also the Firefighters' Union President, Rick Hoffman. Um, this is, yesterday evening, through -- I'm going to say through unanimous vote, I don't know, he wouldn't give me the numbers, but as long as it was a majority, I'm, I'm, I was pleased, the Firefighters' Union and the Fire Officers' Union approved a landmark contract. I want to thank both Rick Hoffman and Mike Campbell for their hard work. I want to thank our Labor Commissioner. I want to thank Deputy Chief Maloney for all of his hard work. I want to thank the Acting Chief of the Fire Department, um -- Chief Segal and just, just thank you; think this took a lot of hard work, um, my financial, my Finance Director, Harry Black, knows this took a lot of hard work, a lot of compromise and a commitment to reaching a "win-win" and I am, I hope that this sets the positive stage for our uh -- Police negotiations, and in all of our negotiations in a sense that, when you, uh, come to the table in a spirit of negotiation compromise, with an eye on

MINUTES

win-win, I believe if you stay focused and stay committed, you can get to a win-win. I think um -- many of us did not know this was possible, but uh, because we stuck to it and continued to work together, we were able to get there, so I want to thank everyone who had something to do with getting us to this point, and thank you, uh, Rick and Deborah for being here."

* * * * *

President: "Um -- There being no more business before the Board, the meeting recess -- Oh, I'm sorry --"

Mayor: "But I have, I wanted, I others -- and Bobby Curran --"

President: "Go ahead."

Mayor: "I do want to recognize I see the fire officers, President Mike Campbell, who has come in so you missed all the nice things I said about you. Listen, I know it happens and if you don't mind, I'll recognize Councilman Bobby Curran. Thank you for, for being here as well."

* * * * *

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

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

BIDS, PROPOSALS, AND CONTRACT AWARDS

Prior to the reading of the bids scheduled to be received and opened today, the Clerk announced that the following Bureau had issued addenda extending the dates for receipt and opening of bids on the following contracts. There were no objections.

<u>Bureau of Purchases</u>	- B50003032, Rollout Containers with RFID BIDS TO BE RECV'D: 08/28/13 <u>BIDS TO BE OPENED: 08/28/13</u>
<u>Bureau of Purchases</u>	- B50003074, IT Assessment of City Agencies BIDS TO BE RECV'D: 09/04/13 <u>BIDS TO BE OPENED: 09/04/13</u>
<u>Bureau of Purchases</u>	- B50003055, Copier Equipment BIDS TO BE RECV'D: 09/11/13 <u>BIDS TO BE OPENED: 09/11/13</u>

MINUTES

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

Bureau of Purchases

- B50003065, Vehicle Tires:
Cars, Trucks, and Heavy
Equipment
-

Service Tire Truck Centers
DB Rice Tire Co.
Admiral Tire

Bureau of Purchases

- B50003096, Flat Bed Crane
Truck
-

Western Star Trucks of Delmarva LLC
Beltway International, LLC
Truck Crane Solutions
Harbor Truck Sales & Service d/b/a
Baltimore Freightliner

Bureau of Water & Wastewater

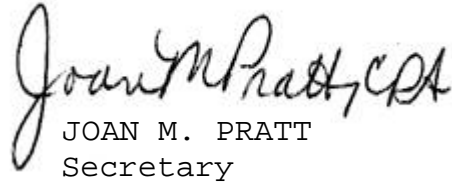
- Request for Information,
Baltimore DPW Operating
Efficiency Program
-

Veolia Water North America Operating Services, LLC
The Ultimate Concierge

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There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next scheduled meeting on Wednesday, August 28, 2013.



Handwritten signature of Joan M. Pratt, CPA, in cursive script.

JOAN M. PRATT
Secretary