

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated September 3, 2013, (sic) 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."

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

Comptroller: "Second."

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

* * * * *

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

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

ARK Systems, Inc.	\$ 8,000,000.00
Benade Group, Inc.	\$ 1,500,000.00
Brayman Construction Corporation	\$206,685,000.00
Brenford Environmental Systems, LP	\$ 8,000,000.00
CTG, Inc.	\$ 1,500,000.00
Cardinale Construction, Inc.	\$ 459,000.00
Construction Trades Services, Inc.	\$ 1,500,000.00
DuBois Construction, Inc.	\$ 7,686,000.00
Energy Systems Group, LLC	\$216,171,000.00
GC Jones Elevator Company, Inc.	\$ 1,500,000.00
G.E. Tignall & Co., Inc.	\$119,223,000.00
HP Electronics, Inc.	\$ 8,000,000.00
K.C. Company, Inc.	\$ 23,571,000.00
Lee Foundation Co., Inc.	\$ 2,547,000.00
Sargent Corporation	\$103,383,000.00
Spiniello Companies	\$151,173,000.00
Subsurface Technologies, Inc.	\$ 1,170,000.00
Tuckman-Barbee Construction Co., Inc.	\$ 8,000,000.00

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:

Athavale, Lystad & Associates, Inc.	Engineer
Beyer Blinder Belle Architects & Planners, LLP	Architect
Columbia Engineering, Inc.	Engineer
CWD Consulting, LLC	Engineer
Murdoch Smith Architects, LLC	Architect

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

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

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Options</u>			
1. Connie D. Green	906 N. Port St.	L/H	\$17,500.00
2. ESAF LLC	914 N. Port St.	L/H	\$45,540.00

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

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing options, condemnations, and quick-takes.

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 38** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on August 14, 21, and 28, 2013.

UPON MOTION duly made and seconded, the Board **NOTED** the 38 favorable reports from the Planning Commission.

MINUTES

Department of Human Resources - Employee Expense Statements

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statements for Ms. LaTonya Bryant for the months of March through May 2013.

AMOUNT OF MONEY AND SOURCE:

\$34.60 - 1001-000000-1601-172500-603026
47.84 - 1001-000000-1601-172500-604014
\$82.44

BACKGROUND/EXPLANATION:

The expenses incurred by Ms. Bryant were for incidental items incurred in support of the National Public Service Week activities. The expense statements were not filed within the limits set forth in the AM 240-11 because there was a miscommunication regarding the timeline for submittal.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statements for Ms. LaTonya Bryant for the months of March through May 2013.

MINUTES

Department of Real Estate - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement between the City, grantor, and the Baltimore City Fire Department (BCFD), grantee, for the right to enter upon a portion of the property known as 4501 Edmondson Avenue (formerly known as the Westside Skills Center). The period of the right-of-entry agreement will commence upon Board approval through March 1, 2014.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - if demanded

BACKGROUND/EXPLANATION:

The BCFD will be allowed to enter upon the property to store a BCFD apparatus inside the building. A construction trailer will be stationed outside of the building to be used as temporary living quarters for the Fire Fighters.

The property will be occupied while renovations of the first floor are completed at Fire Station, Engine 53. The Baltimore City Board of School Commissioners for the Baltimore City Public School System joins in this agreement for the sole purpose of giving its consent for the aforesaid purpose.

The BCFD will be responsible for signage, electricity, maintenance, and minor improvements. The BCFD will also be responsible for payment of a portion of the utilities based on kilowatt usage.

The BCFD agrees that upon termination of this right-of-entry agreement, all material and equipment used or generated during the period of the right of entry agreement will be removed, with the exception of any permanent improvements and the property will be returned to its original condition.

MINUTES

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the right-of-entry agreement between the City, grantor, and the Baltimore City Fire Department, grantee, for the right to enter upon a portion of the property known as 4501 Edmondson Avenue (formerly known as the Westside Skills Center).

MINUTES

TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

3581

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**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation (BDC)</u>		
1. \$ 100,000.00 20 th EDF	9910-906983-9600 Constr. Res. Arts & Entertain- ment Initiative	9910-902870-9601 Business Incubators & Centers

This transfer will provide funds to the Emerging Technology Center (ETC) for relocation expenses from their current location at 2400 Boston Street (Can Company) to their new location at 101 N. Haven Street. The ETC helps early-stage companies grow and prosper. As part of the BDC, the ETC also promotes economic development by providing start-ups with businesses, technical, and networking connections that will help them to become profitable - adding to both the job and tax base of Baltimore City.

A PROTEST HAS BEEN RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

Kim A. Trueheart

September 10, 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 9, Baltimore Development Corporation (BDC) – TRANSFERS OF FUNDS, if approved:
 - i. This action fails to disclose the outcome-based budgeting performance results for the ETC;
 - ii. This action fails to identify the new performance measures that will be assigned to the ETC as a result of this action.
 - iii. Please provide the ETC performance results for FY 2013 and the new ETC performance goals for FY 2014 for inspection.
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 this unchecked, unsubstantiated and frivolous expenditure of scarce taxpayer funds.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on September 11, 2013.

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

Sincerely,
Kim Trueheart
Citizen

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

MINUTES

Health Department - Revised Notification of Grant Award,
Grant Extension, Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the revised notification of grant award, grant extension, and approve and authorize execution of an agreement.

NOTIFICATION OF GRANT AWARD (NGA)

1. **STATE OF MARYLAND, DEPARTMENT OF AGING(MDoA)/NUTRITION SERVICE INCENTIVE PROGRAM (NSIP)** **\$292,453.00**

Account: 6000-633513-3254-316200-404001

This NGA is for the Nutrition Service Incentive Program (NSIP). This revised NGA will allow the Department to provide funding to senior nutrition programs as designated meal sites or for home-delivered meals.

The revised NGA is based on 75% of the FY12 NSIP funding and reflects the Department's award based on actual FY12 meal counts and the final FY12 award notification. The period of the grant award is October 1, 2012 through September 30, 2013.

The NGA is late because it was just received from the MDoA.

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

GRANT EXTENSION

2. **THE ABELL FOUNDATION** **\$0.00**

On August 15, 2012, the Board approved the initial grant agreement with The Abell Foundation for the Teen Pregnancy Prevention Initiative (TPPI) in the amount of \$60,000.00. The period of the agreement was July 1, 2012 through June 30, 2013. The Department requested and received approval from The Abell Foundation to extend the period of the grant

MINUTESHealth Department - cont'd

agreement through September 30, 2013. This time extension will allow the Department enough time to complete the development of the teen long-acting reversible contraceptive (LARC) video.

AUDITS NOTED THE TIME EXTENSION.

AGREEMENT

3. **UNIVERSITY OF MARYLAND BALTIMORE/** **\$ 35,600.00**
ADOLESCENT AND YOUNG ADULT CENTER (AYAC)

Account: 5000-520114-3030-702900-603051

The AYAC will provide access to the reproductive health services to the uninsured and underinsured citizens of Baltimore City. Services include, but are not limited to education, contraception, screening, and referral of reproductive related cancers, and education and screening of sexually transmitted infections. The period of the agreement is July 1, 2013 through June 30, 2014.

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

AUDITS REVIEWED AND HAD NO OBJECTION.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the acceptance of the revised notification of grant award, grant extension, and approved and authorized execution of the agreement.

MINUTES

Department of Housing - Employee Expense Statements
and Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the various expense statements for Continuing Education Credit required by the Maryland State Child Care Licensing Administration for the following employees:

- | | | |
|----|---------------------------|-----------------|
| 1. | ANGELA PRINGLE | \$265.00 |
| 2. | GWENDOLYN WHITAKER | \$ 25.00 |

Account: 2089-208914-6040-440000-603020

- | | | |
|----|----------------------------|-----------------|
| 3. | SARAH FOSTER | \$ 40.00 |
| 4. | SHIRELLE CROSS-WARD | \$ 40.00 |
| 5. | VERONICA BLAKE | \$ 60.00 |

Account: 6000-685614-6040-607400-603020

- | | | |
|----|---------------------|-----------------|
| 6. | YVONNE MILES | \$ 40.00 |
|----|---------------------|-----------------|

Account: 6000-685614-6040-608400-603020

The request is late because the original expense statements submitted for processing were misplaced and there is no record of their submission to Accounts Payable.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the he various expense statements for Continuing Education Credit required by the Maryland State Child Care Licensing Administration for the listed employees.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a CDBG agreement with the Community Housing Associates, Inc. The period of the agreement is September 1, 2013 through August 31, 2014.

AMOUNT OF MONEY AND SOURCE:

\$68,230.00 - 2089-208914-5930-532361-603051

BACKGROUND/EXPLANATION:

Under the terms of this agreement, the funds will be utilized to subsidize the staff costs associated with acquiring, rehabilitating, and developing properties to create rental housing opportunities for low and moderate-income non-elderly disabled and homeless persons.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the CDBG agreement with the Community Housing Associates, Inc.

MINUTES

Department of Housing and - Grant Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with Baltimore Community Lending. The period of the grant agreement is effective upon Board approval through October 15, 2023.

AMOUNT OF MONEY AND SOURCE:

\$425,000.00 - 9910-914752-9588-900000-706032

BACKGROUND/EXPLANATION:

The Baltimore Community Lending (BCL) is a 501 (c)(3) organization that was established by Baltimore City in 1989 to generate community development in neighborhoods typically overlooked by traditional financial institutions.

Since its establishment, the BCL has deployed \$150,000,000.00 in loans and supported the construction of more than 3,700 residential units in addition to commercial and community facilities. The BCL receives funds from foundations, other financial institutions and the state and federal government.

The BCL is in the process of recapitalizing its loan fund. In order to attract investment from other funders and to provide necessary matching funds for upcoming federal grant applications. The Department is providing \$1,000,000.00 of its GO Bonds over a three year period. In December 2012, the Board approved an agreement in the amount of \$350,000.00.

In February 2013, the Board approved \$225,000.00 to provide loans to qualified builders and developers who are working in Vacant to Value areas. This grant agreement is the final payment of \$425,000.00 which will enable the BCL to continue supporting development efforts in the Citywide Vacants to Value Community Development Cluster areas.

MINUTES

DHCD - cont'd

Under the terms of the grant agreement, the BCL will receive the full grant amount and will provide quarterly progress reports to the City.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 425,000.00	9910-903960-9587	9910-914752-9588
31 st CDB	Baltimore	Baltimore Community
	Community Lending	Lending
	Recapitalization	Recapitalization
	Reserve	

This transfer of appropriation is in accordance with the Ordinance of Estimates for FY14 to support the recapitalization of the BCL's Loan Fund.

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

MINUTES

Department of Housing and - Side Yard Land Disposition

Community Development

Agreements

The Board is requested to approve and authorize execution of the side yard land disposition agreements with the following purchasers:

<u>Purchaser</u>	<u>Property</u>	<u>Sale Price</u>
1. BOOKER BENJAMIN	13 N. Eden St. Block 1343, Lot 050	\$514.00
2. MORRIS JONES	427 E. Lafayette St. Block 1104, Lot 029	\$537.95

BACKGROUND/EXPLANATION:

The sale price will be paid by the purchaser prior to settlement.

The properties will be sold under the City's Side Yard Policy approved by the Board on August 17, 2011. The purchaser will be using private funds to pay for the acquisition and maintenance of the property.

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

In accordance with the City's Side Yard Policy, the City has agreed to convey the above properties, to the owner(s) of the adjacent owner-occupied property. As a condition of conveyance, the purchasers have agreed to the terms of the LDA, which prohibit development of the parcel for a minimum of ten years.

MINUTES

DHCD - cont'd

STATEMENT OF PURPOSE AND RATIONALE FOR SALE:

The rationale for the conveyance of each property is that the sale will serve a specific benefit to the immediate community and eliminate blight. The purchasers intend to clear the land and keep it as a green space.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the side yard land disposition agreements with the listed purchasers.

MINUTES

Department of Housing and - Memorandum of Understanding (MOU)
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding with The Baltimore City Health Department. The period of the MOU is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$385,216.00 - 2089-208914-5930-433927-603051

BACKGROUND/EXPLANATION:

Pursuant to guidance from the Department of Housing and Urban Development (HUD), a MOU must be executed for the utilization of Community Development Block Grant funds to support other City agencies. The DHCD has funded the Commission on Aging and Retirement Education (CARE) for several years. CARE was merged into the Health Department and subsequently integrated with other aging programs under Adult Geriatric Health Services and became the Office of Aging and CARE Services (OACS). The Health Department desires the DHCD to continue funding support for the OACS to provide comprehensive services and programs to the senior citizens of Baltimore City.

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:

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

MINUTES

DHCD - cont'd

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2013 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the memorandum of understanding with The Baltimore City Health Department.

MINUTES

Department of Housing and - Local Government Resolution
Community Development

The Board is requested to approve and authorize execution of a local government resolution for the Mary Harvin Transformation Center Apartments.

The organization is applying to the State of Maryland's Department of Housing and Community Development (MD-DHCD) for the Low Income Housing Tax Credit (LIHTC) and the Community Development Administration/Elderly Rental Housing Program (CDA-ERHP). A local government resolution of support is required by the State for all applications to these programs for funding.

MARY HARVIN TRANSFORMATION	\$1,174,776.00
CENTER APARTMENTS	(LIHTC)
	\$ 950,000.00
	(CDA/-ERHP)

The Mary Harvin Transformation Center Apartments, located in the 1600 Block of North Chester Street will consist of the new construction of an elderly rental apartment complex. Upon completion, the project will provide 57 one-bedroom units of senior housing restricted to individuals earning 60% or less of the area median income. The borrower of record will be the Mary Harvin Center Limited Partnership.

The Department intends to provide at least 12 Project-Based Vouchers to the project.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the local government resolution for the Mary Harvin Transformation Center Apartments.

MINUTES

Mayor's Office of Information Technology - Payment of Invoice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize payment of a invoice from CTS LanguageLink.

AMOUNT OF MONEY AND SOURCE:

\$1,525.46 - 1001-000000-1512-167800-603051

BACKGROUND/EXPLANATION:

CTS LanguageLink provided professional translation services for Baltimore City's 9-1-1 Call Center in previous fiscal years. In FY13, the 9-1-1 Call Center transitioned from the Baltimore Police Department to the Mayor's Office of Information Technology. At that time, the Mayor's Office of Information Technology changed vendors. During this change, the last invoice for LanguageLink was missed. As a result, CTS LanguageLink is due \$1,525.46.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION

UPON MOTION duly made and seconded, the Board approved the payment of an invoice from CTS LanguageLink.

MINUTESDepartment of Audits - Audit Reports and Related Audit Digests

The Board is requested to **NOTE** receipt of the following Audit Reports and Related Audit Digests:

1. Audit of the City of Baltimore Waste Water Utility Fund Financial Statements for the Years Ended June 30, 2012 and 2011.
2. Audit of the City of Baltimore Water Utility Fund Financial Statements for the Years Ended June 30, 2012 and 2011.
3. Audit of the City of Baltimore Parking Facilities Fund for the Fiscal Year Ended June 30, 2012.
4. Audit of the City of Baltimore Loan and Guarantee Program Financial Statements for the Year Ended June 30, 2012.

The Board **NOTED** receipt of the four Audit reports and related digests.

MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

3596 - 3597

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

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

Department of Transportation

1. EWO #002, \$1,725,000.00 - TR 03333, Sinclair Lane Bridge Rehabilitation over CSXT Railroad

\$5,694,538.15	\$0.00	Concrete General, Inc.	-	-
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2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,770,000.00 Federal	9950-944002-9507 Constr. Reserve Highway Reserve for Closeouts	
442,500.00 <u>Others</u>	9950-902436-9507 Locust Point Access Road	
\$2,212,500.00	-----	9950-901363-9508-2 Contingencies Sinclair Lane Bridge Rehabilitation over CSXT Railroad

This transfer will provide funds to cover the deficit in the account and costs associated with Change Order No. 2 to the project TR 03333, Sinclair Lane Bridge Rehabilitation over CSXT Railroad, in the amount of \$1,725,000.00.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

3. EWO #009, \$470,209.31 - Project 1113, On-Call Consultant Services for Federal Aid Resurfacing and Reconstruction Projects for Baltimore City

\$3,000,000.00	\$2,098,017.28	Rummel, Klepper & Kahl, LLP	-	-
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4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 30,000.00	9950-935003-9509	
GF (HUR)	Constr. Reserve	
	Fulton Street	
	Streetscape	
487,230.24	" "	
Federal		
<u>\$517,230.24</u>	-----	9950-908536-9506-3
		Design and Study
		Fulton Avenue
		Streetscape

This transfer will provide funds to cover the costs associated with Task No. 9, Project No. 1113, for On-call Consultant Services for Federal Aid Resurfacing and Reconstruction Projects for Baltimore City, with Rummel Klepper & Kahl, LLP.

DPW, Bureau of Water & Wastewater

5. EWO #023, \$0.00 - SC 855 - ENR Modifications to Existing Facilities at Patapsco WWTP

\$22,727,000.00	\$385,225.27	Fru-Con Construction, LLC	53	90
			CCD	

MINUTES

Department of Recreation and Parks - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task no. 13 under Project No. 1164, On-Call Architectural Design Services.

AMOUNT OF MONEY AND SOURCE:

\$392,042.46 - 9938-908784-9474-900000-703032

BACKGROUND/EXPLANATION:

The Consultant will provide the final design services for the Cherry Hill Community Center.

MWBOO FOUND VENDOR IN COMPLIANCE.

THE TRANSFER OF FUNDS WAS APPROVED ON AUGUST 14, 2013.

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

A PROTEST HAS BEEN 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 the execution of the assignment of Task no. 13 under Project No. 1164, On-Call Architectural Design Services.

Kim A. Trueheart

September 10, 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 within the Department of Recreation and Parks.

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 26, Department of Recreation and Parks - Task Assignment, if approved:
 - i. Council Bill 08-0084 approved \$16,000,000 for 2 new recreation centers, including one in Cherry Hill;
 - ii. This action fails to disclose the total funds available for this project;
 - iii. This action fails to disclose the schedule for this project;
 - iv. The last remaining recreation center in Cherry Hill, Patapsco Recreation Center, closed yesterday, indefinitely, thus leaving this already underserved predominantly low income community without an operational recreational facility;
 - v. Please provide access to the remediation plan for the Patapsco Recreation Center for inspection;
 - vi. Please provide access to the full schedule for this project for inspection;
 - vii. Please provide access to the full budget for this project for inspection.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed the continued disinvestment in municipal recreation facilities, programs and services. This action services to highlight what I perceive to be disparate policy and practices within the Department of Recreation and Parks which continue to diminish the quality and availability of recreational programs and services available to me and more importantly for our children!

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on September 11, 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

Bureau of Waste & Wastewater - Agreement for Project No. 1180.6

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement for Project No. 1180.6, Small Diameter Water Main Replacement and Rehabilitation Design at Various Locations FY13 (WC 1271, WC 1272, & WC 1273) with Dewberry & Davis, LLC. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever occurs first. The agreement can be extended for one additional year at the City's discretion.

AMOUNT OF MONEY AND SOURCE:

\$899,309.40 - 9960-909634-9557-900020-703032

BACKGROUND/EXPLANATION:

Dewberry & Davis, LLC will provide water main design and engineering services related to the existing water infrastructure that has been identified by the City at various locations for replacement and/or rehabilitation. The scope of work includes preparation of contract documents including plans, specifications, cost estimates, permit applications, community outreach meetings, right-of-ways, etc.

AUDITS REVIEWED AND HAD NO OBJECTION**MBE/WBE PARTICIPATION:**

MBE: Dhillon Engineering, Inc.	\$107,999.92	12.00%
Navarro & Wright Consulting Engineers, Inc.	\$108,000.02	12.00%
Samms Engineering, LLC	\$ 27,000.00	3.00%
	\$242,999.94	27.00%
WBE: Phoenix Engineers, Inc.	\$54,000.13	6.00%
Sahara Communications, Inc.	18,000.00	2.00%
Russell Corrosion Consultants, Inc.	18,000.00	2.00%
	\$90,000.13	10.00%

MINUTES

Bureau of Waste & Wastewater - cont'd

MWBOO FOUND VENDOR IN COMPLIANCE.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,000,000.00	9960-909100-9558	
Water Revenue	Construction Reserve	
Bonds	Water Infrastructure	
\$ 899,999.98	-----	9960-909634-9557-900020-3
		Engineering
100,000.02	-----	9960-909634-9557-900020-9
<u>\$1,000,000.00</u>		Administration

The funds are required to cover the cost of Project 1180.6, Small Water Main Replacement and Rehabilitation Design at Various Locations FY13.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the agreement for Project No. 1180.6, Small Diameter Water Main Replacement and Rehabilitation Design at Various Locations FY13 (WC 1271, WC 1272, & WC 1273) with Dewberry & Davis, LLC. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The Comptroller **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 009 to Louis Berger Water Services, Inc., under Project No. 1302, Project Management and Inspection Services.

AMOUNT OF MONEY AND SOURCE:

\$6,052,942.03 - 9956-904564-9551-900010-705032

BACKGROUND/EXPLANATION:

The Louis Berger Group, Inc. will provide project management and construction inspection services for SC 877, Enhanced Nutrient Removal Process at Back River Wastewater Treatment Plant.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 009 to Louis Berger Water Services, Inc., under Project No. 1302, Project Management and Inspection Services.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies
hereinafter named, the Board,
UPON MOTION duly made and seconded,
awarded the formally advertised contracts
listed on the following page:
3603
to the low bidders meeting the specifications,
or rejected bids on those as indicated
for the reasons stated.

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

- | | | |
|--------------------------------------|--|----------------|
| 1. B50002948, Data Center Colocation | TierPoint Maryland, LLC f/k/a Baltimore Technology Park, LLC | \$1,653,520.00 |
|--------------------------------------|--|----------------|

(Mayor's Office of Information Technology)

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

MBE: Cytherian, LLC 20.80%

WBE: DK Consulting, LLC See note below*

*DK Consulting, LLC is not certified to perform the work listed on Part B: Statement of Intent form.

MWBOO FOUND VENDOR IN NON-COMPLIANCE

Tierpoint Maryland, LLC was the sole bidder. The Bureau of Purchases requests the Board to approve award to the sole proposer, subject to the vendor coming into compliance with MWBOO goals within ten days of award.

Bureau of Purchases

- | | | |
|--|---------------------------|----------------|
| 2. B50003071, Decorative Street Light Fixtures | Genlyte Thomas Group, LLC | \$1,998,095.00 |
|--|---------------------------|----------------|

(Dept. of Transportation)

MWBOO GRANTED A WAIVER.

- | | | |
|--|----------------|---------------|
| 3. B50003108, Revolution Traffic Cones | Safeware, Inc. | \$ 129,300.00 |
|--|----------------|---------------|

(Dept. of Transportation)

MWBOO GRANTED A WAIVER.

MINUTES

Office of the State's Attorney (SAO) - Grant Awards

The Board is requested to approve and authorize the acceptance of the grant awards. The period of the grant award is July 1, 2013 through June 30, 2014.

Program

1. **MARYLAND STATE POLICE (MSP)/** **\$ 45,829.00**
VEHICLE THEFT PREVENTION COUNCIL

Account: 5000-501614-1150-118300-600000

The SAO received the grant entitled "Vehicle Theft Prevention." The MSP awarded these funds to support screening, case preparation and enhanced prosecution of juvenile vehicle theft cases. The funds will be used to support the salary of one full-time law clerk that will maintain a vehicle theft database and assist prosecutors with the case preparation.

2. **GOVERNOR'S OFFICE OF CRIME** **\$ 98,280.00**
CONTROL AND PREVENTION (GOCCP)

Account: 5000-504814-1150-118000-601001

The SAO's Project EXILE received the grant entitled "Project EXILE." The funds will be used to provide support the salary of one cross-designated Assistant State's Attorney to the U.S. Attorney's Office, who will be assigned to handle the prosecution of gun cases as part of the city-wide effort to reduce gun violence.

3. **GOVERNOR'S OFFICE OF CRIME** **\$ 604,452.00**
CONTROL AND PREVENTION (GOCCP)

Account: 5000-504913-1150-117900-600000

The SAO received the grant entitled "Inter-Agency War Room Coordination." The GOCCP awarded these funds to support the comprehensive program of electronic information sharing that identifies the most violent offenders in Baltimore City upon arrest. Currently, the program determines and tracks probation and parole status, apprehension and service of warrants, judicial prioritization, and criminal case flow management. The funds will be used for personnel.

MINUTES

SAO - cont'd

4. GOVERNOR'S OFFICE OF CRIME \$ 115,000.00
CONTROL AND PREVENTION (GOCCP)

Account: 5000-505714-1150-118000-601001

The SAO's City Corrections Investigative Unit (CCIU) Prosecutor Program received the grant entitled "CCIU Prosecutor." The GOCCP awarded these funds to support the team of experienced correctional investigators and intelligence officers, state troopers, and prosecutors that will build upon recent investigations and initiate new ones. The funds will be used to provide support for salary and benefits of one prosecutor that will be assigned to the CCIU.

5. GOVERNOR'S OFFICE OF CRIME \$2,459,195.00
CONTROL AND PREVENTION (GOCCP)

Account: 5000-501514-1150-118000-600000

The SAO received the grant entitled "Comprehensive Violence Prosecution." The GOCCP awarded these funds to support the prosecution of non-fatal shootings, recidivist gun offenders, gun trafficking cases, and homicide cases in Circuit Court. The funds will be used to provide salary and benefits of 21 full-time employees and rent for the SAO office space.

The grant awards are late because they were recently received.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the grant awards.

MINUTES

Fire Department - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) with the Maryland State Police and Baltimore City, on behalf of the Baltimore Urban Area Initiative Work Group.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Maryland State Police will expend State Police funds to cover the immediate expenses associated with the MOA and will only be reimbursed with federal funding through the Urban Area Security Initiative Grant if available.

The MOA establishes a framework for the management and use of the Maryland State Police Aviation Command assets for operational support of Helicopter Aquatic Rescue Team missions.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the memorandum of agreement with the Maryland State Police and Baltimore City, on behalf of the Baltimore Urban Area Initiative Work Group.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with Duke Baltimore, LLC. The period of the agreement is effective upon Board approval and termination will be deemed in writing by the Department.

AMOUNT OF MONEY AND SOURCE:

\$122,106.00 - 9950-917089-9512-000000-490375

BACKGROUND/EXPLANATION:

Duke Baltimore, LLC proposes to construct a 1,017,550 square feet Distribution Center on Parcel C General Motors Plant property bounded by I-895, Broening Highway, and Keith Avenue, located at 2010 Broening Highway.

Under the terms of this agreement, Duke Baltimore, LLC will make a monetary contribution in the amount of \$122,106.00 (12 cents per sq. ft.) as part of the Duke Realty Planned Unit Development (PUD). The contribution will be credited to the Southeast Baltimore Traffic Mitigation Zone, Subzone D to make certain improvements to the transportation infrastructure network.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the traffic mitigation agreement with Duke Baltimore, LLC.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|-------------|----------|
| 1. CATALYST USA, INC.
Solicitation No. 07000 - Primavera Contract Management Version 14 Training Class - Department of Public Works - Req. No. R637068 | \$46,000.00 | Sole Bid |
| 2. GLOBE ELECTRIC SUPPLY CO.
Solicitation No. 07000 - Modems for Traffic Signals - Department of Transportation - Req. No. P518377 | \$0.00 | Renewal |

On October 3, 2011, the City Purchasing Agent approved the initial award in the amount of \$14,447.70. The award contained three one-year renewal options. On October 17, 2012, the Board approved the first renewal in the amount of \$14,850.00. This renewal in the amount of \$0.00 is for the period October 17, 2013 through October 16, 2014, with one 1-year renewal option remaining.

- | | | |
|--|-------------|---------|
| 3. CITIZENS PHARMACY SERVICES, INC.
Solicitation No. 06000 - Various Pre-Labeled Medications - Health Department - Req. No. P521494 | \$23,880.00 | Renewal |
|--|-------------|---------|

On September 25, 2012, the Board approved the initial award in the amount of \$23,880.00. The award contained two 1-year renewal options. On January 15, 2013, the Board approved an increase in the amount of \$100.00. This renewal in the amount of \$23,880.00 is for the period September 25, 2013 through September 24, 2014, with one 1-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|-------------|---------|
| 4. AMERICA ON DEMAND OF
MARYLAND, INC. | \$37,530.00 | Low Bid |
|---|-------------|---------|
- Solicitation No. 07000 - Case Manager - Health Department -
Req. No. R639381

The period of the award is September 15, 2013 through January 17, 2014.

- | | | |
|---------------------------------|-------------|---------|
| 5. BELAIR ROAD SUPPLY CO., INC. | \$10,000.00 | Renewal |
|---------------------------------|-------------|---------|
- Solicitation No. B50002152 - Handbox Frames and Cover, Meter
Vault - Department of Transportation - Req. No. P518375

On October 4, 2011, the City Purchasing Agent approved the initial award in the amount of \$19,514.00. The award contained two 1-year renewal options. On September 16, 2012, the Board approved the first renewal in the amount of \$20,000.00. This final renewal in the amount of \$10,000.00 is for the period October 4, 2013 through October 3, 2014.

- | | | |
|-------------------|-------------|----------|
| 6. COLOR-AD, INC. | \$ 3,155.00 | Increase |
|-------------------|-------------|----------|
- Solicitation No. B50002922 - Druid Hill Park Signage Phase III
- Department of Recreation and Parks - Req. No. R629599

On May 15, 2013, the Board approved the initial award in the amount of \$32,500.00. This increase in the amount of \$3,155.00 will make the award amount \$35,655.00. The award expires on October 7, 2013.

- | | | |
|----------------------------------|-------------|---------|
| 7. FALCON EXPRESS TRANSPORTATION | \$16,000.00 | Renewal |
|----------------------------------|-------------|---------|
- Solicitation No. B50002039 - Courier Services - Health
Department - Req. No. P518013

On August 31, 2011, the Board approved the initial award in the amount of \$16,000.00. The award contained three 1-year renewal options. On August 29, 2012, the Board approved the first renewal in the amount of \$16,000.00. This renewal in the amount of \$16,000.00 is for the period October 1, 2013 through September 30, 2014, with one 1-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|------------------------|--------------|-------------|
| 8. PROMEGA CORPORATION | \$233,652.00 | Sole Source |
|------------------------|--------------|-------------|
- Solicitation No. 08000 - DNA Lab Daily Consumables for the Police Department - Police Department - Req. No. R639341

Promega Corporation is the sole manufacturer and the only provider of DNA Testing reagents that are compatible with the DNA testing equipment currently used in the Crime Lab. The period of the award is September 4, 2013 through September 3, 2014.

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

MWBOO GRANTED A WAIVER.

- | | | |
|-----------------|--------------|-------------|
| 9. VIDSYS, INC. | \$101,925.00 | Sole Source |
|-----------------|--------------|-------------|
- Solicitation No. 08000 - CityWatch VidSys Software Maintenance and Support Licenses - Police Department - Req. No. R640014

VidSys, Inc. is the sole source systems maintenance and proprietary software licenses for surveillance network systems currently in use by the Baltimore Police Department. The software license was originally procured by the City for the 2011 Grand Prix. Because the agency did not procure maintenance and support services during the initial period of the license, the vendor requires the maintenance fee to be calculated as of the initial license date.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

10. SMITH MICRO SOFTWARE

INC.	\$ 91,176.00	Sole Source
Solicitation No. 08000 - Quicklink Mobility Unified Connection Manager/Security Client License - Police Department - Req. No. R636147		

This is an upgrade to and maintenance of the software and servers that are currently in use by the Baltimore City Police Department. This software license upgrade and server maintenance is exclusive to this vendor and is necessary for FBI compliance.

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.

11. MANNA HOUSE, INC.	\$ 130,000.00	Renewal
Contract No. B50001062 - Men's Healthcare Outreach Program - Health Department - Req. No. R640988		

On September 16, 2009, the Board approved the initial award in the amount of \$130,000.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This final renewal option in the amount of \$130,000.00 is for the period September 16, 2013 through September 15, 2014.

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

MBE:	Just 4U Transit, LLC	\$ 645.00	
	Higher Ground Transportation	7,135.00	
		<u>\$ 7,780.00</u>	(2%)

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

WBE: Copy Cat Printing	\$8,463.12	
Towson Medical Equipment, Inc.	4,580.79*	
Specialty Marketing Printing	5,335.21*	
	<u>\$18,379.12*</u>	(5%)

*Expenditures from non-manufacturing suppliers are limited to 25% of each MBE/WBE goal. Therefore, the amount allowed has been applied.

MWBOO FOUND VENDOR IN COMPLIANCE.

- | | | |
|----------------------|----------------|---------|
| 12. BASF CORPORATION | \$1,000,000.00 | Renewal |
|----------------------|----------------|---------|
- Contract No. B50002625 - Polymeric Flocculant for Centrifuge Dewatering for the Back River Wastewater Treatment Plant - Department of Public Works - P.O. No. P521816

On October 24, 2012, the Board approved the initial award in the amount of \$499,502.00. The award contained two 2-year renewal options. This renewal in the amount of \$1,000,000.00 is for the period November 1, 2013 through October 31, 2015, with one 2-year renewal option remaining.

MWBOO GRANTED A WAIVER.

- | | | |
|--------------------------|--------------|---------|
| 13. LION TOTALCARE, INC. | \$500,000.00 | Renewal |
|--------------------------|--------------|---------|
- Cooperative Purchasing Contract, Baltimore County Solicitation No. B-545-Firefighter Turnout Gear Repair and Cleaning - Fire Department - P.O. No. P522636

On February 13, 2013, the Board approved the initial award in the amount of \$500,000.00. The award contained four 1-year renewal options. This renewal in the amount of \$500,000.00 is for the period October 1, 2013 through September 30, 2014, with three 1-year renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 14. PRODUCTS UNLIMITED, INC.
Contract No. B50002143 - Vials & Caps for Baltimore City Police Department Crime Lab - Police Department - P.O. No. P518493 | \$ 20,000.00 | Renewal |
|---|--------------|---------|

On October 19, 2011, the Board approved the initial award in the amount of \$26,344.80. The award contained three 1-year renewal options. On September 19, 2012, the Board approved the first renewal in the amount of \$20,000.00. This renewal in the amount of \$20,000.00 is for the period October 19, 2013 through October 18, 2014, with one 1-year renewal option remaining.

- | | | |
|--|---------|-----------|
| 15. SIEMENS INDUSTRY, INC.
Contract No. BP-02155 - Replace Existing Traffic Signal System - Department of Transportation - P.O. No. P505702 | \$ 0.00 | Extension |
|--|---------|-----------|

On February 5, 2003, the Board approved the initial award in the amount of \$5,759,386.00. On June 15, 2006, the City Purchasing Agent adjusted the initial time end date to December 31, 2008. On January 23, 2013, the Board approved an extension through August 31, 2013 in the amount of \$0.00. This extension in the amount of \$0.00 is necessary to allow additional time for the Bureau of Purchases to obtain the agency's technical specifications for a new solicitation. The period of the extension is September 1, 2013 through February 28, 2014.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

MWBOO SET GOALS OF 9% MBE AND 3% WBE ON OCTOBER 12, 2001.

MBE: Plexus Group	\$758,384.54	12.46%
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WBE: Waiver granted	\$ 88,461.79	1.45%
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On January 15, 2013, MWBOO granted a waiver of the WBE goal because all work has been completed and there is no further available opportunity for WBE participation.

MWBOO FOUND VENDOR IN COMPLIANCE.

16. L & J CONSTRUCTION		Ratification
SERVICES, INC.	\$ 0.00	and Renewal
<hr/>		
Contract No. B50001987 - Hauling of Asphalt - Department of Transportation - P.O. No. P518106		

On August 24, 2011, the Board approved the initial award in the amount of \$100,000.00. The award contained three 1-year renewal options. On January 25, 2012, the City Purchasing Agent approved an increase in the amount of \$50,000.00. Subsequent actions have been approved.

Due to delays in obtaining required vendor documentation for compliance certification, the contract was not renewed within the period of the initial term. In the prior Board action on March 13, 2013, the second call vendor, Cherry Hill Hauling and Towing which had been found non-compliant on January 29, 2013, and was given 10 days to come into compliance. However, to date Cherry Hill Hauling has not submitted the required compliance documentation. Therefore, the City is not requesting renewal for the second vendor at this time. The period of the ratification is August 24, 2013 through September 11, 2013. The period of the renewal is September 12, 2013 through August 23, 2014, with two 1-year renewal options remaining.

MWBOO SET GOALS OF 20% MBE AND 7% WBE.

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

September 10, 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. 21, contained on page No. 49 of Your Honorable Board's 09/11/2013 public meeting agenda, which is a proposed contract renewal of Bureau of Purchases' Contract solicitation No. B50002530-"Various Fencing Systems Installation and Repairs," with Long Fence Company, Inc.

Our concern with this proposed contract renewal is that it violates not only the City's "mandatory" competitive bidding charter provision-Article VI, Section 11 et Seq., but also violates the City's M-WBE Ordinance-Article 5, Subtitle 20-1-21-98, Baltimore City Code, as amended.

Importantly, MMCA's members, clients and constituents will be injured if this proposed contract renewal is approved by Your Honorable Board.

Thank you for your kind and favorable consideration.

Respectfully Submitted,

Arnold M. Jolivet

Arnold M. Jolivet

Managing Director

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

18. HORTON MECHANICAL CONTRACTORS	\$200,000.00	
CALMI ELECTRICAL COMPANY	<u>200,000.00</u>	Ratification
	<u>\$400,000.00</u>	and Renewal

Contract No. B50001474 - Miscellaneous Electrical Work -
Department of General Services - Req. Nos. Various

On August 18, 2010, the Board approved the initial award in the amount of \$900,000.00. The award contained two 1-year renewal options. On January 11, 2012, the City Purchasing Agent approved an increase in the amount of \$50,000.00. Subsequent increases were approved by the Board on April 4, 2012 and May 15, 2013. Due to delays in obtaining required vendor documentation for compliance certification, the contract was not renewed within the time period of the initial term. The period of the ratification is August 12, 2013 through September 10, 2013. The period of the renewal is September 11, 2013 through August 11, 2014 with one 1-year renewal option remaining.

MWBOO SET GOALS OF 23% MBE AND 10% WBE.Horton Mechanical Contractors, Inc.

MBE: A/C Power, Inc.	\$ 67,079.90	13%
Brown-Tisdale, Inc.*	\$ 0.00	

WBE: Waiver granted.

*Brown-Tisdale, Inc. is no longer in business. The contractor will utilize A/C Power, Inc. to meet the MBE goal.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of PurchasesCalmi Electric Company

MBE: A/C Power, Inc.	\$175,704.24	(23%)
WBE: Herbert Electric Company*	\$ 3,500.00	(0.46%)

MWBOO FOUND VENDORS IN COMPLIANCE.

- | | | |
|------------------------------|---------------------|------------------|
| 19. <u>LOCATION AGE, LLC</u> | <u>\$ 99,980.00</u> | <u>Agreement</u> |
|------------------------------|---------------------|------------------|
- Solicitation No. 08000 - CoBLAM Software Support Agreement -
Department of Housing and Community Development - Req. Nos.
Various

The Board is requested to approve and authorize execution of an agreement with Location Age, LLC. The period of the agreement is effective upon Board approval for one year, with an option to renew for three 1-year terms.

This agreement will provide the City of Baltimore Land Asset Manager software licenses, technical support and maintenance required by Baltimore Housing and Community Development for automation of specific functions, including property acquisition, stabilization, management and disposition.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

20. GREB SERVICE, INC.	1 st Call	
INTERCON TRUCK OF BALTIMORE, INC.	2 nd Call	
PRECISION MACHINE & HYDRAULIC, INC.	3 rd Call	
	\$0.00	Extension

Solicitation No. 06000 - Hydraulic and Welding Repair Service - Dept. of General Services, Fleet Management Division - Req. Nos. Various

This extension is requested on the same terms and condition as the original contract, B50000457 for each of the three vendors. The period covered is September 10, 2013 through March 09, 2014.

On September 10, 2008, the Board approved the initial award of B540000457 for the amount of \$6,400,000.00. The first renewal was approved by the Board on August 31, 2011 for the amount of \$2,100,000.00. A ratification and second renewal was approved by the Board on September 26, 2012.

Due to a delay in award, the initial contract expired without the City exercising the second renewal. Subsequently, the Board approved a ratification and renewal on September 26, 2012 for the period ending on September 9, 2013. The Board is requested to approve an extension for this contract to allow sufficient time to bid and award a new contract, while continuing to allow the agency to utilize the critical services.

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, §11 (e)(i) of the City Charter, the procurement of the equipment and/or services is recommended.

MWBOO SET MBE GOALS OF 3%.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

GREB SERVICE, INC.

MBE: D&T Welding Contractor, LLC*	\$ 4,600.00	1%
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WBE: N/A

MWBOO FOUND VENDOR IN COMPLIANCE.

INTERCON TRUCK OF BALTIMORE, INC.

MBE: Omo Science, Energy & Technology	\$ 16,794.72	0.77%
D&T Welding Contractor, LLC*	65,120.14	2.97%
Ball & Ball Communications	26,818.16	1.22%
	<u>\$108,732.02</u>	<u>(5%)</u>

WBE: N/A

*D&T Welding Contractor, LLC is not in good standing with the State Department of Assessments & Taxation. Intercon Truck Of Baltimore, Inc. will be allowed to make a substitution if the MBE is not in good standing at the time of award.

MWBOO FOUND VENDOR IN COMPLIANCE.

PRECISION MACHINE & HYDRAULIC, INC.

MWBOO GRANTED A WAIVER.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|------------------------------|--------------|---------|
| 21. LONG FENCE COMPANY, INC. | \$100,000.00 | Renewal |
|------------------------------|--------------|---------|
- Contract No. B50002530 - Various Fencing Systems Installation & Repair - DPW, DGS, DOT, Recreation & Parks, etc. - Req. Nos. Various

On September 19, 2012, the Board approved the initial award for the amount of \$300,000.00. A conditional renewal of the contract is needed to provide time to explore alternate sources for these services before rebidding the requirement. The period covered is September 19, 2013 through September 18, 2014. The renewal shall be on the conditional basis that the vendor come into MBE/WBE compliance within three months of the date of Board approval, or suffer automatic termination for Default on December 19, 2013.

MWBOO SET GOALS OF 8% MBE AND 1% WBE.

MBE: Sparks Quality Fence	\$ 5,670.00	3.75%
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WBE: Rowen Concrete, Inc.	\$ 1,135.79	0.75%
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MWBOO FOUND VENDOR IN NON-COMPLIANCE.

In consultation with the MWBOO, the Bureau of Purchases has sent a letter that informs the vendor that it is in breach of a material term of the contract due to its continued failure to meet the MBE/WBE goals for the contract.

President: "The first item on the non-routine agenda can be found on page 49, item no. 21, Informal Awards, Renewals, Increases to Contracts and Extensions will the parties please come forward."

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Mr. Krus: "Tim Krus, City Purchasing Agent, this is the renewal of a contract for various fencing systems, installation and repair to the incumbent Long Fence for a period of one year. However, placing the incumbent on probation for a period of 90 days by which time they must come into compliance or suffer automatic termination for default."

President: "Mr. Jolivet."

Mr. Jolivet: "Good morning."

President: "Good morning."

Mr. Jolivet: "Arnold M. Jolivet -- and - ah - for Mr. Charles Sparks -- ah ah - Sparks Quality Fence Company and - ah - if I can I would like to introduce you to Mr. Sparks -- ah -- he has been a very outstanding ah -- business person in our community and he has been a strong supporter of our association -- ah -- and in fact he is just a terrific person and runs a traffic business and I just ah -- felt that the Board ought to see his face because, all too often we -- we make decisions about certain persons and we don't see their faces and not seeing their faces we tend to be very abstract and impersonal but I wanted you to see him this morning. ah -- I want to ask the Board this morning in its wisdom, to reject the Bureau Purchases recommendation to renew the contract with ah -- Long Fence, and

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here is why. I think it would be highly appropriate that the Board would exercise its discretion and refrain from renewing the contract, and the Board certainly has that discretion in renewing a contract or extending the contract. Obviously, the Board providing the contract was awarded pursuant to law, the Board has terrific unlimited discretion to make that decision. However, I would call the Board's attention that when this contract came before the Board in September -- ah, was it 19th of 2012, I pointed out to the Board that Sparks Quality Fence was in fact the lowest responsive and responsible bidder ah -- pursuant to the Charter and never the less it was recommended that Sparks not be awarded the contract because allegedly Sparks for whatever reason did not meet the City's MBE ah -- goal for that particular contract. I want to point out also that Sparks' bid was \$312,969.00 and Long's bid was \$397,158.00. Now, obviously, the Board is mindful of this wide disparity -- ah so I don't necessarily need to dwell on that but I want to -- I want to just point out the -- the dichotomy here, the Board -- the Bureau of Purchases is recommending that this Board renew this contract in light, in view, or not withstanding of the fact

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that the bidder, oh well maybe not the bidder, because it's no longer a bidder -- the contractor is not in compliance with the City's MBE -- ah - goal ah - now, the bidder is not in compliance with the MBE goal. Ladies and gentlemen that is the exact reason that the Bureau of Purchases and Mr. Corey's office on September the 19th, 2012 recommended that the contract be taken away and disqualified Mr. Sparks. What an uneven-handed policy. So I - I I - I am -- really, I am really, this morning bewildered. How the Board, how the agency can have such a disparate of policy in one hand you take away, you disqualify, you reject a bidder for a contract and on the other hand you award a bidder the same identical contract and the bidder possesses the same identical disqualification factor. It goes Mr. President -- I am having difficulty reconciling ah -- the different treatment here. So, I want to ask the Board in its wisdom in the interest of fair, impartial treatment for Mr. Sparks, that this Board reject the recommendation of the Bureau of Purchases and Mr. Corey's office to award, actually to extend renewal of this contract to Long because Mr. President, in all due respect this is just - it is a horrendous disparity. ah -- It is totally unacceptable to disqualify Sparks, Mr. Sparks and on the other hand come right back, and reward another contractor

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for the same identical - - ah - deficiency. Now,

Audience Member: "He's black that's why."

Mr. Jolivet: "We know that. We do, we know that."

President: "Ms. would you please refrain from those outbursts, thank you."

Mr. Jolivet: "But Mr. President you know what, that is an excellent point. I want to dwell on that. That is an excellent point and I want -- give me a chance to just point out that -- the disparity here. Mr. Sparks, we purport to have a policy in the City to encourage, to promote the growth of minority firms. Now, Mr. Corey, how in the world can we foster the growth, the ordinary growth of minority firms, particularly African Americans firms, and have a policy that unfairly and arbitrarily discriminates against them when they are the lowest responsive and responsible bidder? Now, there is one factor that I have not brought out last year that the Board didn't seem to take serious, and that is, Mr. President, when the bids first came in on 08/08/2012 there were two bidders Sparks Quality Fence of course as I said on the record with \$312,000.00, Long Fence with \$397,000.00 -- \$397. Now, here what is very troubling - extremely, extraordinarily troubling, and I haven't been able to ah -- I haven't been able to -- ah -- reconcile that because it's

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hot in here Mr. President, I just needed to vent."

Mr. President: "I can feel it."

Mr. Jolivet: "It's hot, it's real hot. I don't know why we don't put some air in here. We need some air in here, Mr. President. Please, can we put air in the place? Mr. President let me finish because I know the day is long ah -- but I just want to impress on the Board, I want to impress on the Board that we need to be fair about this and I want to point out that -- and it is really difficult to actually accept but the Bureau of Purchases when they came to the Board on September the 19th 2012 here is what they did that I felt was very offensive and quite frankly - ah -- I believe violated the Charter. What they did, they represented to the Board that Long's Fence price was \$300,000.00. That is what they represented and the purpose of that representation, and actually, it is a misrepresentation. They represented or rather misrepresented that Long's price was \$300,000.00. When in fact Mr. President, Long's price was \$397,000.00. Now, the purpose of that misrepresentation was to convey to the Board it was appropriate to award to Long rather than Sparks because the \$300,000.00 was still lower than Mr. Fo -- ah -- Sparks and thereby would be a good -- sound justification, to reject Sparks bid and award to Long. Now I would be very, very remiss if I didn't convey to the Board that

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-- that this is the most egregious, flagrant abuse of the city's competitive bidding policy that I have ever seen, and I have been here for 32 years. Thirty-two years I have spanned four Mayors, and I have never seen such an egregious - ah -- manipulation a massaging of the Charter. So, I -- I want to point out and I ask you and I point out these facts to motivate this Board that the Board cannot put a stamp of approval on this renewal, because this renewal Mr. President, is tainted. It's tainted."

President: "Mr. Krus, why are we giving them three months - - to come into - ah - compliance when they have shown an unwillingness to -- um - and be found out of compliance in previous years?"

Mr. Krus: "I think a little bit of History would be appropriate. In the solicitation that Mr. Jolivet is referring to Long Fence was up for a renewal. Because they had had a history of problems with compliance the Bureau of Purchases talked with MWBOO and we decided to pass on renewal and put fencing back out on the street for bids. When those bids came in, as Mr. Jolivet said we had two bidders, Long Fence and Sparks Quality Fence. Sparks is also the MBE on the Long Fence Contract. Um -- there was a problem with MWBOO compliance with the Sparks bid and the award to Long was made in a requirements contract in which we took the

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bids and then estimated \$300,000.00. We weren't trying to hide anything from the Board or from anybody else at that point and time. Ah -- in this case we are giving ah -- Long Fence notice of a probationary period to go through formal due process so that at the end they would suffer termination for default and if we end up going back out on the street for a bid they would not be able to bid on fencing as a responsible bidder."

President: "Comptroller."

City Solicitor: "Would they -- would the termination be automatic at the end of 90 days if there is a failure to comply or discretionary?"

Mr. Krus: "It would be automatic."

City Solicitor: "And would you -- would you - um -- be - have any problem with agreeing to report the outcome at the end of 90 days to the Board, to this Board?"

Mr. Krus: "No Problem at all."

Comptroller: "Mr. President, first of all I would like to thank - - ah - - Mr. Krus and Mr. Corey for answering my questions and now I would just like to put them on the record -- um - - the answer to my questions are in the last ten years Long fence has been awarded 4 contracts, which total approximately \$3.5 million, and the concern that I have is that - - is Long Fence here today?"

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Mr. Krus: "Not to my knowledge."

Comptroller: "That's a problem -- we have a -- a vendor here or a company that has been doing business here with the City for the last ten years and doesn't see fit to come into compliance. Based on the information that I received they were compliant in 2008, they were non-compliant in 2010, they were compliant in 2011, non-compliant in 2012 and non-compliant in 2013. So, is it really fair to give them another three months when it appears they are not really concerned or think that it is important to come into compliance? And, if Mr. Sparks' bid was \$312 and Long Fence was \$397 and based on their calculation and rationale we thought it would \$300,000.00, why would we not give it to Mr. Sparks why would we give him 90 days when has had a ten year history with the City of the right thing to do?"

Mr. Krus: "Part of the reason for that Madam Comptroller is that we have had difficulty bidders on fencing. We are not quite sure why --."

Comptroller: "But we have one here."

Tim Krus: "And we are going to be - and we are going to be taking a further look into that. At the point that Mr. Sparks bid, he was found non-compliant by MWBOO."

Comptroller: "And so --."

Mr. Krus: "Oddly enough with all the fencing contractors we

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have in this region --."

Comptroller: "Right."

Mr. Krus: "Mr. Sparks and Long Fence were the only two bidders on that contract. We have looked around the region and we see Long Fence being the successful bidder with a number of other contracts, but we want to be in the mode here we do two things here. We are trying to protect Mr. Sparks position as the MBE on the Long Fence contract --."

Comptroller: "For \$5,000.00 compared to \$100,000.00?"

Tim Krus: "Well, and say to Long Fence you have got to at least comply with that and then put Long Fence in a situation where an automatic termination for default would prevent them from bidding on another fencing contract."

Comptroller: "But, why are we giving them three months when we have a - a - a company that can do the job. You said they are only two companies that you are aware of that can do this. Long Fence who obviously doesn't take the City compliance of MBE and WBE serious because they have a ten year track record of not complying and we have a company here who can do the right thing. Why not give him 10 days to come into compliance?"

Mr. Krus: "We're - we're actually giving Long Fence three months because --."

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Comptroller: "That's not right."

Mr. Krus: "The business that we give to the vendor varies across the year, so when."

Comptroller: "Alright."

Mr. Krus: "In a ten day time, a 30 day time they might not get any fencing business from which to comply. We are requiring that Long Fence come into compliance for the full term of the contract."

Mr. Jolivet: "Mr. President --."

President: "The Mayor has some questions first."

Mayor: "Thank you very much, do we know and - and I know that, see that DPW is one of the agencies on this contract, do we know the um -- the urgency of this particular one, is it time sensitive?"

Mr. Krus: "The renewal could result in coming back to the Board for ratification. The period begins um September 19th."

City Solicitor: "So the 90 days would end on December the 19th?"

Mr. Krus: "December the 19th."

Mayor: "I would feel more comfortable hearing from Long Fence on their track record of non-compliance."

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Mr. Krus: "Could we ah -- then just defer and have them come next week to address the Board with the same letter, would that be a --."

Mayor: "I think so."

Comptroller: "He wants to speak?"

President: "Mr. Sparks."

Mr. Sparks: "One of the reasons --."

Comptroller: "State your name."

President: "State your name."

Mr. Sparks: "President of Sparks Quality Fence. My name is Charles A. Sparks and I am a citizen and I live in East Baltimore. And um -- I started my company with one truck and I grew to nine. The problem with this contract is -- it just seems like the Board is not hearing, this job has only been put out to bid because Long didn't come into compliance. It's like David and Goliath and the only reason that I got some work is because this came out in September of 2012. I got my first job in April of 2013 and you want to know the reason why? I went to Jack Young, and Jack said 'What!' I said they are doing the same thing."

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Mayor: "So, that's why I have asked for it to be deferred."

Mr. Sparks: "You got the ball rolling, he wouldn't let them -- in order for you going to all do this -- its gonna go on and on and on. And I got experience on numerous contracts, I was MBE with Best, I have done --."

Mayor: "But do you understand that is why we are deferring it. We want to hear from them, we hear you and because of that we are not taking an action today we are asking for Long Fence to come in next week."

City Solicitor: "And let me just, I also just want to point out something to you on sort of pure economic terms. If the Board next week when we return to this matter should grant the three month extension, that means either they have to come into retroactive compliance which means using your company as the MBE on the job or if they fail and retroactive means that they have to get up to the full percentage level with regard to the whole term of the contract. If they fail then the contract would be automatically terminated and they will be declared not able to bid on the next contract. So just, I have no idea what actually is going to happen, but those are the two things that could

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happen to you and I would also ask while we have a week between now and the continued discussion for Mr. Corey and Mr. Krus to be prepared to come talk to us about what efforts were made specifically to reach out to Mr. Sparks in the last several months to try to find out what um -- is going on and why he is not getting any of the work, whether he has got any information to shed on why Long Fence would be out of compliance with a qualified, certified MBE."

Mr. President: "Well, let me um -- ask this question. If Long Fence come in and this Board -- ah feels that Long Fence have not been um -- responsive or will not be responsive why wouldn't we go to the next responsible, responsive bidder, why would it have to go out to bid."

Comptroller: "Right"

President: "It should be automatically go to Mr. Sparks, this has been my --."

Mr. Krus: "It is always possible for us to consider that."

President: "Well, well possible. Alright."

Mayor: "It's best to table that."

President: "Alright."

MINUTES

Mr. Jolivet: "Mr. President may I --."

Mr. Jolivet: "Mr. President --."

Mr. Krus: "We have done that before."

President: "Well well I call for a motion."

Mr. Jolivet: "Mr. President may I Thank the Mayor?"

President: "I call for a motion and then you can thank her after-wards."

City Solicitor: "Move to defer consideration of the item, further consideration to the next Board meeting next week."

Director of Public Works: "Second."

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

Mr. Jolivet: "Mr. President may I thank the Mayor --."

President: "You can."

Mr. Jolivet: "On the record for seeing the absurdity in making a recommendation that this matter be deferred for further discussions and evaluation."

President: "Thank you."

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Mr. Jolivet: "I need to thank her for that."

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards, increases, and extensions to contracts. Item no. 21 was **DEFERRED**, after hearing the protest, until September 18, 2013. The President voted **NO** on item no. 17. The Comptroller **ABSTAINED** on item nos. 11, 16, 18, and 20.

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MINUTES**TRAVEL REQUESTS**Law Department

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Kurt Heinrich Elizabeth Martinez	International Municipal Lawyers Annual Conference San Francisco, CA Sept 29 - Oct. 3, 2013 (Reg. Fee \$300.00 ea.)	General Fund	\$2,915.80

The subsistence rate for this location is \$255.00 per day. The hotel cost is \$275.00 per night not including occupancy taxes of \$42.85 per night. The Department is requesting additional subsistence of \$20.00 per day to cover the cost of the hotel, as well as \$40.00 per day to cover meals and incidental expenses for Mr. Heinrich.

Ms. Martinez is not requesting subsistence.

Police Department

2. Ronald Mealey	Emerg. Responders Hazardous Materials Technician for CBRNE Incidents Anniston, AL Sept. 8 - 14, 2013		\$ 0.00
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All expenses will be paid by the U.S. Dept. of Homeland Security.

3. Sean Dallessandro Dawnyell S. Taylor	Blood Spatter Training Pueblo, CO Dec. 8 - 14, 2013 (Reg. Fee \$655.00 ea.)	Asset For- feiture Funds	\$4,309.00
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MINUTES**TRAVEL REQUESTS**Department of Planning

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
4. Beth Strommen	Urban Sustainability Directors Network Annual Mtg. Memphis, TN Sept. 12 - 18, 2013 (Reg. Fee \$20.00)	General Fund	\$ 206.00

Mayor's Office of Emergency Management (MOEM)

5. Chi-Poe Hsia	Emergency Management Summit Atlantic City, NJ Oct. 7 - 9, 2013 (Reg. Fee \$695.00)	FY11 MMRS Grant	\$1,185.64
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The subsistence rate for this location is \$162.00 per day. The hotel cost is \$138.00 per night not including occupancy taxes of \$19.32 per night. The MOEM is requesting an additional subsistence of \$16.00 per day to cover the cost of meals and incidental expenses.

The MOEM has pre-paid the registration in the amount of \$695.00 and the Rail Ticket in the amount of \$96.00 on a City-issued credit card assigned to Mr. Robert Maloney. The disbursement to the representative will be in the amount of \$394.64.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Finance, Office of Risk Management</u>			
6. Douglas Kerr Donna C. Briscoe	Maryland Worker's Compensation Conf. Ocean City, MD Sept. 15 - 18, 2013 (Reg. Fee \$225.00)ea.	Risk Manage- ment	\$1,965.80

The registration fee for Ms. Briscoe was prepaid by City Check. Therefore, the amount to be disbursed to Ms. Briscoe is \$764.35. The amount to be disbursed to Mr. Kerr is \$976.45.

Health Department

7. Charles Baugh Tody Hairston- Fuller*	28 th National Train- ing Institute Conf. San Antonio, TX Dec. 10 - 16, 2013 Dec. 10 - 15, 2013* (Reg. Fee \$765.00) (Reg. Fee \$720.00)*	Federal Fund	\$4,730.94
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The subsistence for this location is \$172.00 per night. The hotel costs for each attendee is \$189.00 per night not including hotel taxes of \$31.66 per night. The Department is requesting an additional \$17.00 to cover the hotel cost for each attendee and \$40.00 for meals and incidentals.

The registrations were prepaid on Expenditure Authorization. The amount to be disbursed to Mr. Baugh is \$1,487.84. The amount to be disbursed to Ms. Hairston-Fuller is \$1,758.10.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Public Works</u>			
8. Art Shapiro	The 86th Annual Water Environmental Federation Technical Exhibition & Conference 2013 Chicago, IL Oct. 6 - 9, 2013 (Reg. Fee \$725.00)	Waste Water Utility Fund	\$2,118.34

The subsistence rate for this location is \$261.00 per day for a total of \$783.00. The hotel cost is \$245.00 per night for a total of \$735.00, not including occupancy taxes in the amount of \$40.18 per night for a total of \$120.54. The Department is requesting additional subsistence of \$24.00 per day for a total \$72.00 to cover the cost of meals and incidentals. The registration fee in the amount of \$725.00 was prepaid on a City-issued credit card assigned to Mr. Art Shapiro. Therefore, the total disbursement amount to Mr. Shapiro will be \$1,393.34.

MINUTES**TRAVEL APPROVAL/REIMBURSEMENT**Liquor Board

9. Elizabeth C. Smith Maryland Alcohol General \$410.98
 Licensing Assoc. Fund
 Ocean City, MD
 May 10 - 12, 2013
 (Reg. Fee \$75.00)

The subsistence rate for this location is \$159.00 per day. The Liquor Board is requesting reimbursement of the following expenditures to Ms. Smith:

Hotel	\$158.00
Reg. Fee	75.00
Occ. Taxes	19.78
Mileage	<u>158.20</u>
Total	<u>\$410.98</u>

The Board, UPON MOTION duly made and seconded, approved the foregoing travel requests. The Mayor **ABSTAINED** on item no. 9.

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President: "Thank you. Before we end let us have a moment of silence in honor of the many men, women, and children who lost their lives during the attacks on September 11. As we reflect on the events of that day, let us remember the lives of the victims and give thanks to the many men, women who risked their lives trying to protect fellow citizens. Let's have a moment of silence."

* * * * *

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

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

<u>Bureau of Water & Wastewater</u>	-	SC 932 , Improvements to Lower Gwynns Run Interceptor-Phase II from Franklin Street to Baltimore Street <u>BIDS TO BE RECV'D: 9/25/2013</u> <u>BIDS TO BE OPENED: 9/25/2013</u>
<u>Bureau of Solid Waste</u>	-	SWC 13310, Cell 6 Leachate Conveyance System Improvements at the Quarantine Road Landfill <u>BIDS TO BE RECV'D: 9/25/2013</u> <u>BIDS TO BE OPENED: 9/25/2013</u>
<u>Department of Transportation</u>	-	TR 13311, Traffic Signal Construction and Rewiring Citywide - JOC <u>BIDS TO BE RECV'D: 9/25/2013</u> <u>BIDS TO BE OPENED: 9/25/2013</u>

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

Department of Transportation - TR 14003, Reconstruction of
Footways Citywide

P. Flanigan & Sons, Inc.
M. Luis Construction Co., Inc.
Machado Construction Co., Inc.
Anchor Construction Corporation

Department of Transportation - TR 14004, Reconstruction of
Alleys Citywide

Santos Construction Company, Inc.
P. Flanigan & Sons, Inc.
M. Luis Construction Co., Inc.
Machado Construction Co., Inc.
Anchor Construction Corporation

Department of - GS 13805, Canton Library No.
General Services 4 Renovations, 1030 S. Ellwood
Avenue

JAK Construction Co., Inc.
Roy Kirby & Sons, Inc.
Trionfo Builders, Inc.
JA Argetakis Contracting Co., Inc.
E. Pikounis Construction Co., Inc.

Bureau of Purchases - B50003055, Copier Equipment

Athletica Sport Systems

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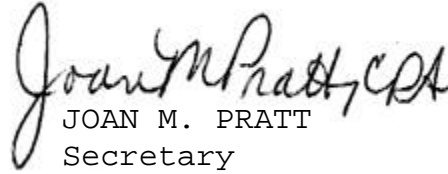
Bureau of Purchases -

B50003129, Fabrication,
Delivery and Installation of
Dasher Boards and Players Boxes
at Clarence H. "Du" Burns Arena

Kyocera (One Source Imaging)
Lexmark International, Inc.
Phillips Office Solutions
Xerox Corporation
Centric Business Systems
Canon Solutions America, Inc.
Konica Minolta
Ricoh USA, Inc.
Enoch Office Equipment

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There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, September 18, 2013.


JOAN M. PRATT
Secretary